



Notice of Meeting:

Planning Committee

Meeting Location:

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

Date and Time:

Wednesday, 5 April 2023 at 7.00 pm

Contact for Enquiries:

Email: democraticservices@ealing.gov.uk

Telephone: 020 8825 6302

Chief Executive:

Tony Clements

This meeting will be held in public. If you would like attend in person and have any special requirements in order to attend, please email democraticservices@ealing.gov.uk or telephone on 020 8825 6302 at least three clear working days in advance wherever possible.

Committee Membership: Councillors

L Brett, G Busuttil, T Mahmood (Vice-Chair), D Martin, S Padda, G Stafford, R Wall (Chair), M Hamidi, A Kelly, S Khan, S Kohli, G Shaw and C Summers

AGENDA

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 Part1 of Schedule 12A of the Local Government Act 1972.

5 Minutes

(Pages 5 - 10)

To approve as a correct record the minutes of the meeting held on Wednesday, 1 March 2023.

6 Site Visit Attendance

To share site visit details and note site visit attendance.

7 Planning Application - 224371FUL - Land Between Park View And Cloister Road Western Avenue Acton London W3 6XZ

(Pages 11 - 84)

8 Planning Application - 224773FUL - Brook House, 100 Gunnersbury Lane, Acton, London, W3 8HS

(Pages 85 - 210)

9 Date of the Next Meeting

The next meeting will be held on Wednesday, 26 April 2023.

Published: Tuesday, 28 March 2023

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.

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, 1 March 2023

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

Attendees (in person): Councillors

R Wall (Chair), J Ball, D Martin, S Padda, A Young, M Hamidi, M Iqbal, A Kelly, S Kohli, G Shaw, Y Gordon and C Summers

Apologies:

T Mahmood (Vice-Chair)

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Mahmood with no substitute.

2 Urgent Matters

There were none.

3 Declarations of Interest

There were none.

4 Matters to be Considered in Private

There were none.

5 Minutes

RESOLVED:

That the minutes of the meeting on Wednesday, 18 January 2023 were agreed as a true and correct record.

6 Site Visit Attendance

It was noted that the following members attended site visits prior to the Committee:

Councillors Wall, Martin, Padda, Hamidi, Iqbal, Kelly, Shaw, Gordon and Summers.

7 Planning Application - 224785REM - Plots A and B, Middlesex Business Centre, Bridge Road, Southall, UB2 4AB (Norwood Green)

Chris Maltby, Planning Officer, introduced the item and explained that the application before the Committee was for Reserved Matters Approval for the first phase of development of Middlesex Business Centre. Outline consent for the development was granted in November 2019, and it outlined a mixed-use redevelopment which comprised the demolition of most of the existing buildings on the site and their replacement with a mix of residential units, hotel floor space, flexible office space, flexible retail space and community floor space. Mr Maltby noted that the Margarine works Factory façade, and the Sunrise Radio building were not going to be demolished. The outline permission also included the proposed Maypole Park.

The wider Middlesex Business Centre site was 4.82 he in size and was located off the north-eastern end of Merrick Road. Its southern boundary bordered Bridge Road, its northern boundary was with the overground railway and its eastern boundary was with the former Honey Monster Factory development site. From the boundary with Merrick Road, Southall Station was approximately 300 metres to the east. The site was approximately 700m from Southall Town Centre, which was designated as a “Major” Centre in the London Plan.

Mr Maltby continued to detail the reserved matters application which was before the Committee for their determination. The application related to Plots A and B of the development, located in the northern part of the wider site. The reserved matters included approval of layout, access (within the site), scale, appearance, and landscaping. This phase was going to deliver 867 dwellings (of which 282 were going to be affordable), a new internal road network with integrated cycle lanes, bus stops, service bays, extensive shared amenity spaces, dedicated play spaces, a 180-bedroom hotel and a variety of units for commercial uses.

In addition to the above developments, the proposals were also going to bring forward the first tranche of benefits secured by the Section 106 Legal Agreement agreed as part of the outline permission. In addition to a community infrastructure levy, this phase was going to trigger funding of £6.13 million to be used towards key transport infrastructure, bus service improvements, education, healthcare and nearby parks and open spaces.

In light of the considerations he had set out, Mr Maltby informed the Committee that it was the opinion of officers that the proposals were going to provide a significant economic boost for Southall and bring what had been a long term underutilised site back into productive use. The application was therefore recommended for approval, subject to the conditions set out in Annex 1 of the committee report.

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 corrections and clarifications to the report, further written representations and amendments to the proposed conditions.

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

- The new buildings were going to have a negative impact on the hours of daylight and sunlight on neighbouring buildings, compromising residents' right to light. Residents had conducted a solar study and found that on the longest day of the year the lower floors of Donniford House (a neighbouring block) were only likely to receive around one hour of direct sunlight.
- The height and footprint of the proposed buildings risked the privacy of residents in neighbouring buildings.
- The application did not sufficiently address the impact which the proposals risked having on already strained public services in Southall such as health care facilities, dentists and schools.

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

- Phase 1 of the development had been carefully designed to adhere to the existing outline consent and to fit well with wider development in the area.
- The applicant had engaged extensively with local stakeholders through consultation, including with a design review panel and a community review panel. The applicant had introduced a public arts strategy for the development which was going to celebrate the culture of the site and help to integrate new residents.
- Sustainability was a key aspect of the development, and this was reflected through the submitted designs and plans. The application supported sustainable travel, and there were going to be around 1600 cycle spaces provided and a new cycle route along the proposed Healum Avenue.

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

- Although during this initial phase Healum Avenue was going to terminate in a roundabout, the intention was that the road would extend beyond the roundabout and will come forward through the development of the neighbouring site (Former Honey Monster Factory).
- The availability of healthcare and community resources as impacted by the proposed new development was a relevant planning consideration for the Committee. The developer had agreed to make significant section 106 contributions to offset any negative impact additional residents in the area might have.
- Of the 116 parking spaces proposed, it had not yet been agreed at this stage how many would be reserved for hotel guests.
- Daylight and sunlight assessments had been submitted and independently verified as part of the outline application. It was deemed

at the outline stage that the new development was not going to have any adverse effects on day light and sun light on neighbouring blocks. The proposals were subsequently reassessed in respect of this application and again no significant adverse impacts were identified.

- A construction management plan was going to be submitted by the applicant to ensure that minimal impact was caused to residents during the construction phases of the development.
- The position of the buildings, their widths, depths and heights were all considered and agreed previously at the outline stage and were not before the Committee for their determination as part of this item.
- The broad strategy which informed the way the heights of the buildings had been set was that the tallest buildings were placed closest to the railway and that the buildings closer to the road were shorter.
- It was a London Plan minimum requirement that 20% of all parking spaces were going to be provided with electric vehicle charging points. The development included further passive provision so that if demand increased in the future, it was going to be possible to provide more charging points.
- Whilst it was possible that some of the commercial units on the site could come forward as healthcare facilities, this was not mandatory and hence Section 106 contributions had been secured in relation to healthcare in the area.
- Given that the outline permission for the Middlesex Business Centre development was granted in 2019, officers advised that it was likely that buyers of flats in nearby residential blocks would have been made aware through conveyancing enquiries that the Middlesex Business Centre site was likely to be developed.

The representative of the applicant, Ms MacMillan, was invited to clarify a question relating to Maypole Park which Mr Maltby was not able to answer. Ms MacMillan confirmed that the creation of Maypole Park was going to take place in a later phase of the development and details of its facilities would become available as future phases came before the Committee.

The Committee proceeded to vote on the application.

UNANIMOUSLY RESOLVED:

That for the reasons set out in the committee report, planning permission for application REF **224785REM** be GRANTED subject to successful resolution of Planning Conditions of Consent.

8 Date of the Next Meeting

The date of the next meeting was Wednesday, 5 April 2023.

Meeting commenced: 7.02 pm

Meeting finished: 7.47 pm

Signed:

Dated: Wednesday, 5 April 2023

R Wall (Chair)

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Ref: 224371FUL

Address: Land Between Park View and Cloister Road Western Avenue Acton
London W3 6XZ

Ward: East Acton

Proposal: Redevelopment of the Site including the erection of 6 residential buildings ranging in height from ground +1 to ground + 16 floors to provide a total of 300 new homes (use class C3) (affordable and private), with public and private amenity spaces including roof top gardens and play spaces; servicing; disabled car parking; bike and bin stores; resident gym; concierge and associated spaces. With associated highways works, and landscaping works along Western Avenue

Drawing numbers: Refer to relevant conditions

Type of Application: Full Application - Major

Application Received: 04/10/2023 **Revised:** February 2023

Report by: Chris Maltby

Recommendation: Grant planning permission subject to conditions, completion of a Section 106 agreement and Stage 2 referral to the GLA.

Executive Summary:

The proposals comprise a detailed planning application for this 0.82 hectare site located on the south-west intersection of Horn Lane with Western Avenue (A40), within a primarily residential area a short distance from the Park Royal Southern Gateway and the Old Oak and Park Royal Opportunity Area.

The site is in an accessible and sustainable location (PTAL 5) ('Very Good'). It is a designated Development Site allocated for residential and commercial development. It is also within the designated 'Acton Green Corridor Policy Area' and 'A40 Corridor & Park Royal'. As such development of the site is expected to deliver significant improvements to the Green Corridor in the form of a 'significant landscape zone', and deliver additional new homes. The Ealing Character Study (Typologies and Scope for Growth), January 2022 identifies the Site as being within the Acton neighbourhood and within an Area of Intensification.

The Site is a vacant brownfield site that was previously acquired to facilitate the widening of the A40, a project that has since been abandoned and therefore the site is no longer required for that purpose. There are no listed buildings within the site or in close proximity and the site is not located within a conservation area. There are also no trees with preservation orders within or adjacent to the site. The Site is located in Flood Zone 1 and has the lowest probability of flooding.

The Site has been subject to two relatively recent planning permissions as outlined below:

Application ref: P/2014/4968 - Planning permission was granted in September 2015 for redevelopment of the site with residential on the southern part of the site (72 units within two-part 3-6 storey blocks) and a 6-storey hotel (100 beds) on the northern part of the site.

Application ref: 166124FUL – Planning permission was granted in January 2018 for the redevelopment of the site to provide 149 residential units in blocks ranging from 3-9 storeys. These proposals took access from Park View and included basement parking.

Neither of these previous permissions were implemented and both have now expired.

Current Application - The current planning application again seeks a residential led redevelopment of the site and comprises 300no. residential dwellings across 6 residential buildings ranging in height from 2 storeys (ground + 1 storey) to 17 storeys (ground +16 storeys).

The proposals include a range of residential types including a pair of 2-storey houses and apartments of various sizes and configurations. The proposed mix of dwellings across the development includes 30 x studios, 73 x 1-bed, 154 x 2-bed and 43 x 3-bed.

The proposals include 35% affordable housing based on habitable rooms and comprises 47 x intermediate shared ownership homes and 46 x affordable rent dwellings. The proposed affordable housing meets the quantum and tenure mix requirement to qualify for the fast-track approach set out in Policy H5 of the London Plan (2021) and is not therefore subject to viability testing.

The proposed development provides access from Park View for 8no. disabled car parking spaces within an undercroft to Block A. A loading bay is also provided off Park View and this will accommodate the buildings servicing requirements including refuse collection.

The proposals include a wide range of open spaces at ground floor level including public and private spaces and play spaces. The scheme also accommodates a pedestrian route through the site linking Cloister Road with Western Avenue/A40. Due to concerns raised by the local community through the consultation process it is proposed that this pedestrian route will be controlled and closed overnight.

A generous green buffer is proposed between the development and Western Avenue comprising of a wide variety of planting and incorporating seating and play feature. This feature responds to the requirement to facilitate a green corridor along Western Avenue.

In terms of private amenity space all properties are served by private balconies or terraces. Roof level terraces are also provided to some blocks providing additional semi private spaces for residents.

The proposed development also proposes additional internal amenity for residents in the form of resident's lounge, residents' gym and concierge.

The key determining issues in this case are:

- Principle of development and the appropriateness of the proposed use;
- Design including scale (tall buildings), form, siting and appearance;
- Housing standards;
- Energy/Sustainability;
- Neighbour Impacts

- Environmental protection (Noise/Air Quality/wind/Contamination);
- Affordable housing;
- Transport including traffic, access, parking and servicing;
- Acton Green Corridor;
- Consultation Response
- Planning obligations and the Mayor's Community Infrastructure Levy.

Principle of development/ land use - The LBE Development Sites DPD allocates the site for commercial/ residential development. The site is also within the A40/Park Royal Corridor identified in the Core Strategy for significant development including additional housing.

It was demonstrated by the 2018 planning application and further demonstrated in this current application that restrictive covenants exist which appear to preclude the construction of commercial uses on the site. Whilst covenants are not planning considerations in determining applications, they can in practice prevent schemes being implemented. The Council has reviewed the title deeds for the application site and is satisfied that there are no realistic prospect of the site coming forward for commercial uses within a reasonable timeframe.

The absence of any commercial development on the site would conflict with the site allocation however notwithstanding the site allocation; a wholly residential development of the site would otherwise be supported by development plan policies that encourage the provision of additional housing including affordable housing.

The NPPF establishes the Government's objective of significantly boosting the supply of homes and recognises that it is important that a suitable variety of land can come forward where it is needed. The NPPF also states that LPAs should promote the effective use of land in meeting the need for new homes by making the best use of previously developed or 'brownfield' land.

There continues to be a substantial need for new housing within Ealing with the London Plan housing target for the borough being set at 21,750 new homes to be delivered between 2019/20-2028/29. The delivery of new high-quality housing including affordable housing therefore remains a high priority for the borough.

The proposal would make beneficial use of a long-standing vacant site and make a significant contribution to housing provision in the borough. A wholly residential development of the site is therefore considered acceptable in principle and supported by the Development Plan.

Design including scale, form, siting and appearance – the proposals have been subject of extensive pre-application consultation including design scrutiny by Ealing's Design and Community Review Panels. The proposed layout of the scheme is supported and provides a well laid out scheme with generous open spaces both within and around the scheme. The taller buildings are located towards Western Avenue creating a separation from the existing lower scale property whilst also acting as a barrier to noise from the A40. The layout accommodates a pedestrian route through the site that aids permeability and improves access to the North Acton town centre and public transport connections.

Generally, the scale and massing of the proposed development is considered to be acceptable and provides a variety of built forms to break down the massing. As noted, the form of the development responds to the lower scale neighbourhoods to the south and west. The proposed development includes tall buildings, the tallest being ground + storeys. The application site is not one that has been specifically allocated for tall building and therefore the development would not comply with Part B of London Plan Policy D9. In order for the proposals to be considered acceptable it must therefore be

demonstrated that the proposals are acceptable in terms of the Impact criteria of Part C of Policy D9. The proposals have been robustly tested in term of their visual, functional, environmental and cumulative impacts and have been found to be acceptable and any adverse impacts identified are minor and can be mitigated.

The overall scale/ height of the proposed development is not considered out of place in the local context and would provide an appropriate transition between the much taller buildings to the east and the lower rise housing to the south and west. In terms of the bulk and scale of the development it is therefore considered to be acceptable.

The appearance of the proposed development has evolved through consultation and also responds and has been informed by the National Design Guidance and Ealing's Character Study and Housing Design Guidance. All the buildings are proposed to be constructed with brick facades but with variation in the brick colour and detailing creating distinction but a coherence between the buildings. The centre of the buildings, between Blocks B and C, is designed as an individual piece with lighter coloured brickwork marking the new pedestrian link through the Site and the main entrance / concierge for the new development. The proposals are considered to positively respond to the character and appearance of the area and although will result in a change to the area it is not considered that this change would result in any harm.

Housing standards quality - The development would provide a wide mix of residential units all of which would meet or exceed London Plan standards and provide a satisfactory living environment for future residents, with adequate natural daylighting outlook and privacy. All units would have a private balcony or terrace; in addition to communal courtyard gardens and roof top gardens and play space. The amenity space provision would meet London Plan standards. As agreed in the previously consented scheme, the slight under provision of play space and amenity space in respect of Ealing's standards would be mitigated by a S.106 contribution to improve off site facilities in the locality.

Energy/ Sustainability - The proposal would meet high standards of sustainable design and construction. The proposed buildings would be energy-efficient and incorporate sustainable systems, in compliance with relevant policies. The energy strategy is all electric with no gas infrastructure on site. The strategy proposes a communal site wide high temperature Air Source Heat Pump driven loop with heat exchangers in each dwelling feeding underfloor heating and domestic hot water. PV's have been maximised with five arrays across all blocks except D.

Neighbour Impact - The site has been vacant open land for many years. The proposed development as with the previously consented schemes, would inevitably have an impact on the character/appearance and amenity of the area. The current proposals do result in a significant uplift in the scale of development when compared with the consented scheme driven by the need to make much more efficient use of sustainable brownfield sites. Notwithstanding the increased quantum of development, the impacts on amenity of neighbouring occupiers have been assessed and whilst there are some negligible or minor impacts there remains overall a high level of compliance with BRE guidance.

The layout and positioning of windows and balconies has carefully considered the existing neighbouring properties, satisfactory separation distances are proposed between the proposed buildings and adjoining properties to safeguard the living conditions for surrounding residents in terms of overlooking and privacy. Overall although the development will result in change, it is concluded the development would not cause significant harm to neighbouring amenity or the character or visual amenity of the area.

Environmental Protection - The site is exposed to noise and air pollution from traffic along the A40 and Horn Lane. The design seeks to minimise the adverse environmental impacts and appropriate

conditions are included to ensure the noise and air quality impacts are further mitigated to provide an acceptable internal living environment within the residential units. The development would also screen noise and pollution to existing residential properties to the south/ west which is an additional planning benefit.

In terms of air quality impacts arising from the development itself, the development proposes an all-electric energy solution and therefore no significant sources of emissions will be generated, and the operational impact associated with additional traffic generated by the development will also be below published screening criteria. The proposed development achieves the London Plan's requirement of being 'air quality neutral'.

Acoustically the massing of the proposed development offers significant improvements to the nearby existing residential properties, as screening provided by the development reduces noise levels within their external amenity spaces. This screening will also apply to the amenity and courtyard areas of the proposed development providing acceptable proposed and enhanced existing conditions. In terms of the proposed façade facing the A40/Horn Lane enhanced glazing specification will be required to create acceptable internal living conditions.

Overall, in terms of amenity and environmental considerations both for existing and future residents the proposed development will result in acceptable standards of accommodation and high levels of amenity will be protected and provided.

Affordable Housing/Viability – The Proposed Development provides a fast-track compliant affordable housing offer which comprises 35% affordable housing (by habitable room) comprising a total of 91 dwellings made up of 45 affordable rent dwellings and 46 shared ownership. Complying with the fast-track approach the scheme has not been viability tested. The quantum and mix of affordable housing is supported and policy compliant.

Transport - Proposed access and servicing is from Park View and is unchanged from the previously consented schemes and remains the most appropriate point of access/servicing for the site. Alternative access servicing options were put forward by the applicant including a service bay on Horn Road. This proposal was not supported due to highway, pedestrian/cyclist safety and the visual amenity and has been removed from the scheme.

The development is car free except for the provision of disabled car parking for 8 vehicles, this is supported by the Council particularly given the very good access to public transport connections in the local area.

The proposals include short and long term cycle parking in accordance with London Plan policy T5 with a total of 534 spaces including provision for larger cycles. Long term cycle parking is located in secure, ground floor cycle stores with a range of storage types including Sheffield style stands and tiered storage.

Due to the car free nature of the development the vehicle trips generated by the proposed development are negligible. Increased servicing trips will occur many of these being linked to existing trips in the area they will not lead to a significant increase in traffic on the surrounding roads that cannot be accommodated by existing capacity. In order to mitigate the impact of increased trips on public transport in the area contributions are secured towards North Acton Station improvements and to increase capacity on local bus routes.

Acton Green Corridor – In accordance with the policy requirement the proposed development incorporates a green corridor between the development and the A40/Horn Lane. The green corridor provides a generous strip of landscaping incorporating seating, stepping logs and other play features. This is an important requirement of the scheme and softens the edge of the development as well as providing some mitigation from the traffic for future residents.

Objections – 55 objections have been received in respect of the proposed development including an objection from a Ward Councillor. The objectors raise a number of different points including the proposed scale of the development with many concerned that the scale of development doesn't relate to the existing property on Park View, Cloister Road etc. The increased impacts associated with traffic, noise and air pollution have also been raised. Security issues have been raised with regard to the proposed pedestrian route from Cloister Road and concerns have also been raised with regard to the lack of local facilities and services and the increased pressure on these services that will be created by the development.

The Old Oak Neighbourhood Forum have also objected raising concerns in respect of the principle of tall buildings on the site and the consideration of the principle of tall building in respect of London Plan policy D9.

The objections/ concerns and other representations are set out and considered in the body of the report.

Summary conclusion - It is considered the proposal will result in the effective and efficient use of this long neglected brownfield site bringing forward a wide range of high-quality residential dwellings included a high proportion of affordable homes. The scheme will result in a different scale of development but has been carefully designed to respond positively to the existing neighbourhood whilst providing an appropriate transition between the scale of development within the Opportunity Area and that within the surrounding roads to the south and west.

The proposals have been subject of rigorous pre-application discussions and the design has evolved following feedback from the GLA and the Council's Design and Community Review Panels. The proposals will cause some impact, but these are negligible given the urban setting of the application site and will not lead to any significant harm to existing living conditions.

The proposed development includes a range of housing types all of which are to be built to a high standard meeting and exceeding policy requirements. Generous landscaping both within and around the development is proposed to the benefit of future and existing occupiers and the wider area. The design quality, detailing and use of materials is also considered to be of a high quality.

The report concludes that the proposals would be acceptable and would accord with relevant National, Strategic and Local Planning policies and guidance and planning permission could reasonably be granted in this case, subject to completion of a S.106 legal agreement and conditions to mitigate the potential adverse impacts of the development and Stage 2 referral to the GLA.

It is not considered that there are any other material considerations, which would warrant a refusal of the application.

Additionally, the applicant would be liable to contribute to the Mayor's Community Infrastructure levy.

RECOMMENDATION:

That full planning permission is granted subject to the satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following:

Contribution	Amount
Healthcare Provision	£546,469
Town centre improvements	£150,000
Town centre management	£15,000
Local Employment	£200,000
Air Quality	£30,000
North Acton Station	£338,250
Bus Capacity	£143,000
Highways Contributions -review of existing CPZ - link and junction improvements - cycle infrastructure - traffic calming - footways improvements	£200,000
Travel Plan Monitoring	£3,000
Amenity Space / Open Space / Play Space	£266,667
Allotment Space	£34,517
Education	£683,078
Carbon Offset Payment	£296,755
Energy Monitoring	£12,244
Total	£2,918,980

In addition to the above financial contributions the following clauses will also be set out within the S106 agreement:

- Affordable Housing**
- (i) 35% affordable housing of which:
 - 57% - 46 units/158 habitable rooms will social rent (London Affordable Rent
 - 43% - 45 units/117 habitable rooms will be intermediate (shared ownership)
- (ii) Compliance with triggers for the occupation of the affordable and private housing;
- (iii) A review mechanism if the scheme is not implemented within two years post consent.
- Car Club**
- (iv) Car club membership for residents - to be funded by developer - Within the first three years of occupation of each new dwelling within the development, payment of membership of the car club operating within the local area for each initial household of the development who wishes to take up the offer of membership;

Training and Apprenticeships

- (v) Participation in an Apprentice and Placement scheme. The Apprentice and Placement scheme 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 details of the number of placements shall be agreed with the Council prior to the commencement of the development.

S278/S38

- (vi) The developer shall meet the Council's costs in full of any highways works to deliver any highways works associated with a s278/38 agreement.

Other Items

- (vii) Restriction of parking permits for all future residents
- (viii) Submission, implementation and monitoring of a Travel Plan
- (ix) All contributions to be index linked
- (x) Payment of the Council's reasonable legal and other professional costs in preparing and completing the agreement

AND

Subject to conditions/informatives that can be found in Annex A to this report.

Site Description

The Application Site is an irregular 0.82 hectare plot of land bounded by Park View to the north, Horn Lane and Western Avenue (A40) to the east, Cecil Road to the south. The context is characterised by two different typologies; the dominant roadway to the east and the emerging cluster of high-rise development around North Acton Station, and the largely intact interwar terraces to the west. There is an existing (unused) vehicular access to the site from Horn Lane.

The site is one of a number of sites fronting the A40 originally acquired by TFL as part of a road widening scheme long-since abandoned that has come forward for development in recent years. Many of these other sites have already been developed.

The site was cleared in the 1980's and since then it has remained largely vacant and over the years earthworks and dense scrub has grown up within and around the site.

The site is currently enclosed by temporary timber hoardings along each of the road frontages. A 2-2.5m high brick wall encloses the site along the southern and western boundaries with adjoining residential properties in Cloister Road, Cecil Road and Park View.

Opposite the Site to the east is the 9 storey Holiday Inn beyond which is the recently completed One West Point scheme that incorporate tall buildings of 45 and 55 storeys. Further north are a further series of tall buildings around North Acton Station: all within the Southern Gateway/ Old Oak Common Opportunity Area.

The application site itself falls outside the `Southern Gateway` and Old Oak Common Opportunity Area.

The site is in a highly accessible location for public transport with a PTAL (Public Transport Accessibility Level) of 5 (Very Good).

The site falls within the A40 Corridor and is a designated development site (OIS3), identified in the Ealing Development Sites DPD as being suitable for mixed uses including residential and commercial/employment.

The application site is located within Flood Zone 1 at the lowest risk of flooding.

There are no listed buildings or tree preservation orders either within or adjacent to the site and the site does not fall within a conservation area.

Proposal

The proposed development is a wholly residential scheme involving the construction of a series of connected buildings ranging between ground + 4 storeys and ground + 16 storeys in height fronting Horn Lane, the A40 and Park View. To the east of the perimeter linked buildings are two low rise ground +3 storey apartment blocks as well as a pair of semi-detached dwellings. The proposals would include a total of 300no. residential dwellings.

The proposed development comprises the following key elements:

- 300no. residential apartments across several linked blocks ranging in height from ground + 4 storeys to ground + 16 storeys, two low-rise blocks of ground + 3 storey and a pair of 2 storey houses
- Housing mix (30 x studio, 73 x 1-bed, 154 x 2-bed and 43 x 3-bed)
- 35% affordable homes based on habitable rooms (207 x private dwellings, 47 x intermediate shared ownership dwellings and 46 x affordable rent dwellings)
- Generous public and private amenity space provided at ground floor and at roof level including the provision of play space
- Private amenity space in the form of balconies and terraces provided to all homes
- Creation of a public pedestrian route through the centre of the courtyard, linking Western Avenue to Cloister Road
- Communal space provided at ground floor contributing to the activation of street frontages, including residents lounge, concierge and residents gym
- Flat roofs incorporating green roofs, heating plant and photovoltaic panels
- Lower roof levels designed as amenity space for the residents including play space
- Refuse stores are provided at ground level of each core
- Central refuse storage space provided at Park View
- Proposed green corridor along Western Avenue
- New vehicular access provided from Park View
- Car free development except for the provision of 8no. disabled car parking spaces (3% accessible parking is proposed)
- A loading bay is provided off Park View

The scheme is proposed to be a managed site with a facilities manager responsible for ensuring refuse bins are moved to the collection points on collections days, as well as ensuring servicing and deliveries are received, ensuring any anti social behaviour is dealt with, managing the public route through the site and ensuring the site is secure overnight.

Revisions

The following revisions have been made to the application post-submission:

- Servicing layby has been removed from Horn Lane
- Minor changes to the proposed servicing bay, hard landscaping and the elevations fronting Park View have been received
- Minor revisions to the internal layout were also received during the course of the application

Re-consultation on the revised details was not undertaken as the changes were considered to be minor in nature and didn't result in any significantly more demonstrable impacts than the original application.

Relevant Planning History:

A number of applications for alterations to former warehouse and temporary use of the site for the sale and display of motor cars with ancillary car parking were granted between 1987-93.

Applications for a Bus Depot on the Site were submitted in 2003/4. The key applications are listed in the table below.

Ref:	Date:	Proposal:	Decision:
P/2004/2967	11.11.2004	Bus depot including office/bus maintenance/refuelling building, pre-wash and fuel stacking area; bus parking and staff parking; new vehicle access onto Horn Lane, and landscaping.	Refused. Subsequent appeal dismissed 05.07.2006.
P/2014/4968	30.09.2015	Erection of six storey 100-bedroom hotel (Class C1) and two residential blocks (three, four and six stories in height) comprising 72 one, two and three-bedroom units with associated access from Park View, basement car parking, coach parking, servicing, landscaping and a Green Corridor to Western Avenue and Horn Lane.	Granted subject to conditions/S106 05.06.2015
166124FUL	28.11.2016	Redevelopment to provide a three to nine storey building comprising 149 residential units; associated access from Park View, basement parking, landscaping and a green corridor to Western Avenue and Horn Lane (Departure Application)	Granted subject to conditions/S106 31.01.2018

Pre-Application Consultation:

Extensive pre-application consultation was undertaken by the applicant as summarised below:

LBE – Planning/Highways/Regulatory Services

The proposals have been subject of a Planning Performance Agreement and a series of pre-application meetings were held with the applicant team as the scheme developed. Discussions centred around the proposed heights, form and massing of the proposed development. The layout, scale and architectural approach to blocks E and F were subject of discussion and alterations secured to ensure a better relationship with the neighbouring dwellings.

Various other amendments were sought reducing the heights (from 20 storeys) and redistributing the massing and improving the layout.

The quality of the accommodation was discussed, and the applicant encouraged to reduce the number of single aspect units.

The landscaping, play-space and the green corridor were also discussed in detail and improvements sought prior to the submission of the application.

GLA

Pre-application advice was sought from the GLA prior to the submission of the application, the GLA's initial advice is summarised below and details of the GLA's Stage 1 response together with the applicant's response is set out in the following section.

- Principle of the land uses is accepted
- Site not specifically identified as being suitable for a tall building as required by Part B of Policy D9 and as such advised that the visual, functional, environmental and cumulative impacts of a tall building on the Site must be considered to ensure the scheme does not have an unacceptable impact
- Some concerns raised with the overall scale and bulk of the proposal when compared to the surrounding suburban context
- 35% affordable housing offer and tenure is expected to meet the fast-track thresholds and is supported
- Quantum of on-site parking is supported
- Servicing arrangements, improved crossing facilities of the A40 and trip generation need further consideration
- Comments relating to architecture, appearance and sustainable development must be addressed in any planning application

LBE Design Review Panel

Two consultations with the Design Review Panel were undertaken a summary of the comments from both meetings is given below:

First DRP meeting feedback

- Supportive of the general approach to massing
- Locating the higher buildings along the east edge of the Site is an appropriate response to the scale of development at North Acton Station and effectively shields the internal courtyards from the busy road
- Layered approach requires further refinement
- Recommended that the proportions of the towers and configuration of the lower blocks should be further considered, to emphasise this concept more strongly
- Alternative arrangement for Blocks E and F, as shown in Option 2, is more successful and the panel would like to see this developed further
- Approach to placemaking, site connectivity and landscape design needs further consideration
- Given the quantum of development proposed, the panel suggests that the public realm and courtyard areas will need to work incredibly hard to deliver the required amount of amenity space, play areas and greening
- Urges the design team to assess the scale of the public realm against the number of people using the areas

- Would like to see more detail related to how the space delivers against the Urban Greening Factor and biodiversity net gain targets
- Panel would like to see further analysis of the restrictive covenant, to understand if commercial use is restricted across the whole of the Site and whether there is any potential to introduce more activity and public uses at the ground floor.

Second DRP meeting feedback

- that the design development presented is positive and that the comments raised previously have been responded to thoroughly
- Re-organisation of the bulk and massing works well, particularly Blocks E and F
- Proportions of the taller buildings need further refinement to improve the visual impact of these elements
- Landscape design has been well-developed
- Panel pleased to see that play for all ages is to be accommodated on site
- It feels that the central public space should have a more clearly defined purpose, with active frontages
- Emerging architectural language is promising, and the panel would like to see further development of the façade strategy, particularly in relation to daylight testing, acoustics and overheating analysis
- Sustainability strategy is developing well, particularly in its adoption of an all-electric solution
- Panel would like to see more technical analysis against LETI targets

LBE Community Review Panel

The proposals were also subject of a review by the Community Review Panel a summary of their feedback is given below:

- Panel welcomes the early opportunity to review the scheme and recognises that the design has not been developed in full detail
- Bringing forward development on this Site will be a good opportunity for the area
- While it is appropriate to create a transition to the lower-scale residential development to the west, the panel feels that the height of the tallest building and the overall quantum of development is too high
- Panel notes that there are few local amenities in the area, and would like to see further consideration of how the needs of the new residents will be met
- Suggests that establishing a safer crossing across Western Avenue will be crucial to enabling better access to transport and services
- Given the proximity to the station, the panel notes that a car-free approach is appropriate, but suggest that this will need to be supported by improved connections to public transport, as well as provision for taxis, deliveries and emergency vehicles
- Proposed public route through the Site is welcomed, but the panel has concerns regarding security and overlooking
- Suggests that access for the public alongside residents should be carefully considered and notes control measures may need to be explored further
- Panel recognises that commercial uses on this Site may be restricted, but it feels that the inclusion of active uses at the ground floor could enhance the public space and route through the Site

Statement of Community Involvement (CSI)

The Applicant's CSI confirms they also undertook extensive pre-application consultation with the local community prior to submitting the planning application which included door to door consultation, a dedicated web page, adverts in local newspaper and social media . A public webinar and in person

exhibition were also held with a follow up newsletter and second webinar held to feedback the applicant's responses to concerns raised.

PUBLIC CONSULTATION BY THE LOCAL PLANNING AUTHORITY

Neighbour Notification:

The application has been advertised as a major application and a departure from the development plan. A total of 97 site notices have been displayed on lamp posts in the following roads: Allan Way, Court Way, Park View, Cloister Road, Cecil Road, Holst Road, Mozart Gardens, Noel Road, Eastfields Road, Horn Lane, Western Avenue, Park Royal Road, York Road, Victoria Road, Portal Way, Wales Farm Road, Chase Road.

The Site Notices were displayed on the above streets from 17/10/2022 and expired 07/11/2022; Press Notices were published on 26/10/2022 and expired 16/11/2022.

55 written representations have been received via the Council's web page; all object to the proposed development. The matters of objection and concern are wide ranging and are summarised below after which are a number of quotes directly from the consultation response that gives further details of the nature of the concerns being raised:

Issue/Comments	
	<ul style="list-style-type: none"> • Conflict with Local Plan - Local Plan OIS3 states development should have a commercial element • Over development of the site • Insufficient open space and play space • Buildings too high and out of character with the local area • Development out of character and overbearing • Density of development too high and will have an adverse effect on local amenities • Light pollution and oppressive impact of the proposed development • Lack of resources to support the development including transport, health/GP Surgeries, education and leisure • Lack of parking and increased parking on surrounding residential roads • Overshadowing and loss of privacy, excessive impact on sunlight and daylight • Opening up of Cloister Road will increase crime, antisocial behaviour and spoil the quiet and private nature of the road. • Security concerns due to increased footfall along Cloister Road • Increased pollution • Loss of privacy/overlooking • Poor design not in keeping with local character • Adverse impact on ecology and potential protected species • Flats being sold as investments to foreign investors • Lack of affordable housing • No benefits for existing communities • Concerns surrounding the fire strategy • Concerns around electricity supply in the area <p>The following are quotes taken directly from a selection of the consultation responses received giving further details of the nature of the concerns being raised by the local community:</p>

	<p><i>“Adverse impact on safety. Opening up of cul-de-sac will increase risk of criminal activity and reduce safety element of cul-de-sac”.</i></p> <p><i>“This site is not suitable for a 17-storey building! This is surrounded by 1920s two storey houses, this will block light into surrounding homes and will look completely out of place. The site is not one that is identified as suitable for tall buildings, there are clear reasons for that”.</i></p> <p><i>“i am objecting to this development on the grounds of increased traffic ,noise pollution and , we live on cecil rd in the morning and evenings vehicle's use cecil rd and adjoining roads .as a short cut to get on to horn lane its like living on a race track some days ,with vehicle's driving at great speed , by opening up the wall on cloister rd ,all the traffic will be driving on to balfour rd ,which will increase the pollution ,noise the council should look into this before agreeing to giving planning permission”</i></p> <p><i>“Local residents have had to tolerate the blot of excessively high tower blocks at gypsy corner already. I am applaud that this application brings the prospect of a substantially out of scale development to our doorstep in what is currently leafy two story suburbia”.</i></p> <p><i>“There are already too many high rise buildings in this area. The local amenities cannot support yet another high rise. It is already difficult to get an appointment at the GP for example. This is developer greed that the council is allowing, yet again, to happen”.</i></p> <p><i>“North Acton is blighted by high rise buildings. No proper shopping facilities, North Acton Station over crowded. This would not go on in Ealing Broadway, council shift it all to a very overcrowded area”.</i></p> <p><i>“There is too much high rise towers going up in this area. There are too many people for the community facilities are ready. At some point we have to stop this over development and we have reached this point now in this area”.</i></p> <p><i>“I am surprised that council is considering this monstrous planning application for building back of the residential property. The Barrat Homes has build similar design near Savoy circus. It look horrendous and out of character in residential area. Also the residents parking their cars on the pavement. I can forseen the same problem after this development at Horn lane”.</i></p> <p><i>“This simply does not go with the character of the area. It will increase traffic and pollution and put pressure on local infrastructure. My property is already being overlooked by several unwanted developments. The traffic is already quite heavy in peak times. There are too many buildings packed on a small piece of land and not enough green spaces”.</i></p> <p>Officer response: All of the above matters where they relate to material planning considerations associated with this proposed development are dealt with in the main body of the report.</p>
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External Consultations	Representations and Planning Officer`s response
<p>Old Oak Neighbourhood Forum</p>	<p>Object to the proposals on the grounds that the proposals fail to meet the policy requirements of 2021 London Plan Policy D9 on Tall Buildings, when read in conjunction with Ealing’s 2013 Core Strategy 2014 Development Sites DPD.</p> <p>Officer Response: <i>It is Officer’s view and that of the GLA (as confirmed in their Stage 1 response) that London Plan policy D9 is not a gateway policy and whilst the proposals do not comply with Part B of policy D9 the principle of a tall buildings at the site can still be acceptable where they address the impacts noted in Part C</i></p>

	<p><i>of the policy. There is no current case law or other guidance available at the present time that indicates a different approach should be taken.</i></p>
Heathrow Airport (Safeguarding)	<p>Although it isn't anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or Radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.</p> <p><u>Planning Officer's response: Informative added</u></p>
Crossrail Safeguarding	<p>Confirmation received that the application site falls outside of the limits of land subject to consultation by the Crossrail Safeguarding Direction</p> <p><u>Planning Officer's response: Noted</u></p>
NATS Safeguarding	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p><u>Planning Officer's response: Noted</u></p>
Cadent	<p>No objection subject to an informative on any planning decision given.</p> <p><u>Planning Officer's response: Noted</u></p>
Historic England	<p>Advise that the development could cause harm to archaeological remains and field evaluation is required to determine appropriate mitigation. It is considered that this can be secure post the granting of any permission and therefore a condition is recommended requiring evaluation followed by full investigation if required.</p> <p><u>Planning Officer's response: Condition included in recommendation (See Annex A)</u></p>
Natural England	<p>No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p> <p><u>Planning Officer's response: Noted</u></p>
London Fire Brigade	<p>Response received confirming LFB had no observations to make. The Applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.</p> <p><u>Planning Officer's response: Noted</u></p>

<p>National Highways Limited</p>	<p>National Highways confirm in respect of the proposed development their interests relate to the M4 which is located approximately 4 miles south of the site, and the M1 which is located approximately 5 miles north of the site.</p> <p>“We would be concerned if there were any potential safety or efficiency impacts to our network.</p> <p>We have reviewed the Transport Assessment (TA) submitted alongside this application and note that the development is proposed to be car-free, with the exception of nine blue badge bays. In addition, future residents of the development are to be barred from obtaining parking permits in the surrounding controlled parking zones. Due to these measures, there are 7 two-way trips predicted in the AM peak hour and 6 in the PM peak hour. The trip generation is calculated using standard TRICS methodology which we support.</p> <p>In addition to these trips, the TA has also calculated servicing trip generation based on TRICS. This estimates 5 two-way servicing vehicle movements during the AM peak and 2 in the PM peak. This level of servicing trip generation combined with the residential trip generation described above would not materially affect the SRN.</p> <p>Based on the above, we are satisfied that the proposals would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111). We therefore have no objections to raise for this application.</p> <p><i>Planning Officer’s response: Noted</i></p>
<p>Health and Safety Executive (HSE)</p>	<p>The above consultation relates to three relevant buildings (blocks A, B and C) and three buildings within the curtilage of a relevant building (blocks D, E and F).</p> <p>The relevant buildings have storey heights of 27.4m, 48.3m and 42.3m respectively and are all served by two staircases.</p> <p>The fire statement dated 30/09/2022 states that the adopted fire safety design standard is Approved Document B. HSE has assessed the application on this basis.</p> <p>Following a review of the information provided with this consultation, HSE is satisfied with the fire safety design, to the extent that it affects land use planning.</p> <p><i>Planning Officer’s response: Noted</i></p>
<p>Met Police – Design Out Crime Officer</p>	<p>This design is far from ideal from a security perspective, this proposed housing estate will be made open to non-residents who will not have any sense of ownership and loyalty to the estate, as such this will likely lead to misuse of the estate and leave it vulnerable to crime and ASB. As the proposed publicly accessible area will have limited active surveillance and usage we have serious concerns around potential ASB issues and the fear of crime which is not aided by the large undercroft tunnel entrance to this area. The site’s security strategy is highly dependent of concierge/capable guardians being employed on the site, however for the lifetime of the building this security strategy cannot be ensured.</p>

	<p>Unfortunately housing estates in Acton have traditionally suffered from crime and ASB and a major contributing factor is residential areas that are open to the public (such as the old South Acton estate and the Vale Estate, Uxbridge Road W3)</p> <p>If the proposed principal of having the estate open during the day and closed and secured at night then we the police will accept it, and the site can still achieve SBD accreditation.</p> <p>This is providing that the option to close the gates/the estate and have access only to residents at a later date is possible. If this proposed site becomes open 24 hours a day we would object as SBD accreditation would not be achievable for this design.</p> <p>Condition required.</p> <p><i>Planning Officer's Response: It is proposed that the route through the site will only be open during certain hours (to be agreed) and not throughout the night this will be secured by condition as well as a condition requiring SbD accreditation.</i></p>
<p>Transport for London (TfL)</p>	<p>TfL Comments summarised below:</p> <ul style="list-style-type: none"> • <u>Healthy Street, Walking and Cycling</u> - Active Travel assessment requires additional information. TfL support the improvement of surface crossing as opposed to the pedestrian bridge put forward as part of the 4 Portal Way proposals. TfL Support active travel modes through the site, ask for clarity on whether this will be suitable for cyclists. TfL welcome provision of cycle parking that exceeds minimum standards in London Plan Policy T5 and follows advice in London Cycling Design Standards. • <u>Car parking</u> – TfL welcome car free development subject to 3% disabled persons parking. A Parking Design and Management Plan should be submitted and secured through a planning condition • <u>Trip Generation</u> - As mitigation for the increased rail trips, a contribution towards North Acton station improvements will be required, using the methodology adopted for all residential developments in the North Acton area. Based on 300 residential units this would require a contribution of £338,250 towards North Acton station improvements. A pro-rata bus contribution of £143,000 is also required, based on the cost of providing an additional peak hour bus for a five-year period (£487,500). Due to the car free nature of the development, it is not expected that the impact of increased vehicle trips on the TLRN will require mitigation. • <u>Delivery and servicing/Construction Logistics/Travel Plan</u> - concerns about the proposed layby on Horn Lane which is designed to accommodate all deliveries and servicing. This is contrary to London Plan Policy T7 and Ealing Local Plan polices which require on site servicing. The layby will reduce pavement width and detract from the public realm on Horn Lane.

	<p>The final versions of the DSP and CLP will need to be secured by planning conditions. The London Borough of Ealing should secure, enforce, monitor and ensure the funding of the final Travel Plan through the s106 agreement to ensure conformity with London Plan Policy T4.</p> <p><i>Planning Officer's response: TfL advice has been fully taken into account the Horn Lane service bay has been removed from the scheme. Additional information has been provided in respect of the ATZ and the suggested conditions and S.106 obligations are included in the recommendation.</i></p>
<p>English Heritage Archaeology</p>	<p>No objection. Confirm no further physical site-investigation required.</p>
<p>NHS Property Services</p>	<p>Request received based on the HUDU model for a financial contribution to put towards the development of health facilities within the local area of the proposed development.</p> <p><i>Planning Officer's response: The applicant has agreed an appropriate S.106 contribution to mitigate the impact of the development on local healthcare services.</i></p>
<p>Thames Water:</p>	<p>No objection response received however standard conditions have been included.</p> <p><i>Planning Officer's response: Appropriate conditions are included.</i></p>
<p>GLA Stage 1</p>	<p>Proposals broadly acceptable in strategic planning terms with the principle of the site's development and land use consistent with London Plan (2021). A number of detailed matters were raised that the GLA requested be addressed before the proposals could be considered compliant with London Plan policy. The Applicant provided a response to the concerns raised by the GLA at stage 1 and these responses are summarised in the text below:</p> <p><u>Strategic issues summary</u></p> <p>Land use principles: The proposed comprehensive redevelopment of this underutilised and accessible site to deliver new homes raises no strategic concerns.</p> <p>Housing: The proposal includes 300 new homes which will help meet London Plan housing targets. The proposal also includes 35% affordable units by habitable room and subject to tenure mix being agreed by Council could meet the fast-track route.</p> <p>Urban Design: The site has not been identified as suitable for tall buildings and there is concern with the proposed massing in context with adjacent suburban character. The highest quality of hard and soft landscaping must be secured to ensure new public realm is both attractive and functional. The proposed public routes through the site must be accessible to the public at all times.</p> <p>Transport: Mitigation for increased trips should be provided in the form of contributions towards North Acton station improvements and increased bus capacity. A more comprehensive ATZ Assessment needs to be carried out, and</p>

active travel improvements including improved crossing facilities at the Horn Lane and Western Avenue junction secured. On site servicing arrangements should be adopted instead of the proposed layby on Horn Lane.

Sustainability and Environment: Further energy and whole lifecycle carbon information is required. To mitigate against air-quality impacts, the applicant should consider incorporating a hedge or similar low-level planting.

Summary of detailed matters raised by the GLA (AR=Applicant Response):

Land use principles – GLA confirmed the proposed land uses raise no in principle concerns

Affordable housing – there is no dispute between the parties that the proposals meet the fast-track approach and deliver affordable housing in accordance with London Plan policy.

Housing choice – the proposal includes a mix of units ranging from studios to three-bedroom family units. Specifically, of the proposed LAR units, 63% would be family-sized which is welcome. This level of family-sized low-cost rented housing could be supported in line with London Plan Policy H10. Notwithstanding this, the applicant should engage with the Council to ensure that the overall housing mix appropriately responds to local need for affordable housing.

Children play space - Overall, the proposal includes 1,067 sqm of play space for all ages groups which is fully integrated with the overall residential amenity areas. The GLA’s population yield calculator indicates that the scheme is likely to accommodate a total of 117 children and as such the proposed play space would fall slightly short of the required play area for residents (1170 sqm). The Council should by way of condition ensure that play space is suitable for all age groups and accords with the requirements of Policy S4 of the London Plan and is retained on the site for the benefit of all residents. If this cannot be achieved, then a financial contribution towards off-site provision should be secured by way of legal obligation. Further, the Council should also ensure that all play spaces are not segregated by tenure.

Urban Design
Design Scrutiny - It is understood that the scheme has been subject to two design review panels and also a community review panel along with a number of preapplication/design meetings with Council officers. Therefore, the proposals comply with Policy D4 of the London Plan

Layout - The layout of the site is generally supported. Notwithstanding this, adjacent blocks are in close proximity to one another at certain pinch points, raising possible over-looking concerns. Routes for vehicles servicing the site have been kept to the edges of the site to provide a pedestrian friendly interior. This is welcomed as is the green buffer provided to Western Avenue and Horn Lane and the pedestrian route through the site which provides improved connectivity within the wider area. However, the proposal to gate the pedestrian/cycle route through the site and restrict access is not supported. It is not beneficial in permeability or townscape

terms and prevents a safe high-quality route being accessible for all at all times. Safety and inclusivity for all groups including those who may feel vulnerable should be demonstrated in the proposals, and the only other east-west route (sitting at the north boundary of the site) is not active, being fronted by carparking and refuse stores.

AR The Design and Access Statement prepared by Allies and Morrison sets out how the consideration of overlooking has been a key consideration throughout the design development of the scheme. This demonstrate overlooking distance are general over 20m and in most case significantly greater than this.

AR In line with the GLA’s view, it was not the intention for the pedestrian route to be gated, however, gates were introduced following extensive public consultation process which demonstrated that existing residents were not supportive of the route through, despite the wider benefits it could bring. Concerns were raised from residents of Cloister Road in particular in relation to the potential increased security risk to their properties that could result from the opening up of the Site. This view has been further enforced by the Metropolitan Police. Accordingly, a compromise has been proposed in line with the Metropolitan Police’s response, whereby the pedestrian route would be gated, however, the gates would remain open during the day, thus ensuring the wider urban design benefits can be delivered but would be closed and secured at night.

Scale and massing - In strategic terms, Part B of Policy D9 of the London Plan states that Councils should identify locations suitable within Development Plans for tall buildings. Part C of the policy outlines the impact criteria that must also be considered when determining the suitability of a tall building within a locality. In this case, the site is not located within an area specifically identified by the Council’s development plan as being suitable for a tall building and in this regard the development does not comply with Part B of the Policy D9 of the London Plan. It is noted that there is an extant consent for a tall building (nine storeys) on the site and this is a material consideration.

The acceptability of a tall building on the site will still be determined by its visual, functional, environmental and cumulative impact upon the surrounding environment as outlined by Part C of Policy D9 of the London Plan.

The GLA raise concern regarding the tall elements and the massing of the development and how they relate to the low scale development to the west. GLA officers maintain the view that although the maximum building heights themselves are not likely to raise any strategic concern the proposed massing of the proposal is of concern. Whilst the stepped massing (in height and volume) is positive and has articulated the building form well, there is concern that the overall height and volume may result in a development that will be visually dominant.

AR It is strongly contended that the TVIA has demonstrated that the proposed massing would not be visually dominant, particularly in the context of the tall buildings that have already been built or have been granted planning permission on the other side of Western Avenue and the visual impact they have / will have on the surrounding residential area. The proposed buildings certainly would be far less visually dominant than the buildings on the other side of Western Avenue

and in this context, are in fact considered to provide a very suitable transitional arrangement.

AR *With regards to environmental impact, the technical documents submitted in support of the application demonstrate that the living environment for future and neighbouring residents are not adversely impacted in terms of wind, privacy and daylight/sunlight. Similarly, the cumulative visual, functional and environmental impacts are also addressed within these technical reports. It is not considered that anything further is required from the applicant in relation to the environmental and cumulative impact.*

Public Realm - The public realm in general is of high quality and is supported. The landscaping is varied and provides opportunities for multiple uses in a variety of different character spaces. The inclusion of the pedestrian route through the site is positive. As highlighted, the proposal to restrict access to this route is not supported.

Internal quality – the number of the number of single aspect units which is welcome. Notwithstanding this, there are still a number of north-facing units where the second aspect is of poor quality. The Council should review the quality of amenity for future occupants with regards to outlook, over-heating and cross ventilation

AR *We would highlight that the existing consent for the Site has 19no. single aspect north facing units, which equates to 12% of the total number of units. The development now proposed by comparison has no single aspect north facing units. However, it has been highlighted that there are still a number of north-facing units where the second aspect is of poor quality. It is considered that this comment relates to 5no. units across the development, however, these units have a narrow plan with an excellent amount of façade. From level 6, these units become triple aspect units with west-facing living space and balconies. Overall, all units have been carefully designed with regards to outlook, overheating and cross ventilation to ensure the best possible living environment for future occupiers.*

Internal quality - There are a number of pinch points in the proximities between blocks, where the balconies of flats appear to be close to the windows of others. The Council should ensure that future residents have an acceptable level of privacy and are not unduly over-looking as a result of the layouts.

AR *in two locations, buildings E and F (which are mansion blocks type, which are only G+3 floors) are facing building B and C. Those buildings have been designed to create open angles, that enhance the distance between blocks while creating a sense of enclosure for the residential amenity spaces at GF level. In addition, every unit has been designed so that the main windows (living spaces) of each unit are not facing directly into another living space. Moreover, the location of the mansion blocks on the western side of the development does not affect the private amenity spaces of the lower floors of building B and C as they will benefit from the sun coming from the South.*

Architectural quality - the treatment of the facades, the appearance and the materials palette is supported and raises no strategic concern

Fire Safety - It is noted that the proposal includes two staircases for the proposed tall building component. This is welcome and GLA officers expect this to appropriately address the London Fire Brigade’s (LFB) recent concerns regarding single core arrangements within tall buildings. Notwithstanding this, should the LFB raise any issues regarding this proposal these must be fully addressed prior to the scheme being referred back to the Mayor at Stage 2.

LBE – LFB have confirmed they have no observation with respect to the Fire Strategy (as have the Health and safety Executive).

Inclusive access - Officers generally have no concerns about the accessibility of the public realm. However, the development must be designed to incorporate safe and dignified emergency evacuation. The LPA should confirm that they are satisfied with the proposed unit split, layout and design of the units and secure M4(2) and M4(3) requirements by condition or planning obligation to ensure compliance with Policy D7

LBE – Appropriate condition recommended confirming compliance

Transport - see the TfL response

Management Plans - There are concerns about the proposed layby on Horn Lane which is designed to accommodate all deliveries and servicing. This is contrary to London Plan Policy T7 and Ealing Local Plan polices which require on site servicing. The layby will reduce pavement width and detract from the public realm on Horn Lane.

LBE – The Horn Lane service bay has been removed from the proposed scheme.

The final versions of the DSP and CLP will need to be secured by planning conditions. The London Borough of Ealing should secure, enforce, monitor and ensure the funding of the final Travel Plan through the s106 agreement to ensure conformity with London Plan Policy T4.

LBE – Noted, conditions recommended.

Sustainable Development

Energy strategy - The energy statement does not yet comply with London Plan Policies [SI2, SI3 and SI4]. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full.

AR – an updated Energy Strategy has been submitted to address the GLA’s concerns.

	<p>LBE – LBE’s Energy advisor has confirmed the energy strategy is now acceptable and complies with policy. Conditions recommended requiring additional detail and Whole Life Carbon/Circular Economy Assessments.</p> <p>Urban Greening - Policy G5 of the London Plan recommends a UGF target of 0.4 for residential developments. The applicant has stated that measures to maximise the score have been explored to achieve the residential target and the score has been calculated to be 0.42 which is welcome.</p> <p>Air Quality - The proposed development meets air-quality-neutral requirements under London Plan Policy SI 1 (B) (2a). There will be no combustion plant for electricity, heating or hot water, so the proposed development is better than air quality neutral for building emissions. The proposals meet the definition of ‘car free’, so the proposed development is better than air quality neutral for transport emissions. The development is compliant with London Plan policy. Adverse impacts on air quality will be negligible – London Plan Policy SI 1 (B). The assessment states that EV parking standards will be complied with – London Plan Policy T6/T6.1 to T6.5. The assessment has accounted for the local Acton A40 North Acton rail/Gypsy Corner/Savoy Circus/White City AQFA (London Plan Policy SI 1 (B) (2d)) and found that pollution levels at the site will be acceptable.</p> <p>The Council are advised that the Applicant will need to provide details of any backup generators and testing regime once known, in order to confirm that proposals comply with London Plan Policy SI 1 (B) (1b).</p> <p>LBE – Appropriate conditions are recommended.</p> <p>Planning Officer’s response: As detailed the applicant has provided a detailed response to the GLA to address matters set out in the Stage 1. As set out above matters have been addressed through the submission of additional information and where necessary planning conditions and clauses/financial contributions are secured in the S106 agreement. LBE Officer’s have also given further consideration to the specific matters noted by the GLA to ensure compliance with relevant London Plan policies. The GLA have confirmed that they wish to have sight of the decision notice and S106 ahead of the Stage 2 referral.</p>
<p>Internal Consultation</p>	
<p>Transport Services:</p>	<p>No objection in principle subject to following comments (In summary):</p> <p><u>Car parking/ trip generation</u> – Welcomes the car fee nature of the development and confirm the quantum, location and design of the Blue Bade parking is acceptable.</p> <p><u>Cycle parking</u> – Confirms the quantity of cycle parking is now acceptable. Officer want to see further details to ensure accessibility and security is appropriate and to ensure the layout of the stores is acceptable and meets standards.</p> <p><u>Car clubs</u> - Requests further information on the requirements of car club operators.</p>

	<p><u>Travel Plan</u> – All the proposed actions need to be in place, or at least begin, upon occupation.</p> <p><u>Construction</u> - A Construction Logistics Plan should be submitted.</p> <p>A request for financial contribution toward various highways improvements including facilities for pedestrians and cyclists.</p> <p><u>Planning Officer’s Response:</u> <i>A range of conditions and a financial contribution has been secured.</i></p>
<p>Regeneration</p>	<p><u>Impact on Commercial Areas</u></p> <ul style="list-style-type: none"> - The site is served in closest proximity by the existing Horn Lane parade and emerging North Acton Neighbourhood Centre. Neighbourhood and town centres of East Acton and Acton are approx. 1500m away. - Area Regeneration support the proposal for the optimisation of residential growth at this neighbourhood boundary location. This proposal will connect neighbourhoods through its ground floor public route, improving local access to neighbourhood centres. However, opportunities to activate the ground floor and enhance these public realm areas will be further welcomed. - Area Regeneration are seeking contributions towards town centre improvements to support the local retail, services and amenity areas along Horn Lane. This contribution will help to accommodate growth in demand for local services, public realm improvements and mitigate the impact of the proposed development and associated population uplift. - Contributions can also help support the destination creation and placemaking linked to the recently launched CEZ which spans North Acton and Park Royal areas adjacent the site as an off-site contribution to boost locally specific enterprise, activation, skills & training. <p><u>Good Growth</u></p> <ul style="list-style-type: none"> - Active Frontage: Limited active frontage due to ground floor residential use for services, plant and cycle storage. Entrances located along Western Avenue provide some limited activation, area regeneration would welcome a range of ground floor uses that would encourage habitation, business and active use. Could plant areas, cycle storage or parking be located at a basement or lower ground floor level? Planting, trees and green space provide a positive buffer to the main road for residents and local benefit. - Site Movement: Site layout provides a public connection to ease pedestrian movement through the site. This provides benefits in terms of neighbourhood permeability, access to green space and will be important to be well managed to maximise public benefit and enable community use. - Placemaking: Approach to massing and layout responds to surrounding new development of a similar urban grain and height. Little contribution to

	<p>mix of uses, services and amenities available locally, this could be supported by the town centre contribution to deliver these provisions off-site for residents.</p> <p><i>Planning Officer's response:</i> A financial contribution has been secured to contribute to town centre initiatives in North Acton</p>
<p>Leisure and Parks - Landscape Team</p>	<p>The proposals whilst of being a very good quality in terms of the location, range and design of public and private open spaces there is an under provision in respect of open space and slight under provision in terms of play space. The Officer has recommended financial contributions to mitigate the under provision on site for improvement of facilities off site.</p> <p><i>Planning Officer's response:</i> The S.106 contribution is included to mitigate the impact of the development in respect of older play space provision. Details of landscaping, boundary treatments, drainage etc are all secured by condition.</p>
<p>Housing Officer (Housing Supply)</p>	<p>Supports the revised proposed affordable housing quantum and mix and notes compliance with the GLA's Fast Track approach</p> <p><i>Planning Officer's response:</i> The affordable housing package is secured by S.106 with appropriate review mechanisms.</p>
<p>Energy Officer</p>	<p>The Council is broadly supportive of the proposed energy strategy produced by Quinn Ross in February 2023 (version 5). The development is all electric with no gas infrastructure on-site.</p> <p>The strategy proposes a communal site-wide high temperature (approx 70/40o flow/return) Air Source Heat Pump driven distribution loop with dwelling heat exchangers (HIU) feeding underfloor heating and domestic hot water (DHW). The predicted ASHP system efficiency (SCOP) is 3.8.</p> <p>PV has been realistically maximised with five arrays across buildings A, B, C, E, & F with a combined capacity of 53.76 kWp.</p> <p>The Council confirms that there is no available "Clean" district heat network (DHN) and no further research is required on this issue.</p> <p><i>Planning Officer's response:</i> Appropriate planning S.106 obligations, and conditions are included in the recommendation.</p>
<p>Director of Education</p>	<p>No objection subject to financial contribution to mitigate the impact of the development on local schools.</p> <p><i>Planning Officer's response:</i> An appropriate S.106 financial contribution is secured to mitigate the impact of the development on local education services.</p>
<p>Regulatory Services (Noise)</p>	<p><u>Noise</u> The site is subject to substantial noise and air pollution from constant road traffic noise at this multi-lane junction with traffic lights. Robust mitigation measures will</p>

	<p>be required to ensure the noise environment is acceptable for future occupiers and appropriate conditions are proposed to secure this additional information.</p> <p>Most of the amenity spaces would achieve recommended noise levels with the exception of some higher-level balconies which could only do so if enclosed; effectively turning them into internal spaces. Current guidance accepts that it is not always possible to meet the recommended noise levels in urban environments and rather than losing the external amenity of the proposed balconies considers these acceptable under these circumstances.</p> <p><i><u>Planning Officer's response:</u> Appropriate conditions are included in the recommendation.</i></p>
<p>Regulatory Services (Air Quality)</p>	<p>The site is in an area seriously affected by nitrogen dioxide pollution from vehicle exhaust emissions on the adjacent, heavily trafficked road network, principally the A40 Western Avenue and its junction with Horn Lane at Gypsy Corner.</p> <p>To ensure appropriate levels of air quality various conditions are required to ensure appropriate mitigation. A financial contribution towards air quality monitoring is also proposed.</p> <p><i><u>Planning Officer's response:</u> Appropriate planning obligations and conditions are included in the recommendation.</i></p>
<p>Regulatory Services (Contamination)</p>	<p>The submitted information confirms that further investigative work is required to confirm what the made-up ground on the site comprises of and is appropriately remediated.</p> <p><i><u>Planning Officer's response:</u> Appropriate planning obligations, conditions and informatives to mitigate the impacts of pollution and remedy site contamination are included in the recommendation.</i></p>
<p>Environmental Services (Waste)</p>	<p>No objection.</p>

Planning Policies:

The assessment of the proposal has had regard to the following planning policy documents and guidance:

- National Planning Policy Framework (2021)
- The London Plan (2021)
- Ealing Development (Core) Strategy (2012)
- Ealing Development Management Development Plan Document (2013); and
- Ealing adopted Supplementary Planning Guidance/ Documents

See policies text in Annex 1 for the full list of relevant national, regional and local planning policies and guidance.

Local Plan Designations:

The Site lies within OIS3 designated by the Development Sites DPD and the associated Acton Green Corridor Policy Area identified on the Policy Map4 – both adopted in December 2013.

PLANNING APPRAISAL

Reasoned Justification

The main issues for consideration are:

- Principle of development and the appropriateness of the proposed use;
- Affordable housing;
- Housing standards
- Design including scale (tall buildings), form, siting and appearance;
- Open Space, Amenity Space and Play Space
- Public Realm, Public Routes, Green Corridor
- Environmental Protection (Noise/Air Quality/Contamination);
- Sunlight/Daylight
- Energy and Sustainability;
- Drainage and Flood Risk
- Urban Greening and Biodiversity
- Archaeology
- Fire Safety
- Transport including traffic, access, parking and servicing;
- Planning Balance
- Planning obligations and the Mayor's Community Infrastructure Levy.

Principle of development including proposed use

The current Application is for a wholly residential scheme; the principle of a residential scheme on this site has previously been accepted by the approval of application reference 166124FUL for 149 residential units.

Whilst the site is allocated with the Development Sites DPD for commercial development with some residential uses on the western boundary it has been demonstrated that due to restrictive covenants on the site that commercial uses are unlikely to come forward on the site within a reasonable timeframe.

Whilst, covenants are not normally considerations in determining planning applications; they may in practice restrict what can and cannot be done on land. In this case the use of the Application Site for any commercial use is prohibited under the terms of one of the covenants.

A number of the parties who objected to the former planning applications on the site appear to have the benefit of the covenant and the threat of enforcement was made in the event that the hotel part of the scheme proceeds. The practical effect of this would be to frustrate commercial development from coming forward on the site. This led to the 2015 permission for hotel use on the site being abandoned as the site owners could not secure funding because of the risk of litigation arising out of the covenant issue. The prospective hotel operator at the time was not therefore able to carry out the development.

To conclude it appears the existence of the covenant and the uncertainty and threat of injunction and litigation renders commercial development of the site as undeliverable. However, use of the site for residential purposes is not a restricted use under the terms of the covenants.

Residential Land Use

The NPPF establishes the Government's objective of significantly boosting the supply of homes and recognises that it is important that suitable amounts and variety of land can come forward where it is needed. The NPPF also states that LPAs should promote the effective use of land in meeting the need for homes by making the best use of previously developed or 'brownfield' land.

There is a substantial and recognised need for new homes within Ealing, with the London Plan housing target for the borough set at 21,570 homes between 2019/20-2028/29 (Policy H1). The delivery of new housing including affordable housing is therefore a key strategic objective for the Council.

The application site is a long term vacant, brownfield site located in a highly accessible location in a residential area. Planning policy at all levels encourages the efficient use of brownfield land and supports the optimisation of underutilised sites to bring forward housing to meet the significant need for new housing in London. The proposed residential development of this site is strongly supported.

Whilst the lack of commercial uses on the site would be a departure from the Sites DPD designation, the residential development of the site would accord with other Development Plan policies and can be considered to be an appropriate alternative development of the Site in the circumstances of this case having regard also to the prevailing residential uses around the site. The proposed residential development of this site and the delivery of 300 no. residential dwellings is therefore strongly supported and complies with the NPPF, London Plan and Ealing Core Strategy and Development Management policies.

Affordable Housing

As noted above the delivery of affordable housing is also a key priority for the Council and the Core Strategy confirms a strategic housing target of 50% genuinely affordable housing across the plan period.

The London Plan confirms that a minimum of 35% affordable housing with a tenure split of 30% affordable rent / social rent, 30% intermediate and 40% to be determined by the borough. Development that meets this tenure mix will qualify for the fast-track approach, i.e. will not be subject to a viability review.

The applicant has submitted an affordable housing offer that fully complies with the London Plan's fast track approach. The proposals include:

- 209 x private dwellings,
- 46 x intermediate shared ownership dwellings (117 habitable rooms)
- 45 x London affordable rent dwellings (174 habitable rooms)

The proposed offer comprises 35% affordable housing by habitable rooms with a total of 291 habitable rooms / 91 dwellings.

The proposed affordable housing is considered to be acceptable and compliant with London Plan and Ealing policy. The affordable housing will be secure via the S106 in accordance with the GLA's standard clauses including mid and late-stage review mechanisms.

Housing Standards

Mix

With regards to the housing size mix, Policy H10 of the London Plan encourages that new development should offer a range of housing choices in terms of the mix of housing sizes and types in order to

support the requirement to deliver mixed and inclusive neighbourhoods. Ealing’s development Strategy policy 1.2(h) supports ‘a suitable mix’ but does not specify percentage splits of different sized units.

The proposed housing mix is set out in the table below:

Units by tenure	Studio	1 bed	2 bed	3 bed	Total
Private	30	46	121	12	209
Social Rent	0	9	8	29	46
Shared Ownership	0	18	27	0	45
Total	30	73	156	41	300

Whilst the Council doesn’t prescribed a specific mix of units within a scheme the large number of 3 bed units secured in social rent tenure is supported and helps meet an identified need for larger affordable dwellings. It is also positive to note that no studios are included within the affordable housing offer. The proposed mix is considered acceptable and will meet the needs of existing residents and also provide for a wide range of new residents with different housing needs.

Residential Quality

Policy D6 of the London Plan and supporting Table 3.1 ‘Minimum internal space standards for new dwellings’ seeks to ensure that new development is of the highest quality internally with appropriately sized rooms. Policy 3.5 of Ealing’s Development Management DPD confirms these requirements.

The applicant confirms that all of the proposed units will meet or exceed the minimum space standards for the habitable spaces in each of the proposed dwellings. Minimum space standards in terms of bedroom sizes, storage and minimum floor to ceiling heights in excess of 2.5m as stipulated in the Nationally Described Space Standards are also all proposed to be met.

Aspect

New development should wherever possible seek to avoid single aspect units and particularly single aspect north facing units. The Applicant has sought to minimise single aspect units and through the pre-application stages improvements were made to the scheme. The proposals have no units that are north facing and single aspect which is a very positive outcome for an urban development such as this with a number of constraints to resolve. All units are considered to be of a high standard with large window openings and all have access to private outdoor space.

Accessible dwellings

In line with Policy D7 of the London Plan, 10% of the proposed residential dwellings meet Building Regulation requirement M4(3) ‘wheelchair accessible dwellings’, i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair units. The remaining 90% of the proposed residential dwellings meet Building Regulation requirement M4(2).

Design

Policy D4 of the London Plan identifies that architecture and design should be at the forefront of all planning decisions and that the design process should be thoroughly scrutinized before a referral is made to the GLA. Local and Regional policy confirms development proposals should make a positive contribution to a coherent public realm, streetscape and wider cityscape. Proposals should incorporate the highest quality materials, in particular having regard to the proposed height and massing strategy.

The proposal is considered to comprise high quality architecture and has evolved through pre-application consultation and in particular through two reviews with Ealing’s Design Review Panel. The

design responds positively to the existing form of development and would provide an appropriate transition in form/ scale/ height between the lower rise housing to the South and West and taller developments to the North and East.

Site Layout

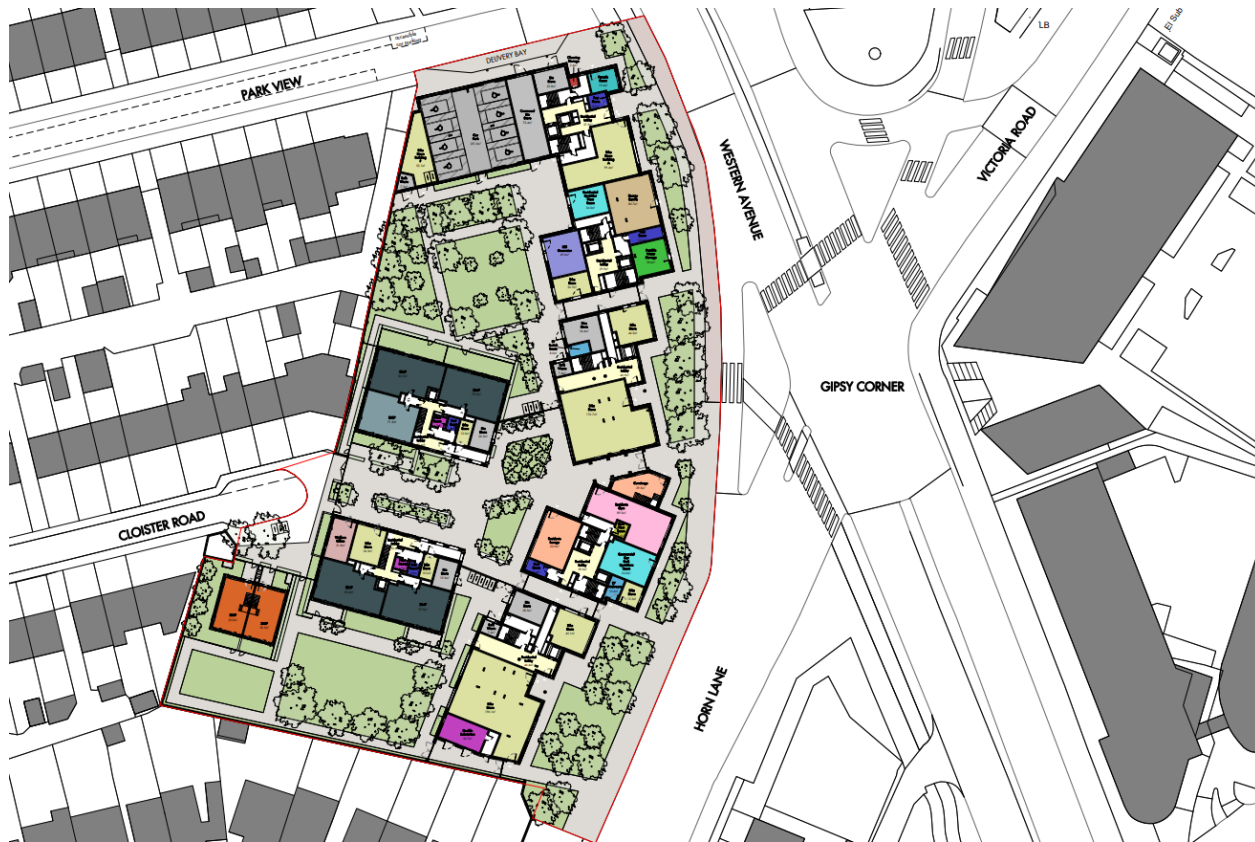
Policy D4 of the London Plan (2021) requires that the design of new developments should give regard to its layout, scale, height, density, land uses, materials architectural treatment, detailing and landscaping. LV Policy 7.4 of the Ealing Development Management DPD seeks to ensure that development is respectful of the surrounding built form in terms of its street sequence, building pattern, dimensions, scale, bulk and appearance.

The layout proposes a perimeter block to the east of the site fronting Western Avenue and Horn Lane. This provides a strong frontage to the development but set back to facilitate the creation of generous landscaped green corridor. To the west of the perimeter block the buildings are lower scale and the siting responds to the grain of the existing residential development on neighbouring roads. The layout of this part of the development facilitates large open amenity spaces with a varying character depending on the level of activity and privacy.

The layout ensures vehicle movements are kept to the edge of the site facilitating a safe environment along the frontage of the development and within the site. All parking and servicing is taken from Park View as per the existing situation and previously consented schemes on the site.

The layout ensures a legible and permeable scheme facilitating a pedestrian route through the site to aid pedestrian movements to and from North Acton town centre and various public transport connections.

The layout maximises internal amenity, enabling the provision of good levels of internal daylight/ sunlight, privacy and screening from noise/ pollution. The layout also mitigates the impact on adjoining residential properties by avoiding direct overlooking and overshadowing. The buildings would also screen traffic noise/ pollution to existing houses to the west.



(Proposed Layout)

Scale and Massing

As set out above the proposed height and massing focuses the taller buildings towards the west of the site with the lower buildings located towards the east. In this way the proposed development allows for a transition from the very tall buildings located in the Opportunity Area and the lower scale properties located on the residential roads to the west.

The site is allocated for development, but the allocation does not specify building heights but says the scale, massing and height of buildings should respect the amenity of adjoining properties. It is noted however that the previous residential consent approved in 2018 does include a tall building up to 9 storeys in height and this is a material consideration in the determination of this current application.

Notwithstanding the planning history of the site and the character of the area that includes the much taller buildings located in the Opportunity Area the principle of tall buildings on the application site now falls to be considered under London Plan policy D9. Part B of policy D9 confirms that Council’s should identify locations suitable for tall buildings within Development Plans, Ealing is currently producing a new Local Plan that will propose locations for tall buildings. This new plan is however in its relatively early stages and therefore the acceptability of this site will fall to be considered in respect of the impacts identified by part C of policy D9. These impacts include visual impacts, functional impacts, environmental and cumulative impacts.



(Street elevation from Western Way/A40)

Visual Impact – in respect of the visual impact the Site is located between two distinct character areas, the lower density suburban area to the west and the emerging high-density, tall buildings area to the east (which forms part of the Old Oak and Park Royal Opportunity Area). Accordingly, it has always been central to the design of this scheme (as well as the previously consented schemes) that the development should seek to ensure an appropriate transition between the two contexts.

This transition has been the subject of careful consideration by Officers and throughout the pre-application stage the scheme has been modified to adjust the massing and reduce the heights from initial proposals that indicated 20 storeys on the site. The development is considered to appropriately respond to this transition, the perimeter buildings varying in height with the taller elements broken down and separated with lower elements, the layering created by the stepped plan and siting of the perimeter block further helping to breakdown the massing and provides an attractive streetscape.

The Applicant has submitted in support of the planning application a Townscape and Visual Impact Assessment. The visual assessment has considered the effects of the proposed development on people in the surrounding area over different distances including immediate, medium and long range. The location of the views that have been considered by the assessment were discussed and agreed with officers. The assessment notes that in respect of the views considered the stepping of the built form in plan and section would help to create a series of well proportioned buildings with a vertical emphasis that would successfully mediate between the suburban residential area and the very tall development around North Acton station and mitigate the current stark contrast.

Accordingly the proposed development is considered to represent an appropriate transition between the two distinct areas. In addition the proposals represent a significant enhancement of the townscape introducing new high quality well designed buildings on this prominent site responding positively to the street, improving natural surveillance and provide beneficial enclosure of the residential areas to the west. The visual appearance is therefore concluded to be acceptable.

Functional Impact – the ground floor layout is well considered and has again evolved considerably as a result of discussions at pre-application and during the course of the applications consideration. The layout of the building ensures it is legible with entrances to the building clearly identified and the public route through identified by a variation in materials. The layout promotes active frontages through the residential and bike storage lobbies in addition to the communal uses such as residents gym and the buildings concierge.

The servicing has been amended to remove the layby on Horn Lane to avoid potential pedestrian, cyclist and highways conflicts with all servicing and vehicular movements now proposed to be from Park View. The servicing arrangements have been developed to ensure they are appropriately designed and a servicing and Delivery Plan will ensure satisfactory operational arrangements.

In terms of transport capacity, the proposed development is located in a highly sustainable location with access to a wide variety of public transport options, proposed financial contributions to improve North Acton Station and improve capacity on local bus services are also included within the proposed S106 agreement. The local area is well served by pedestrian and cyclist facilities and further improvements will be secured as part of this and other development in the North Acton Area. The capacity of the existing road network is capable of accommodating the proposed development and the likely vehicle movements that will be generated. No significant highway capacity impacts not capable of being mitigated have been identified by TfL or the Council's own Highways Officers.

The functional impact of the development and how it relates to other existing and emerging development is therefore considered to be acceptable.

Environmental Impact – the proposed development has been considered in terms of its environmental impacts including wind, daylight, sunlight penetration and noise and detailed consideration of these impacts are covered later in this report. The application site is located in an area where there are a number of constraints particularly associated with noise and air pollution. Officers have reviewed these matters and subject to appropriate conditions have confirmed the development is acceptable and will ensure acceptable living conditions to both existing and future residents. Therefore, there are no environmental impacts of significant detriment to impact on the acceptability of tall buildings in this location.

Cumulative Impacts – in considering each of the above matters it is necessary to consider both the impacts of the proposed development as well as those associated with existing and proposed development in the wider area. With specific regard to the cumulative visual impacts the proposed development has been considered in the context of the large scale change being brought forward in the Opportunity Area. In respect of this concentration of very tall buildings the proposed development is considered to have a number of beneficial impacts by providing some screening of lower areas but more importantly providing a mediation in the scale of the existing residential areas and the stark contrast associated with the buildings in the Opportunity Area the tallest and nearest of which being the redevelopment of the Holiday Inn that proposes a building of 45 and 55 storeys in height. The proposed development in this cumulative scenario can therefore be considered to be beneficial.

The cumulative impact in terms of noise, air and wind have all being considered and again the proposed development secures benefits for the existing residential areas to the west by providing some screening particularly of noise for these existing properties. Overall, the cumulative impacts are considered to be negligible with some positive benefits being accrued by the proposed development.

On the basis of the above considerations in relation to Part C of London Plan Policy D9 together with the other material considerations set out in this report the principle of tall buildings on this site can be considered to be acceptable.

The proposed development that includes two taller elements of G+14 storeys and G+15 storeys with buildings of various other heights includes G+4 storeys at the edges of the site and G+6-9 storeys separating the taller element within the perimeter block is considered to be acceptable. It is considered that the scale of the proposed development with the taller elements positioned along the main road

frontages would be appropriate in the context. The scale of the development would reduce towards the southern and western edges to minimise any adverse impact in terms of residential or visual amenity.

Whilst the built form and mass of buildings would be greater than the previously consented schemes, mainly due to fully building up the site frontage and the additional height at the front this approach is considered appropriate in townscape terms and results in the more efficient use of the site and would result in a more coherent and visually pleasing form of development, which would not harm the character of the area. Overall, the scale of the proposed development is considered appropriate for this prominent junction and the A40 corridor.

Appearance/ Materials

The appearance of the proposed development has been strongly influenced by the local context including the residential character of the dwellings in Cloister Road and Park View and the tall buildings emerging to the east.

The new buildings are contemporary and mediate the scale between the low-rise houses to the west and the taller buildings to the east. The building facades are all brick, creating buildings that will age and weather sensitively as well as being robust and attractive appearance. The window sills are all raised, providing not just privacy to the bedrooms but also reflecting the proportions of the existing houses' windows. All the balconies railings and Juliet railings are painted steel; where overlooking or privacy issues are a concern, a perforated metal plate has been added to the bottom of the railings to increase the sense of privacy to the users, but still allowing views out when sitting down.

The buildings fronting the A40/Horn Lane adopt a similar approach and use brick as the predominate material. The different scale requires an alternative fenestration detail. All windows are set back behind deep reveals and have a vertical proportion. The elevation is broken up by the layered siting of the different blocks and this is further developed by the smaller blocks having smaller facades. A fold in the linear form of the perimeter block is marked by an alternative lighter coloured material that also signifies the location of the pedestrian route through the site.

The proposals have evolved through positive consultation with the Council's Design Review Panel and further details relating to the detailing of the building and use of materials are secured by planning conditions. Overall, the design, in terms of its architecture and the proposed materials palette are of high quality and the scheme would make a positive impact on the character of the area and are considered to meet the objectives of London Plan policies D4, D5 and D9 and Ealing's adopted Development Management DPD Policy 7B.



(View from Cloister Road towards the development)



(View of Gipsy Corner looking south east)

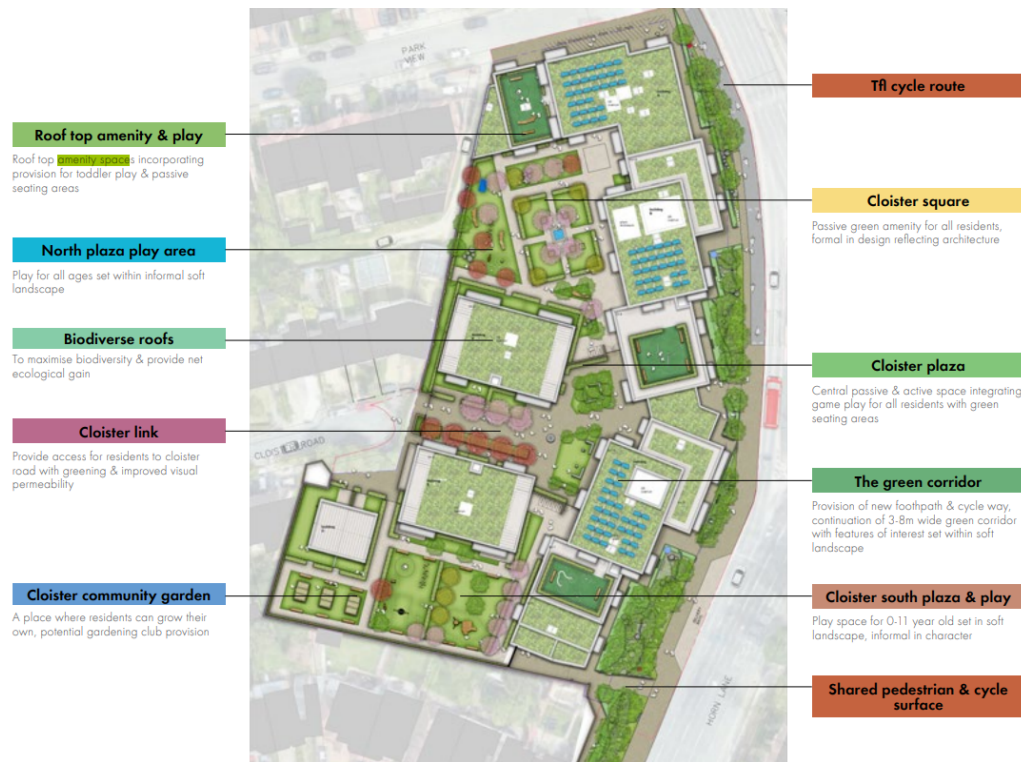


(View from proposed courtyard looking north)

Open Space, Amenity Space and Play Space

Private Amenity Space - Policy D6 of the London Plan states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. Table 7D.2 of the DMDPD sets out the Council’s amenity space provision requirements for new development, which reflects that of policy D6. All of the proposed residential units provide access to private amenity space in the form of balconies, terraces and in the case of the pair of semi-detached houses private gardens. All of the dwellings provide private amenity space that meets or exceeds this policy requirement.

Open Space/Amenity Space – In addition to the private amenity space the proposed development includes a range of public and semi private communal amenity spaces that are divided into different character areas. The different spaces include the central plaza which is a more public open area accommodating the pedestrian route through the site. To north and south of this space semi-private squares which relate to their associated blocks and provide passive and active amenity are proposed. Each of these areas are supported by a high-quality landscape scheme that propose different forms of hard and soft landscaping to divide the spaces to accommodate different types of user groups.



(Image taken from applicant Design and Access statement showing different amenity/open spaces)

In addition to the ground floor amenity spaces additional semi private amenity spaces are proposed on the lower roof levels provide additional spaces for residents of the associated blocks. The proposed development provides a total of 2500sq.m of semi private and communal amenity space or 8.33sq.m per dwelling. Footnote 2 of Table 7D.2 of the Council’s Development Management DPD states that “typically” 15 sqm of communal amenity space will be delivered per flat. Whilst this indicative target is not met the quantum, design and accessibility to the available space has been maximised.

All residents will have access to private, shared amenity spaces and public open space all of which are usable, high quality and provide for a range of different users needs. In addition and not included in the shared or public open space figures quoted above the proposals also includes a range of indoor communal amenity uses including a residents lounge and residents gym that help mitigate the shortfall.

Play Space - Policy S4 of the London Plan states that new development should increase opportunities for play and informal recreation. The proposed play strategy provides inclusive play for all ages and tenures, locating some play on amenity rooftops so that there is a comfortable balance at ground floor between active and passive spaces. For 0-11 years play is natural in form and for 12-15+ play is interactive including ping pong tables and play sculptures.

The application includes 1064sq.m of play space comprising:

- 0-4 play – 532sq.m
- 5-11 play – 367sq.m
- 12+ play 165sq.m

The development results in a slight under provision by 42sq.m of play space that is mitigate through a financial contribution towards the improvement of off-site provision in the local area.

Public Realm, Public Routes, Green Corridor

The proposed scheme incorporates high quality public realm that helps the development positively contribute and enhance the local area. The public realm strategy is comprised of two key elements which include the proposed green corridor to the east of the site and the public route through the site provide an east-west connection.

Public Route – the public route through the site has been a matter of strong and contrasting opinions. The route through the site is considered to respond positively to urban design considerations including enhancing the permeability of the area and improving connectivity through the site and providing more convenient access for residents located to the west with North Acton Town Centre and associated public transport connects. The principle of the public route through the site is supported by LBE Officer as well as TfL and the GLA.

In contrast to this view the public consultation has raised concern with the public route particularly from residents of Cloister Road. The perception being from residents that opening up the route will change the character of Cloister Road, lead to increased noise, disturbance and antisocial behaviour and possibly lead to increased security issues and crime. The Met Police’s Designing Out Crime Officer has also raised similar concerns raising issues relating to lack of active surveillance and concerns associated with anti-social behaviour and the fear of crime.



(Image of entrance to public route through the site)

The pedestrian route would pass through a courtyard area overlooked by residential properties before passing through the site past the resident’s gym, concierge and facilities management office that would provide further active surveillance and out onto Horn Lane/A40 a constantly busy area providing further surveillance. The courtyard would provide a secure route and there would be no public access to the semi-private areas to the south and north. It is Officer’s view therefore that the route would be capable of providing a safe connection with natural surveillance and could be supported by appropriate lighting, CCTV. The sites management team would also provide further monitoring/security.

Notwithstanding this view in order to address the concerns of local residents it has been agreed that the proposed route through the site will be a managed route and only available during daylight hours. During the night the route would be locked and whilst residents of the development would have access public access would not be available. The management of the site would ensure the route is made

secure at the end of each day. The exact arrangements for the public route are to be set out in a Management Strategy for the site to be secured via a planning condition and it is anticipated that signs at the entrances to the public route will provide details of the hours the route is open so that the local community are aware and can benefit from the arrangement.

Green Corridor - The allocation of the site (OIS3) confirms that the development of this site must make a clear contribution to achieving the objectives of the Green Corridor. In response to this requirement the proposed development proposes a significant landscape zone between the building and the edge of the site. In addition to extensive planting including low level shrubs and a number of trees the proposed corridor also incorporates information boards, decorated stepping logs and stones which lead to nature play items that can also be used as seats. The proposed Green Corridor supports the policy objective, provides a significant landscaped edge to the scheme and will be a significant public benefit arising from the proposed development. Detail of the Green Corridor including the type and maturity of the proposed planting together with its future maintenance is secured by conditions.

Environmental Protection (Noise/Air Quality/Contamination)

Noise – The proposed development is supported by a Noise Impact Assessment that has been assessed by the Council’s Regulatory Services Team. The site is subject to significant noise levels generated by traffic using Horn Lane and the A40, noise levels therefore are relatively high at all times of the day.

The massing of the scheme as proposed creates a barrier to the noise from the A40/Horn Lane which benefits existing residents to the west as well as creating an acceptable noise environment for the external amenity areas serving the development. Proposed dwellings located to the west of the perimeter block also benefit from the screening provided.

In terms of the roof level amenity areas for blocks A, B and C, the roof area to block A and C show very small areas with noise levels exceed the required criterion the vast majority of the areas are fully compliant. Block B shows 40% of the area exceeding the criterion but only by a very small amount (0.5dB) which is not considered to have a significant impact on the usability of the area.

In terms of balconies, all balconies on the west facing elevation will receive noise levels well within the target criterion. On the east facing elevation noise levels at the balconies will all exceed the required criterion, mitigation measures such as absorptive treatment of the underside of the balconies could help to minimise noise levels although these treatments would only lead to marginal improvements and the balconies would still experience noise levels beyond the required criterion. Although the balconies experience high noise levels, they still perform a useful amenity for residents and residents of the affected flats will also have access to both the roof terraces and ground floor amenity areas. On balance given the constraints of the site this is considered to be acceptable, and residents will still have access to good levels of outdoor space with acceptable noise levels well within the require criterion.

In terms of the residential accommodation itself appropriate internal noise levels can be secured by incorporating in the worst-case scenario for flats overlooking the A40 secondary glazing and elsewhere standard thermal double glazing. The internal noise environment is therefore considered to be acceptable.

Air Quality – impacts have been dealt with in the Applicant’s Air Quality Assessment which has been reviewed by the Council Regulatory Services Team. The Assessment confirms that air quality conditions for future residents of the proposed development will be acceptable, with concentrations well below the air quality objectives throughout the site.

The Assessment has demonstrated that traffic generated by the proposed development and the emergency generator will not have a significant impact on air quality conditions at all existing receptors.

The proposed development also complies with the requirement that all new development in London should be at least air quality neutral.

The Council's Regulatory services Team have requested planning conditions to secure further details of the building's ventilation strategy report to ensure appropriate mitigation of poor-quality air and submission of an Air Quality and Dust Mitigation Plan is also sought as well as air quality monitoring in the area funded by the applicant and secured in the S106.

Ground Contamination - A Desk Based Study has been submitted in support of the planning application, this identifies that the main contaminants on site are likely to arise from the made-up ground present on the site. As the content of this made-up ground is not known at this stage appropriate conditions are recommended requiring further investigation followed by the submission of a remediation strategy to ensure any contaminants identified are removed from the site and the site remediated prior to the commencement of any development on site.

Wind - Microclimate

A wind microclimate study has been and submitted in support of the planning application. The analysis has used computational fluid dynamics (CFD) simulations to determine the aerodynamic effect that the proposed buildings have on the wind patterns around the site. This was combined with long-term wind speed data to provide a statistical representation of the wind conditions, which were then compared against pedestrian comfort and distress criteria.

Results show that for the proposed development wind conditions around the site remain safe and are suitable, in terms of pedestrian comfort, for the intended usage of the area. On the roof-levels of the proposed development, some small exceedances of the safety criteria have been identified, however, it is understood these areas are not accessible to the general public and therefore suitable for its intended usage. With the addition of the cumulative schemes, windier conditions are observed, especially in winter months, however all areas at ground level remain safe for all users and suitable, in terms of pedestrian comfort, for their intended usage. At elevated levels, wind conditions are slightly calmer, most noticeably within the play space areas, with the addition of the cumulative schemes when compared to the proposed scenario. Overall, the wind – microclimate as a result of the development and also in the cumulative scenario is considered acceptable and will result in acceptable living conditions for future and existing residents.

Sunlight/Daylight/Overshadowing

Existing Property - The results of the daylight assessments to the neighbouring properties show that where reductions beyond the BRE Guidelines occur, the vast majority of windows will retain a VSC which is considered a good-very good level of daylight for an urban area. Where retained levels of daylight are slightly lower, these tend to be due to a recessed winter balcony (property on Mozart Gardens located to the north of the development), or serve a bedroom, which has a lesser requirement for daylight.

The sunlight results show that the vast majority of windows will continue to enjoy a level of sunlight which is in accordance with the BRE Guidelines. The isolated occurrences tend to be in the winter months only and are again due to the window being positioned behind a recessed winter balcony, the winter balcony itself would still enjoy a good level of sunlight.

The effects upon the neighbouring gardens and amenity spaces were predominantly considered to be negligible or minor. Only one garden will experience a greater reduction beyond the BRE Guidelines, however, this will enjoy reasonable access to sunlight in summer months.

A very high level of compliance is achieved and given the location of the site in an urban environment this is considered to be acceptable.

Proposed Property - The internal daylight amenity assessment indicates that of the 850 habitable residential rooms assessed 674 (79%) will meet the minimum requirements for bedrooms, lounges and lounge/kitchen/diners. 176 rooms (21%) will fall below the minimum recommended targets. This is a high level of compliance and compares well with other recently approved schemes such as Friary Park. It is noted that were rooms fall below the minimum target criteria the property is predominantly located on a north facing elevations and behind a projecting balcony that impacts on the results. Overall, a high level of internal daylight is secured across the development, and it is noted that there are no single aspect north facing apartments.

In terms of internal sunlight amenity, of the 850 habitable rooms assessed, 700 habitable rooms (82%) will meet the minimum recommended sunlight criteria regardless of their orientation. Those rooms that fall short are predominantly located on the northern elevations which restrict access to available sunlight hours. It is also confirmed that 91% of all dwellings will receive the minimum recommended sunlight criteria.

The overshadowing results show that the vast majority of the public and private amenity spaces will meet the BRE guidelines criteria of 2 hours sun on ground to at least 50% of their area. Each resident will therefore have access to a nearby amenity space with good levels of sunlight above that recommended by the BRE guidelines.

The proposed development achieves good levels of compliance in respect of both the internal and external environments of the proposed development when assessed against BRE Guidelines.

Energy and Sustainability

The provision of sustainable development is a key principle of the National Planning Policy Framework which requires the planning process to support the transition to a low carbon future. Policies S12 and S13 of the London Plan (2021) set out further details of how new development should be sustainable and energy saving.

At the current design stage, the overall site-wide CO₂ emissions will be cut by at least 63.38%, with 24.96% carbon reduction through (non ASHP) "Lean" efficiency measures, and 38.42% through "Green" (ASHP/PV) renewable energy.

There is a shortfall of 3,120 tonnes CO₂ (over 30 years) in the zero-carbon that will be mitigated through an "offset" S106 payment at £95 per tonne to the Council of £296,755. If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver, within a reasonable margin of error, the carbon reductions predicted in the Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate some or all of the shortfall.

The London Plan (policy S12) introduces a fourth step to the existing (be Lean, Clean, Green) energy hierarchy of "be Seen". In addition to the GLA 'be Seen' policy, Ealing Council also requires the additional physical monitoring and performance analysis of the renewable/low-carbon energy equipment. Ealing already implements, and separately conditions, this requirement through its Development Management (2013) DPD policy E5.2.3. The monitoring is carried out by the Council's

chosen provider (Emergence Ltd) using the Automated Energy Monitoring Platform (AEMP). A S106 payment will be sought for the implementation of the energy monitoring policy. This requirement and associated funding is secured through the S106.

Energy Strategy - The Council is broadly supportive of the proposed energy strategy produced by Quinn Ross in February 2023 (version 5). The development is all electric with no gas infrastructure on-site. The strategy proposes a communal site-wide high temperature (approx. 70/40° flow/return) Air Source Heat Pump driven distribution loop with dwelling heat exchangers (HIU) in each unit feeding underfloor heating and domestic hot water (DHW). The predicted ASHP system efficiency (SCOP) is 3.8. PV's have been realistically maximised with five arrays across buildings A, B, C, E, & F with a combined capacity of 53.76 kWp. It is accepted that there is no available "Clean" district heat network (DHN) and no further research is required on this issue.

The Applicant's Strategy has been assessed against Part ADL using SAP10.2 emission factors and follows the London Plan policy S12/S13 "Lean, Clean, Green" energy hierarchy.

Whole Life Carbon Cycle – in accordance with London Plan policy S12(F) the applicant has submitted a detailed Whole Life Carbon Assessment which has been subject of further discussion on detailed matters with the GLA. A final version of the assessment is required to be submitted prior to the commencement of development as well as post construction assessment to demonstrate as built compliance.

Circular Economy – in accordance with London Plan policy S17 a circular Economy Statement has been submitted by the applicant and assessed by the GLA with detailed comments made. The final version of the circular Economy Statement is proposed to be secured by condition together with a post construction monitoring report.

Flood Risk and Drainage

Food Risk - The site is located within Flood Zone 1 which is the lowest probability of flooding. The submitted Flood Risk Assessment confirms that the risk of flooding from all sources, through the entire development design life, is considered to be low and that the Proposed Development will not increase the risk of flooding elsewhere.

Drainage - In terms of sustainable drainage, the proposal includes a number of SuDS to ensure the proposal meets with the requirements of Policy S113 of the London Plan. Green roofs are proposed to slow down surface water flows and attenuate runoff at its source. Rainwater harvesting is proposed to store water for later use in all buildings within the Proposed Development. Permeable surfaces and rain gardens are proposed with overflows into attenuation tanks and a piped network to attenuate the Site in larger storm events. All surface water runoff from Site is attenuated for up to 1:100-year storm event plus 40% climate change and is gradually released to the public sewer at a greenfield runoff rate of 3.4l/s. The foul water discharge from Site is estimated to be 12.03l/s as a result of the Proposed Development. Further details of the drainage strategy are secure by planning condition.

Urban Greening and Biodiversity

Urban Greening – London Plan policy G5 requires major development to contribute to the greening of London through the incorporation of measures including landscaping, green roofs and walls and nature based sustainable drainage. As referred to in the previous sections of the report the landscape proposals including the Green Corridor have formed an important and integral part of the scheme.

Policy G5 introduces the Urban Green Factor calculation to provide a way of quantifying the contribution new development makes to urban greening. The benchmark required to be achieved for

new residential led development is a score of 0.40. The applicant has confirmed that the proposed scheme secures a score of 0.42 therefore meeting the requirements of policy G5. The score has been achieved by the extensive ground floor landscaping together with 1950sq.m of intensive green roof.

Biodiversity – The sites existing condition does not support good quality habitats and the nature of the habitats identified on the site are of low ecological value, are common in the local area and are not of principal importance. In term of protected species, the site does not contain conditions suitable to support roosts or foraging bats. Similarly, the site doesn't accommodate habitats suitable for supporting notable invertebrates, badgers or hedgehogs. There are no water features on the site and therefore there are no habitats suitable for supporting amphibians.

The low ecological value of the site represents a significant opportunity for the proposed development to enhance the biodiversity value of the site. The proposed development seeks to do this by the inclusion of the following enhancements:

- Provide biodiverse green and roofs providing new habitats which are species rich thus maximising biodiversity
- Incorporate mitigation and enhancement recommendations from ecology report including the provision of bird and bat boxes, bumblebee boxes, insect walls, log piles
- Specify native species within all landscape areas in line with the Council's BAP (Bio-diverse Action Plan)
- Utilise Biodiverse roof space as part of an over all SuD's strategy incorporating blue roofs where necessary to assist with attenuation and water run-off.

A Planning condition is proposed to secure a scheme of biodiversity enhancements aimed to secure net biodiversity gain across the site.

Archaeology

The application has been supported by an Archaeological Desk Based Assessment. The assessment identifies that numerous archaeological excavations have taken place across the Site since the early 1990s, mostly relating to the post-medieval agricultural settlement known from documentary evidence as Friars Place Farm. Limited amounts of residual medieval material were also uncovered in early excavations, supporting the notion that there may have been an earlier, medieval settlement in the general vicinity. The Assessment considered that here is a 220915 Cloister Corner Planning Statement v1.0.docx Page 45 of 52 low potential for prehistoric, Roman and medieval remains, with a moderate to high potential for post-medieval remains to be present on the Site. Any surviving archaeological remains on the Site are likely to be of local area or negligible significance.

Historic England were consulted on the proposals and provided written confirmation that they considered that the development could cause harm to archaeological remains. They have therefore recommended a planning condition that has been included in the recommendation that requires further in site investigation prior to any development being commenced. This will enable the full and comprehensive consideration of the sites archaeology and allow it to be recorded prior to the development being undertaken should planning permission be granted.

Fire Safety

The application is supported by a Fire Statement that complies with the requirements of London Plan policy D12 and was prepared by an independent assessor. The strategy responds to the fire safety design codes, standards and best practice for high rise buildings to align with the requirements of Policy D12 of the London Plan.

The statement outlines the approach (for all buildings) to means of escape, material selection to ensure the maximum protection against fire, access and servicing for fire equipment, the siting of fire appliances, the suitability of water supply. The statement confirms that evacuation lifts will be provided to offer safe and dignified evacuation for all building users in accordance with the London Plan.

Importantly the fire strategy responds to the latest fire safety guidance and proposes two staircases to service each of the tall building proposed. The London Fire Brigade were consulted on the proposed development and written confirmation was received that they had no observation to make on the Fire Strategy. The fire Strategy can therefore be supported by LBE and GLA Officers.

Transport including traffic, access, parking and servicing

The NPPF promotes better integration between planning and transport and promotes accessibility by public transport, walking and cycling. This overarching policy objective is supported by London Plan policy including Policy T1 that introduces a strategic approach to transport including a target that 80% of all trips should be by foot, cycle and public transport by 2041. Policy T2 promotes the Mayors Healthy Street agenda which is focused on reducing the dominance of vehicles on London's streets and facilitating better integration of cycling and pedestrian features. Policies T5, T6 and T6.1 set out the parameters for parking for bicycles and cars including maximum parking standards as well as provision of electric and disabled spaces.

The planning application is supported by a Transport Assessment and Framework Travel Plan.

Trip Generation and Impacts – The proposed development is promoted as being car free and therefore the additional vehicle trip generated by the proposed development will be limited. The additional impact generated by the proposed development will therefore primarily relate to service trips generated for example by online shopping, refuse collections etc. It is predicted that the proposed development will generate up to 44 service trips a day many of these trips being facilitate by vehicle already on the road network and already servicing the surrounding roads. The predicted service trips can be accommodated on the existing road network.

The proposed development will generate an increased number of public transport based trips in the area and TfL has confirm that to mitigate the impact of these increased trips a financial contribution of £338,250 towards North Acton station improvements and £143,000 towards the improvement of bus services in the area. The applicant has agreed to these contributions, and they are secured in the S106.

Access and Servicing – as previously noted the access and servicing strategy has been developed during the course of the application. Pedestrian and cycle access to the development is taken from various residential lobbies access from the western side of the building fronting Horn Lane and the A40. Bike storage is also accessed from here. A concierge located centrally provides a central point for receiving parcels etc. A pedestrian route through the site as previously discussed provides a further point of entry for residents and the wider public during certain hours.

Vehicular access is taken from Park View provided access to an under-croft parking area. All servicing is also taken from Park View and a service bay is proposed where vehicles will be able to stop and make deliveries collect bins. The design and location of the service bay has been tested to ensure it can be safely accessed by all vehicles. A Road Safety Audit and further details of the Servicing Strategy are secured by planning condition.

Car Parking - The proposed development is a car free scheme, except for disabled persons' parking, this approach is supported on this well-connected site. The proposed 8 spaces are the minimum requirement to provide for 3% of units from the outset. TfL have requested that options to increase the

provision of disabled persons' parking, if required in the future, should be set out, including the potential for conversion of on street spaces. A Parking Design and Management Plan is secured through a planning condition. Confirmation that occupants of the development would not be eligible to apply for residents' parking permits is also secured via the S106 as is funding towards a review of the current operation of the CPZ to ensure it fulfils its objectives given the changes in the local area.

Cycle Parking – The proposed cycle parking exceeds minimum standards in London Plan Policy T5 which is supported providing a total of 544 cycle spaces across the development of which 18 spaces will be provided as short stay spaces. The cycle stores are located at ground floor level with the entrances located adjacent to residential entrance lobbies and so are conveniently positioned as well as being overlooked. Details of the cycle storage to ensure compliance with London Cycling Design Standards including the provision of accessible spaces and spaces for large bicycles as well as ensuring the security arrangements are appropriate.

Planning Balance

The proposals to redevelop the application site have generated a significant level of objection from the local community with a wide range of issues identified. Concerns centre around the height and scale of development, the density of development, the impacts on existing amenity and the impacts on existing services and facilities as a result of the increased population. Significant concern was also raised in respect of the public route through the site to Cloister Road.

The application site has been the subject of two previous consents for the redevelopment of the site the first being a mixed-use development with housing and a hotel and the second more recent application exclusively for residential development. These previous consents are material considerations.

The revised proposals now subject of this current application include the following key elements:

- 300 dwelling including studios, 1-bed, 2-bed and 3-bed dwellings.
- 35% affordable housing
- A linear perimeter block including buildings ranging in height from 5 to 16 storeys.
- 2 smaller 3 storey block and a pair of 2 storey semidetached houses
- All dwelling meet or exceed minimum space standards and have accessed to private balconies, terraces or garden.
- All dwellings have access to communal gardens, roof top gardens both of which incorporate play spaces for different age groups
- Pedestrian connection through the site
- Policy compliant long and short stay cycle parking
- Car free development except for 8 disabled parking bays
- S106 financial contribution of circa £2.9m

This report has identified that there are adverse impacts associated with the proposals described above. There will be impacts in respect of the townscape and the bulk and massing will accentuate the step change in development that has previously been approved on this site. These additional impacts have been considered in detail and whilst a significant change will occur the change will be mostly beneficial improving the appearance of this key junction location that has remained vacant for several years. The increased bulk and massing of on the site will nevertheless have some impact on the townscape and visual amenity of the area particularly for those residents in the roads to the west.

The report has also identified that the proposal will lead to some additional impacts in terms of sunlight, daylight and overshadowing. These impacts are however limited to a small number of windows in the

surrounding developments which given the urban setting of the site is considered to be reasonable and does not lead to significant harm to the amenity currently enjoyed by existing residents.

The proposals will result in an increase in the population of the area that will result in further demands on services and resources, there will also be an increased demand put on local public transport services.

The proposed development has also demonstrated that it is not able to accommodate policy compliant provision for public open space or play space.

These negative factors do weigh against proposals but need to be weighed up in the overall planning balance and the planning and public benefits that the scheme would secure. These benefits include the delivery of 300 additional homes with 35% of the habitable rooms being secured as affordable housing.

Utilisation of a brownfield site, delivery of a new green corridor and public connection through the site as well as a publicly accessible amenity space in the centre of the development. Highly sustainable form of development including being car free and promoting the use of cycles and incorporating a highly sustainable energy strategy.

In addition to the above benefits a S.106 agreement is secured as set out at the beginning of this report to fund improvements to local services including health care, education, employment and training as well as financial contributions toward public open space and play space. The proposals secure £2.9m of financial contributions.

Given the above considerations it is Officer's view that significant weight should be given to the strategic objective of providing additional housing and affordable housing with further positive weight given to the proposals in respect of bringing this important brownfield site back into a viable and beneficial use. These positive aspects of the development are not considered to be outweighed by the harm identified which includes impact on townscape and visual amenity, sunlight daylight impacts and impacts associated with increased pressure on local services. Accordingly, the proposals are recommended for approval.

Mayors Community Infrastructure Levy (CIL)

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

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where regard is to be had to the development plan for the purpose of any determination of a planning application, the determination must be made in accordance with the plan unless material considerations indicate otherwise. On balance, there are material considerations which demonstrate that the application is considered to accord with many of the policies and objectives of the Development Plan and other material considerations (including the NPPF) which indicate that planning permission ought to be granted. The proposals are considered to be acceptable and accord with the Development Plan.

The proposals deliver a significant quantum of new high-quality homes including affordable homes. The proposals result in significant improvements to the local environment including bringing back into use this long-term vacant site with an attractive and well-designed development, enhanced public realm and the delivery of a green corridor and improvement to other social infrastructure secured via the S106.

The proposals have evolved through extensive pre-application discussions and the proposed scheme is considered to be of a very high design quality and will result in new homes that meet and exceed residential standards set out in relevant local, regional and national planning policies.

The form, layout and design of the residential blocks is supported and displays good principles of urban design, taller buildings are appropriately positioned on the site to mitigate adverse impacts and are of a high architectural quality and contribute positively to the making of place.

On balance, the proposals are considered to be acceptable, and it is recommended that planning permission be granted subject to any direction of the Mayor of London. It has been demonstrated that the principle of redeveloping this vacant, brownfield site which is located in a sustainable location is acceptable. The proposed development delivers both affordable and market housing contributing to satisfying housing demand and making an important contribution to the delivery of affordable homes in the Borough.

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.

Fire safety

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 regulation requirements. Highways agreement will be required for alterations to roads and footpaths. Various licences may be required for public houses, restaurants and elements of any scheme that constitutes a 'house in multiple occupation HMO'.

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 carry out an examination of drawings for the proposed works and make site inspections 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 new 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.

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.
 - a) The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
 - b) 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.
 - c) 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 - PLANNING CONDITIONS AND INFORMATIVES

DRAFT PLANNING CONDITIONS

1. Time Limit – Full Planning Permission

The development hereby 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.

2. Approved Plans and Documents

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

- CC-AAM-ZZ-ZZ-DR-A-06001, Site Location Plan, P1
- CC-AAM-ZZ-00-DR-A-01200, Masterplan GA General Floor Plan P4
- CC-AAM-ZZ-01-DR-A-01201, Masterplan Tenure Level 01 Plan, P2
- CC-AAM-ZZ-02-DR-A-01202, Masterplan Tenure Level 02 Plan, P2
- CC-AAM-ZZ-03-DR-A-01203, Masterplan Tenure Level 03 Plan, P2
- CC-AAM-ZZ-04-DR-A-01204, Masterplan Tenure Level 04 Plan, P1
- CC-AAM-ZZ-05-DR-A-01205, Masterplan Tenure Level 05 Plan, P1
- CC-AAM-ZZ-06-DR-A-01206, Masterplan Tenure Level 06 Plan, P1
- CC-AAM-ZZ-07-DR-A-01207, Masterplan Tenure Level 07 Plan, P1
- CC-AAM-ZZ-08-DR-A-01208, Masterplan Tenure Level 08 Plan, P1
- CC-AAM-ZZ-09-DR-A-01209, Masterplan Tenure Level 09 Plan, P1
- CC-AAM-ZZ-10-DR-A-01210, Masterplan Tenure Level 10 Plan, P1
- CC-AAM-ZZ-11-DR-A-01211, Masterplan Tenure Level 11 Plan, P1
- CC-AAM-ZZ-12-DR-A-01212, Masterplan Tenure Level 12 Plan, P1
- CC-AAM-ZZ-13-DR-A-01213, Masterplan Tenure Level 13 Plan, P1
- CC-AAM-ZZ-14-DR-A-01214, Masterplan Tenure Level 14 Plan, P1
- CC-AAM-ZZ-15-DR-A-01215, Masterplan Tenure Level 15 Plan, P1
- CC-AAM-ZZ-16-DR-A-01216, Masterplan Tenure Level 16 Plan, P1
- CC-AAM-ZZ-RF-DR-A-01217, Masterplan GA Roof Plan, P2
- CC-AAM-A-00-DR-A-06100, General Arrangement - Building A. Level 00 Plan, P2
- CC-AAM-A-ZZ-DR-A-06101, General Arrangement - Building A. Levels 01- 04 Plan, P2
- CC-AAM-A-05-DR-A-06102, General Arrangement - Building A. Level 05 Plan, P1
- CC-AAM-A-ZZ-DR-A-06103, General Arrangement - Building A. Levels 06 - 09 Plan, P1
- CC-AAM-A-RF-DR-A-06104, General Arrangement - Building A. Roof Plan, P1
- CC-AAM-B-00-DR-A-06100, General Arrangement - Building B. Level 00 Plan, P1
- CC-AAM-B-01-DR-A-06101, General Arrangement - Building B. Level 01 Plan, P1
- CC-AAM-B-ZZ-DR-A-06102, General Arrangement - Building B. Levels 02 - 06 Plan, P1
- CC-AAM-B-ZZ-DR-A-06103, General Arrangement - Building B. Levels 07 - 09 Plan, P1
- CC-AAM-B-10-DR-A-06104, General Arrangement - Building B. Level 10 Plan, P1
- CC-AAM-B-ZZ-DR-A-06105, General Arrangement - Building B. Levels 11-13 Plan, P1
- CC-AAM-B-ZZ-DR-A-06106, General Arrangement - Building B. Levels 14-16 Plan, P1
- CC-AAM-B-RF-DR-A-06107, General Arrangement - Building B. Roof Plan, P2
- CC-AAM-C-00-DR-A-06100, General Arrangement - Building C. Level 00 Plan, P1
- CC-AAM-C-01-DR-A-06101, General Arrangement - Building C. Level 01 Plan, P1
- CC-AAM-C-ZZ-DR-A-06102, General Arrangement - Building C. Levels 02-04 Plan, P1

- CC-AAM-C-05-DR-A-06103, General Arrangement - Building C. Level 05 Plan, P1
- CC-AAM-C-ZZ-DR-A-06104, General Arrangement - Building C. Levels 06-07 Plan, P1
- CC-AAM-C-08-DR-A-06105, General Arrangement - Building C. Level 08 Plan, P1
- CC-AAM-C-ZZ-DR-A-06106, General Arrangement - Building C. Levels 09-11 Plan, P1
- CC-AAM-C-ZZ-DR-A-06107, General Arrangement - Building C. Levels 12-14 Plan, P1
- CC-AAM-C-RF-DR-A-06115, General Arrangement - Building C. Roof Plan, P1
- CC-AAM-D-ZZ-DR-A-06100, General Arrangement - Building D. Plans, P1
- CC-AAM-E-ZZ-DR-A-06100, General Arrangement - Building E. Levels 00 - 02 Plans, P2
- CC-AAM-E-ZZ-DR-A-06101, General Arrangement - Building E. Level 03 and Roof Plan, P3
- CC-AAM-F-ZZ-DR-A-06100, General Arrangement - Building F. Levels 00 - 02 Plans, P2
- CC-AAM-F-ZZ-DR-A-06101, General Arrangement - Building F. Level 03 and Roof Plan, P3
- CC-AAM-ZZ-ZZ-DR-A-06200, General Arrangement - Proposed - Street Elevation from Western Avenue, P3
- CC-AAM-ZZ-ZZ-DR-A-06201, General Arrangement - Proposed - Courtyard Elevation, P2
- CC-AAM-ZZ-ZZ-DR-A-06202, General Arrangement - Proposed - Street Elevation from Park View, P3
- CC-AAM-ZZ-ZZ-DR-A-06203, General Arrangement - Proposed - Cloister Road South and North Elevation, P2
- CC-AAM-A-ZZ-DR-A-06200, General Arrangement - Building A East & North Elevation, P3
- CC-AAM-A-ZZ-DR-A-06201, General Arrangement - Building A West & South Elevation, P2
- CC-AAM-B-ZZ-DR-A-06200, General Arrangement - Building B East Elevation, P2
- CC-AAM-B-ZZ-DR-A-06201, General Arrangement - Building B West Elevation, P2
- CC-AAM-B-ZZ-DR-A-06202, General Arrangement - Building B North Elevation, P2
- CC-AAM-B-ZZ-DR-A-06203, General Arrangement - Building B South Elevation, P2
- CC-AAM-B-ZZ-DR-A-06204, General Arrangement - Building B Link Elevations, P1
- CC-AAM-C-ZZ-DR-A-06200, General Arrangement - Building C East Elevation, P1
- CC-AAM-C-ZZ-DR-A-06201, General Arrangement - Building C West Elevation, P1
- CC-AAM-C-ZZ-DR-A-06202, General Arrangement - Building C South Elevation, P1
- CC-AAM-C-ZZ-DR-A-06203, General Arrangement - Building C North Elevation, P1
- CC-AAM-D-ZZ-DR-A-06200, General Arrangement - Proposed - Block D Elevations, P2
- CC-AAM-E-ZZ-DR-A-06200, General Arrangement - Proposed - Block E Elevations, P2
- CC-AAM-F-ZZ-DR-A-06200, General Arrangement - Proposed - Block F Elevations, P2
- CC-AAM-A-ZZ-DR-A-06400, Building A. - Bay Study 01, P3
- CC-AAM-A-ZZ-DR-A-06401, Building A. - Bay Study 02, P1
- CC-AAM-B-ZZ-DR-A-06400, Building B&C. - Bay Study 01, P1
- CC-AAM-B-ZZ-DR-A-06401, Building B&C. - Bay Study 02, P1
- CC-AAM-B-ZZ-DR-A-06401, Building B Link. - Bay Study 02, P1
- CC-AAM-D-ZZ-DR-A-06400, Building D. - Bay Study 01, P2
- CC-AAM-E-ZZ-DR-A-06400, Building E&F. - Bay Study 01, P2
- CC_AAM_ZZ_ZZ_DR_A_06460, Façade Bay Study - Block F. Ground & Typical

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

3. Construction Management Plan

Prior to commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and include the following information:

Details shall include control measures for:-

- a) An outline specification of construction works for the development
- b) The best practicable means available in accordance with British Standard Code of Practice. BS5228: 2009 to be employed at all times to minimise the emission of noise and dust from the site;
- c) A suitable and efficient means of monitoring and suppressing dust, vapours and odours, including where necessary the use of deodorising agents and adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- d) Engineering measures, acoustic screening and the provision of sound insulation required to mitigate specific environmental impacts identified;
- e) Identification of the most sensitive receptors, both residential and commercial where assessment and monitoring of impacts will be undertaken as work progresses;
- f) Means of enclosure and security of the site;
- g) Details of the arrangements for the delivery of materials to the site for the construction of the development - including hours and restrictions on construction traffic having regard to the need to control construction traffic during peak hours;
- h) Unless otherwise agreed as part of the Construction Management Strategy and Code of Practice, the operation of site equipment and / or plant and machinery generating noise that is audible at the facade of residential or noise sensitive premises shall only be carried out between the hours of 0800 to 1800 Mondays to Fridays, 0800 to 1300 on Saturdays and at no time on Sundays and Bank Holidays unless otherwise agreed by the London Borough of Ealing as the local planning authority;
- i) Adoption and implementation of the Considerate Contractor Scheme (or similar to be agreed in writing with the Local Planning Authority) registration and operation;
- j) Details of how vehicles transporting contaminated waste that leave the site (including wheel washing and covering of loads) will be managed to prevent any contaminants from entering the environment;
- k) Details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- l) Details of an advertised 'hotline' to be operated and funded by the developer to enable any complaints to be recorded;
- m) Liaison with the Local Authority's Environmental Health Unit to register complaints received and response/action taken;
- n) The availability of a site manager(s) or other persons with appropriate seniority within the organisation capable of authorising proper remedial action where appropriate;

Reason: In the interests of minimising the impact of noise, vibration and airborne pollution on the amenities of occupiers of properties within the vicinity of the site, to limit the works to reasonable hours and to minimise the impact of construction traffic on the highway network. In accordance with policies D14, T4 and T7 of the London Plan (2021); 1.1(j), 1.1 (K) and 1.2 (f) of Ealing's adopted Development (or Core) Strategy 2012; Ealing's SPG 10: Noise and Vibration; SPG3: Air Quality; The control of dust and emissions during construction and demolition (July 2014); BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise and policy LV5.2 of Ealing's Development Management DPD.

4. Construction Logistics Plan

Prior to the commencement of development, a site Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall take into account other major infrastructure and development projects in the area (including Old Oak Common HS2, National Rail and Crossrail Station) and shall include the following:

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;
- b) Anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- c) Delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- d) Route and location of site access for construction traffic and associated signage;
- e) Management of consolidated or re-timed trips;
- f) Secure, off-street loading and drop-off facilities;
- g) Wheel washing provisions;
- h) Vehicle manoeuvring and turning, including swept path diagrams to demonstrate how construction vehicles will access the site and be able to turn into and emerge from the site in forward gear and including details of any temporary vehicle access points;
- i) Details as to the location(s) for storage of building materials, plant and construction debris and contractor's welfare facilities and offices;
- j) Procedures for on-site contractors to deal with complaints from members of the public;
- k) Measures to consult cyclists, disabled people and the local schools about delivery times and necessary diversions;
- l) Details of all pedestrian and cyclist diversions;
- m) A commitment to be part of Considerate Constructors Scheme; and
- n) Confirmation of use of TfL's Fleet Operator Recognition Scheme (FORS) or similar.
- o) The submission of evidence of the condition of the highway prior to-construction and a commitment to make good any damages caused during construction.
- p) Details of parking restrictions which may need to be implemented during construction work.

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

The development shall be carried out strictly in accordance with the details as approved.

Reason: To protect the amenity of local residents and ensure adequate highway and site safety in accordance with policies D6, D11, D14, SI1, S12, T1, T2, T4 and T5 of the London Plan (2021); the Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006); and BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise and TFL Construction Logistics Planning Guidance.

5. Site Waste Management Plan (Construction)

Prior to the commencement of development, a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Waste Management Plan shall demonstrate how the procurement of materials for the development during construction would promote sustainability, including by use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste, use of local suppliers and by reference to the BRE's Green Guide Specification.

The development shall be carried out in accordance with the particulars so approved.

Reason: To meet with the requirements of BS5906. Ealing Council Draft waste management guidelines for architects and developers and in accordance with policy SI 7 and SI 8 of the London Plan (2021)

6. Material Samples

Samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the relevant part of the development. The submission should include full technical details and on site sample panels and/or material samples to be viewed by officers the details/samples shall include:

- a) Details of all facing materials (including brick bonding and mortar details);
- b) All metal work and decorative panels including colours and textures;
- c) All window treatments (including oriel windows) and entrance doors (including sections and reveals);
- d) All balcony and balustrade details including screening/privacy panels;
- e) Privacy/obscure glass details;
- f) Ventilation and extraction louvres; external doors or other openings to refuse areas, cycles stores, substations;
- g) All other external materials to be used.

The development shall be carried out strictly in accordance with the details so approved.

Reason: To ensure that all built development would be of a high-quality design standard. In accordance with policy D4 of the London Plan (2021); policy 1.1(h) of Ealing's Development (or Core) Strategy 2012; and policies LV7.4 and 7B of Ealing's. Development Management DPD and Section 12 of the National Planning Policy Framework (2021).

7. Details of Hard and Soft Landscaping

Prior to commencement of landscaping/public realm works, and notwithstanding the indications in the submitted application; details of the hard and soft landscaping works and boundary treatments, pedestrian routes, amenity areas, roof terraces and other areas of public realm including the details of:

- a) Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals. Trees - the location, species and maturity of proposed trees; including comprehensive details of ground/tree pit preparation to include but not restricted to:
 - Plans showing adequate soil volume provision to allow the tree to grow to maturity;
 - Engineering solutions to show how the tree will not interfere with structures in the future
 - Staking/tying methods
- b) biodiversity measures such as bird and bat boxes or any other measures to be installed;
- c) Details of the green/brown roof construction and specification, together with a maintenance schedule.
- d) finishes to all hard-surfaced areas (including samples);
- e) boundary treatments and access gates;
- f) associated furniture (including bins, bollards, seating, planters) and other hard landscape works
- g) disabled access

h) security measures

shall be submitted and approved by the Local Planning Authority and implemented. 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 materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies D4 and D5 of the London Plan (2021) Section 12 of the National Planning Policy framework (2021).

8. Details of play spaces

Prior to commencement of landscaping/public realm works, and notwithstanding the indications in the submitted application details of the proposed play spaces including:

- a) a specification of all play equipment to be installed including provision for children with disabilities and special sensory needs;
- b) a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas.

The development shall be carried out in accordance with the details so agreed prior to the occupation of the development and shall be retained as such thereafter.

Reason: To ensure that the development makes appropriate provision for play and informal recreation in accordance with Policy S4 of the London Plan (2021).

9. Landscape management plan

Prior to the occupation of the development hereby approved, a landscape management plan for the development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including all proposed trees, shrubs and hedgerows over a minimum period of 5 years from the implementation of the final planting scheme shall be submitted to and approved in writing by the Local Planning Authority and be implemented as approved from the date of completion of the landscaping scheme.

Reason: In the interests of the proper maintenance of the site and to ensure that the quality of the public realm and the setting of the listed building is appropriately safeguarded and that that access is maintained for disabled people and people with pushchairs, in accordance with G4, G5 and G7 of the London Plan (2021), Policies 1.1(e), (g) and (h), 1.2 (d) and (f), and 2.10 of the Development (Core) Strategy (2012), Table 7D.2 of Ealing's Development Management DPD.

10. Delivery and Servicing Plan

Prior to first occupation of any part of the development hereby approved a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover the following:

- Vehicle tracking - Swept paths drawings for a refuse lorry vehicle, 10-metre rigid vehicle and a fire appliance vehicle;
- Deliveries and collections; including how deliveries will be scheduled to avoid several lorries arriving at the site simultaneously;
- Servicing trips (including maintenance); and measures to reduce the number of freight trips to the site (freight consolidation);

- Cleaning and waste removal; including arrangements for refuse collection;
- Monitoring and review of operations.

The Delivery and Servicing Plan shall be implemented on first occupation of any part of the development hereby approved and the site shall be managed in accordance with the approved plan for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policy T7 of the London Plan (2021).

11. Ventilation Strategy

Prior to the commencement of the superstructure works, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for residents shall be submitted to and approved by the Local Planning Authority. The report will contain details for a scheme for providing fresh air ventilation to all dwellings in Building A, B and C, the supply to be provided from the rear of the building.

The report shall also include the following information:

- a) Details and locations of the ventilation intake locations for all floors
 - b) Details and locations of ventilation extracts locations for all floors
- The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained

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

12. Air Quality and Dust Management Plan

Prior to commencement of any works onsite, an Air Quality and Dust Management Plan (AQDMP) shall be submitted for the approval of the Local Planning Authority. The AQDMP will be based on the findings of Air Quality (Dust) Risk Assessment provided in the report titled "CLOISTER CORNER Air Quality Assessment" dated September 2022. The AQDMP will provide a scheme for air pollution mitigation measures based on the findings of the Air quality report.

The plan shall include:

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

The applicant shall contact the council's pollution technical team about the installation of air quality monitors on site and always provide direct access to monitoring data for the duration of the project. The monitors shall be installed on site at least 4 weeks prior to any site clearance and demolition to provide baseline data and shall be maintained on site until first occupation of the development hereby approved. Direct access to monitoring data will be always provided. 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 the amenity of adjoining occupiers and to minimise particulate matter associated with construction works in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012, policy 7A of the Ealing Development Management Development Plan (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

13. 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: To safeguard adjoining occupiers of the development against unacceptable noise, disturbance and emissions, policies 1.1(j) of the Ealing Development (Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing's Development Management DPD (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

14. Air Quality Assessment

Prior to the commencement of the development, a revised Air Quality Assessment shall be submitted to and approved by the Local Planning Authority. The revised assessment will detail the impact of any fixed plant proposed onsite including emergency generators, likely change in pollutant concentrations arising from the proposed development, and proposed mitigation measures. The development shall be carried out in accordance with the approved details. The emergency plant and generators may be operated only for essential testing, except when required in an emergency situation.

Reason: In the interests of the amenity of existing and future occupiers and to minimise particulate matter associated with construction works in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012, policy 7A of the Ealing Development Management Development Plan (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

15. Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within the approved desk study phase 1 report - **Buro Happold report 0050746 version 03 BHE-XX-XX-RP-CG-0001**) 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 National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

16. 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 National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

17. 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 National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

18. Transport/commercial/industrial/cultural noise sources

- A. Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of 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) having regard to the assessment standards and internal noise limits specified in the Council's SPG10 and BS8233:2014. Best practicable mitigation measures shall also be implemented in external amenity spaces to achieve criteria of BS8233:2014.
- B. Where required, a post completion sound assessment shall be carried out prior to the first occupation of the hereby approved development, to confirm compliance with the noise criteria set out in Part A of this condition and details, including any mitigation measures, shall be submitted for the Council's approval. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of 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), and policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

19. Ground and airborne building vibration from road traffic

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of building vibration levels and re-radiated vibration noise generated by road traffic and effective mitigation measures where necessary. The criteria to be met and the assessment method shall be as specified in BS 6472:2008. Details shall demonstrate that building vibration will meet a level that has low or no probability of adverse comment. No part of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by ground- or airborne vibration, in accordance with policy D14 of the London Plan,

Ealing Local Variation to Policy 7A of Ealing Development Management DPD (2013) and Ealing SPG 10: 'Noise and Vibration'.

20. Separation of noise sensitive rooms in neighbouring flats

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

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

21. Separation of communal uses and facilities from dwellings

Prior to commencement of the development, (excluding demolition, initial site clearance and ground works), 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/installations/ communal areas and facilities including bin/bike storage, gym, etc. from dwellings. Where noise emissions include characteristic features, the Noise Rating level should not exceed NR20 Leq 5mins (octaves) inside habitable rooms. 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: In the interests of the living conditions of the occupiers of the above residential premises, in accordance with Interim Supplementary Planning Guidance 10, policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management DPD (2013), policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

22. Lifts Noise Insulation

Prior to installation of any lifts, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of lifts and lift shafts, in accordance with noise limits specified in Table 5 BS8233:2014. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins inside a habitable room. Details shall include mitigation measures and the resulting sound insulation value and internal sound/rating level. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policy D14 of the London Plan (2021).

23. Gym -Sound insulation and anti-vibration measures

Prior to commencement of the fit out of the residents gym, an acoustic report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the gym from adjoining commercial and/or residential premises or parts of the development;
- anti-vibration fittings and/or other mitigation measures required for the isolation of exercise equipment, loudspeakers and floors for use by group exercise classes, weights, machines;
- details to demonstrate that noise from the use of the gym including music, instructor's voices, group exercise classes, activities and use of equipment does not exceed
 - NR25 Lmax(fast) from structure borne / impact noise
 - NR20 Leq,5min from general airborne activity noise (including music)

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

Reason: 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), and policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021)

24. External doors and windows to gym to remain shut

The use as a resident gym shall not commence until all external doors to the gym have been fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows to rooms where noise, smell, smoke or fumes may be emitted, be fixed in an open position during the emission of noise.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise /odour /smoke /fumes, in accordance with policies D14 and SI 1 of the London Plan (2021), policies 1.1(j) of the Ealing Development (or Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing Development Management Development Plan Document (2013).

25. External noise from machinery/equipment/extract/ventilation ducting

The individual and combined external sound level emitted from plant, machinery or equipment at the development site shall be lower than the lowest existing background sound level by at least 10dBA, as measured at/ calculated to the nearest and most affected noise sensitive premises at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014 +A1 2019, with all machinery operating together at maximum capacity.

Reason: To safeguard future and existing occupiers of the area against unacceptable noise and disturbance, in accordance with policy D14 of the London Plan (2021), policies 1.1(j) of the Ealing Development (or Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing Development Management Development Plan Document (2013).

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Policy

D14 of the London Plan (2021), Ealing Local Variation to Policy 7A of Ealing Development Management DPD (2013) and Ealing SPG 10: 'Noise and Vibration'.

27. Floodlights, Security lights and Decorative External Lighting

External artificial lighting at the development shall not exceed the vertical illumination lux levels at neighbouring premises that are recommended for Environmental Zone 3 by the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'. Lighting should be minimized by limiting the hours of use. Glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

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) and the National Planning Policy Framework (2021).

28. Secured by Design

- A. Prior to the commencement of the superstructure, a statement shall be submitted for the approval of the Local Planning Authority to demonstrate how Secured by Design accreditation will be achieved.

The development shall be implemented only in accordance with the approved details, which shall be completed prior to the first occupation of the development hereby approved and thereafter permanently retained.

- B. Within three (3) months of first occupation, evidence that Secure by Design Accreditation has been achieved shall be provided in writing to the Local Planning Authority.

Reason: To ensure that opportunities to commit crime are reduced, particularly in relation to the approved apartment buildings that contain shared core entrances that serve more than eight dwellings; and in order that the new buildings incorporate appropriately designed security features, in accordance with policy D11 of the London Plan (2021).

29. Cycle Parking

Prior to the occupation of the development hereby approved, full details of all cycle parking spaces, racks and storage, with long and short stay cycle parking spaces separated, shall be submitted to the local planning authority for written approval. The approved cycle parking facilities shall be fully implemented in accordance with Council standards and as shown on the approved plans and made operational before the first occupation of the development, and permanently retained thereafter.

Reason: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policy T5 of the London Plan (2021), policies 1.1(g) of the adopted Ealing Development Strategy (2012) and section 9 of the National Planning Policy Framework (2021).

30. Travel Plan

An updated 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 Plans 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 (2021), policies T2, T3, T4 of the London Plan (2021) and policies 1.1 (f) (g) of Ealing's Development (Core) Strategy 2026.

31. Accessible Housing

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

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

32. Sustainable drainage

No above ground level works shall commence, (except for demolition, site clearance and preparation works), until a drainage strategy detailing any on/off site drainage works, has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To reduce the risk of the flooding of the application property, neighbouring properties, and local area in accordance policies S112 and S113 of the London Plan (2021).

33. Water Supply (Thames Water)

No development shall be occupied until confirmation has been provided that either:-

- a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

34. Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in

consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works would be in close proximity to underground water and sewerage utility infrastructure, which needs to be safeguarded in accordance with policies 5.14 and 5.15 of the adopted London Plan (2021).

35. Water Efficiency for Residential units

Prior to the installation of modules, a water efficiency statement shall be submitted to the Local Planning Authority demonstrating all measures that will be incorporated to ensure that the residential units will meet water efficiency standards with a maximum water use target of 105 litres of water per person per day. Development shall proceed in accordance with the approved water efficiency statement.

Reason: To ensure the sustainable use of water, in accordance with policy EU3 of the OPDC Local Plan (2022) and policy SI 5 of the London Plan (2021).

36. Energy and CO₂

- a) Prior to construction completion and occupation, the Development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO₂ emissions of at least 63.38% (equating to 180 tonnes of CO₂ per year) beyond Building Regulations Part L 2021 and using SAP10.2 conversion factors. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Quinn Ross in February 2023 (version 5) including:
- i. Lean, energy efficiency design measures (excluding ASHP) to achieve an annual reduction of at least 24.96% equating to at least 70.88 tonnes in regulated carbon dioxide (CO₂) emissions over Part ADL 2021.
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 53.75 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 38.42%, equating to 109.12 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021.
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the communal ASHP distribution loop (including the heat generation and the electrical parasitic loads of the heat pumps), in line with the Council's monitoring requirements.
- b) Prior to Installation, details of the proposed renewable energy equipment, and associated monitoring devices required to identify their performance, shall be submitted to the Council for approval. The details shall include the communal heat distribution loop schematics, the exact number of heat pumps, the 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 renewable energy installation contractors, and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

- c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) Within three months of the occupation/first-use of the development a two-page summary report prepared by a professionally accredited person comparing the “as built stage” TER to BER/DER figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) shall be submitted to the Council.

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.

37. Overheating and Cooling

Prior to commencement of the superstructure an Overheating and Cooling analysis report shall be submitted to the Council for approval. The dynamic analysis shall be compliant with the relevant CIBSE guidance Part O (domestic TM59/Guide A), and/or TM52 (non-domestic), and modelled against the TM49 DSY1 (average summer) weather data file, as well as the more intense DSY2 (2003) and DSY3 (1976) data files for TM59 criteria (a) and (b). The Overheating/Cooling report shall propose active and passive measures to be incorporated into the development to minimise the risk of overheating and meet DSY1 modelling.

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

38. Post-construction renewable/low-carbon energy equipment monitoring

In order to implement Ealing Council DPD policy E5.2.3 (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 completion of the development, the agreed suitable devices for monitoring the performance/efficiency of the renewable 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 (Emergence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development the managing agent will no later than 6 months following completion submit to the Council proof of a contractual arrangement that provides for the ongoing, commissioning, maintenance, and repair of the renewable energy equipment for an annual period of four years from the point that the building is occupied and the equipment fully operational. Any repair or maintenance of the energy equipment must be

carried out within one month of a performance problem being identified, or as soon as reasonably possibly thereafter.

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

39. 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 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.
- d) 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.

40. Whole Life-Cycle Carbon Assessment

- a) The development shall be implemented in accordance with the submitted and approved Whole Life Carbon Assessment.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6), 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 SI2(F) of the London Plan.

41. Circular Economy

- a) Prior to completion of construction of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted).
- b) The specific commitments detailed in the Circular Economy statement produced by Quinn Ross in September 2022 (v1), and accompanying Logistic Plans, should be implemented including; diverting 95% of construction waste from landfill, and putting 95% of excavation materials to beneficial on-site use. Reason: In the interests of sustainable waste management and in order to maximise the appropriate re-use and recycling of materials in line with London Plan Policy D3 (Optimising site capacity), SI7 (Reducing waste), SI2 (Minimising greenhouse gas emissions).

Reason: In the interests of sustainable waste management and in order to maximise the appropriate re-use and recycling of materials in line with London Plan Policy D3 (Optimising site capacity), SI7 (Reducing waste), SI2 (Minimising greenhouse gas emissions).

42. Fire Statement and Evacuation Lifts

The development shall be carried out in accordance with the approved Fire Statement 1 and Fire Statement 2 documents prepared by Ashton which demonstrate that the development proposal or building will function in terms of:

1. The building's construction: methods, products and materials used, including manufacturers' details;
2. The means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach;
3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;
4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and

lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these; and

5. How provision will be made within the site to enable fire appliances to gain access to the building; and

Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

Reason: In order to achieve the highest standards of fire safety and ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

43. Lift Installation

No part of the proposed development hereby approved shall be occupied until the relevant lifts within the building have been commissioned and are ready for use.

Reason: In the interests of the amenities of future residents and users of the building.

44. No masts/satellite dishes or external equipment

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

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

45. Refuse Storage

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

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies SI7 and SI8 of the London Plan (2021) and the National Planning Policy Framework (2021).

46. Archaeology

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

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

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

Reason: To ensure that any heritage assets of archaeological interest that may survive on the site are secured and that an archaeological investigation and the subsequent recording of the remains prior to development is secured, in accordance with Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2021); policy HC1 of the London Plan (2021) and policy 1.1(h) of Ealing's adopted Development (or Core) Strategy 2012

47. Estate Management Strategy

Prior to the first occupation of the development hereby approved, an overall management strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include details of the following:

- Security - to include design, location and details of CCTV and associated equipment, security lighting, design, well lit safe routes
- Details of the public route through the site including details of the hours the route will be open and the location of signage relating to the public route
- Details of the concierge including hours of operation details of relating to the receipt and management of deliveries
- Disabled access
- Maintenance and cleaning of all external areas of the estate

The development shall be managed in accordance with the approved strategy for the life of the development or as otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the proper maintenance, safety and security of the site and to ensure that the quality of the public realm and the setting of the listed buildings is appropriately safeguarded and that that access is maintained for disabled people and people with pushchairs, in accordance with policies D5, D6 and D11 of the adopted London Plan (2021), policies 1.1(e), (g) and (h), 1.2 (d) and (f), and 2.10 of the adopted Ealing Development (and Core) Strategy (2012), policies 6.13 and 7.3 of the adopted Ealing Development Management DPD (2013).

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)

London Plan (2021)

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need
GG5 Growing a good economy
GG6 Increasing efficiency and resilience
D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D9 Tall buildings
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H7 Monitoring of affordable housing
H10 Housing size mix
S4 Play and informal recreation
HC1 Heritage conservation and growth
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations

Supplementary Planning Guidance /Documents

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

The London housing strategy

The London design guide (interim edition) (2010)

Draft shaping neighbourhoods: Children and young people's play and informal recreation (2012)

Planning for equality and diversity in London

Housing - Supplementary Planning Guidance (2012)

Housing SPG (March 2016)

Energy Planning (March 2016)

Children and Young People's Play and Informal Recreation SPG (September 2012)

Crossrail Funding: Use of Planning Obligations and the Mayoral Community Infrastructure Levy SPG (March 2016)

Affordable Housing & Viability- Supplementary Planning Guidance (2017)

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

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)

1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)

5.5 Promoting parks, local green space and addressing deficiency (b) and (c)

6.1 Physical infrastructure

6.2 Social infrastructure

6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential

Ealing local variation to London Plan policy 3.5: Quality and design of housing development

Policy 3A: Affordable Housing

Policy 4A: Employment Uses

Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions

Ealing local variation to London Plan policy 5.10: Urban greening

Ealing local variation to London Plan policy 5.11: Green roofs and development site environs

Ealing local variation to London Plan policy 5.12: Flood risk management

Ealing local variation to London Plan policy 5.21: Contaminated land

Ealing local variation to London Plan policy 6.13: Parking

Policy 7A : Operational amenity

Ealing local variation to London Plan policy 7.3 : Designing out crime

Ealing local variation to London Plan policy 7.4 Local character

Policy 7B : Design amenity

Policy 7D : Open space

Reg18 Local Plan (2022)

DAA: Design and Amenity

D9: Tall buildings

HOU: Affordable Housing

G4: Open Space

G5: Urban Greening

CO: Carbon Offsetting

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

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.

1. Permitted hours for building work

Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays.

2. Neighbour liaison and display of contact details

At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works. Updates of work should be provided regularly to affected neighbours. A considerate complaints procedure should address all complaints promptly.

3. 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.

4. Dark smoke and nuisance

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

5. Noise and Vibration from demolition and 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 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.

6. Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for archaeological Projects in Greater London. The relevant condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

7. If a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.
<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>
8. Where a crane is 100m or higher, crane operators are advised to notify the CAA (arops@caa.co.uk) and Defence Geographic Centre (dvof@mod.gov.uk). The following details should be provided before the crane is erected:
 - the crane's precise location
 - an accurate maximum height
 - start and completion dates

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ITEM 01-Land Between Park View And Cloister Road Western Avenue Acton W3 6XZ



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Ref :	224773FUL	
Address:	Brook House, 100 Gunnersbury Lane, Acton, W3 8HS	
Ward:	South Acton	
Proposal:	Demolition of existing buildings and redevelopment of the site to provide up to 102 dwellings (Use Class C3) in a building of up to 15 storeys with associated landscaping, car and cycle parking.	
Drawing Numbers/ Plans/Reports:	See Appendix, Condition 2	
Type of Application:	Full Application	
Application Received:	07/11/2022	Amended: 22/03/2023

Report by: Gregory Gray

Recommendation: Grant Permission with conditions and completion of a s106 agreement subject to Stage 2 referral to the Mayor of London.

Executive Summary:

The applicant - Women's Pioneer Housing (WPH) - is a Registered Social Housing Provider and a Cooperative and Community Benefit Society, formed in 1920 to provide housing across London for single women, particularly those who face inequality, abuse and disadvantages, especially in the housing market. Since 1935 WPH has continuously owned and provided homes for its tenants at Brook House. Additional blocks were added in the 1970s. Currently the site has 38 x 1-bedroom and 1 x 2-bedroom flats, making a total of 39. WPH have always taken nominations for single women from LBE's Housing Waiting List.

The circumstances of the applicant as a specialist housing provider are a material planning consideration to this application. The proposal is to replace the existing 39 flats, with 102, 100% social rent affordable flats, for which there is a significant, strategic housing need, intended for WPH tenants. The proposed new flats will be for existing tenants wishing to return as well as for new ones.

The proposal will deliver new high-quality homes to current adopted housing standards for single women, which the London Plan recognises is a specialist form of housing need and for which there is a significant need in the Borough. The Ealing Development Strategy DPD states that a key role for the Local Plan is to improve public health and support to those with specific needs to achieve well-being and independence. As such relevant planning decisions must have regard to these material considerations.

In this context, the application scheme positively accords with estate regeneration policy for the demolition and replacement of poor-quality affordable housing with modern, high quality accessible homes. As such the application will contribute to making optimal use of housing available and suitable land, whilst having due regard to all other material considerations.

The new flats would be delivered in the form of a single, tower block typology. At a proposed height of 11-15 storeys (maximum 48m), the block exceeds the 6 storeys (18m) height threshold for a 'tall building' as defined by London Plan Policy D9A. Further, the application site has not been identified in an adopted Plan or upon any maps as an appropriate location for a tall building as required by Policy D9B.

Tall buildings are however also subject to the three criteria set out in Part C of D9, relating to visual, environmental, functional and cumulative impacts, which are assessed in the Report. As set out, it is considered the proposal will satisfactorily comply with the relevant Policy impacts criteria.

Adopted LBE Development Strategy DPD Policy 1.2(h) and DMD Policy 7.7 and London Plan Policy D9 state that tall buildings are acceptable where they contribute positively to the local context and do not cause harm to heritage assets. Design quality, especially in relation to context and accessibility, are key considerations. Regard is also had to national and London Plan policy and guidance concerning the positive contribution that tall buildings can have towards meeting objectives for the full and efficient use of small urban sites like this, especially to help meet affordable housing need.

The site also lies outside the mirroring London Plan locational and height criteria in Draft Ealing Local Plan Policy DM D9. The site is presently unallocated however the applicant has put it forward as a Regulation 18 candidate for an allocation.

Currently this Policy should generally receive moderate weight. It accords strongly with the established approach of the London Plan. However, the principle of a tall building on any given site is still subject to testing. Pending adoption of the Local Plan Sites Document there is some scope for unallocated sites still to come forward where these received planning advice prior to the publication of the Plan – which applies in this case where extensive pre-application consultation was carried out.

Whilst therefore the proposal for a tall building should be expected to come forward as a site allocation, in this case detailed design assessment of the scheme supported by GLA, DRP and CRP consultations endorses the principle of a tall building of this height on this location. In addition, there is the strong policy support for the principle of this 100% social rent affordable housing scheme. This approach is consistent, in applying the planning balance, with that to be taken in applying London Plan Policy D9 and the policies of the Plan as a whole, in cases where the tall building does not comply with the strategic locational requirement of Policy D9B.

Consideration in this context is given to the concerns of the DRP and CRP that a tall building on this site should not set an undesirable precedent for other similar schemes in the locality. The application has been assessed on its individual merits. It is concluded that the public benefits and the circumstances of the applicant as a longstanding specialist 100% affordable housing provider on this site, the exemplary design quality and absence of significant adverse impacts, including heritage impacts, make unlikely the prospect of an undesirable precedent being set as for other similar, non-allocated, tall building proposals on adjacent sites in the area.

Also weighing in favour of the application, in accordance with the Framework and development plan, the application satisfactorily demonstrates the site optimisation provided by this previously developed, small brownfield site, balancing policy, amenity with site

constraints, with the potential for significant additional affordable housing in accordance with the London Plan Policies H2 and D3 in particular.

Due regard in this context is given also to whether the scale gives rise to significant adverse harmful impacts on the character of the area and residential amenity. None has been found. Landscaping, traffic and transport, flood risk, ecology and other environmental effects including noise and air quality, wind and microclimate, the energy strategy, residential amenity, safety, including fire safety and privacy and wider visual impacts have been considered.

Replacement and new tree and amenity planting, including for TPO trees, is proposed that increases the Biodiversity Net Gain (BNG) and Urban Greening Factor (UGF) of the site in accordance with Policy. The proposal strikes a satisfactory balance with tree protection, management and amenity and biodiversity enhancements. The development looks outwards to the surrounding area and merges well in terms of permeability, accessibility and cohesiveness.

Residential car parking is exclusively Blue Badge all with EVCPs. Long-stay cycle parking equivalent to 1:1 for each flat is considered acceptable in this case by the GLA and TfL. Vehicle parking and servicing arrangements considered acceptable.

The 100% affordable housing exceeds the minimum Policy requirement for 50% on site as well as in an acceptable tenure mix in this case, means it can be 'Fast Tracked'. Considering the Borough's current 5-year housing land supply situation, the NPPF 'tilted balance' is applied to assessment of the planning merits of the scheme.

The Development Plan emphasises the importance of any new building responding to the setting of adjacent Conservation Areas and other statutory heritage assets. The proposed development takes these into account and responds appropriately in respect of massing and layout and in terms of an exemplary building design. In accordance with the legal tests and planning practice, heritage assets have been identified, the harm has been assessed and is considered to be less than substantial. In accordance with the 's66 duty' considerable weight must still be attributed to the harm.

It is necessary therefore to weigh the impacts on heritage assets with any public benefits of the scheme. This application delivers the following public benefits:

- a. optimisation of the regeneration of this under-utilised, sustainable urban site,
- b. significantly increase the supply of new dwellings by providing 102 (net 63) new flats in this brownfield land location,
- c. 100% social rent affordable housing (by habitable room) held in perpetuity in a range of unit types, designed specifically for single women, to help meet a significant housing need in the Borough,
- d. new accessible and adaptable affordable homes,
- e. new training and apprenticeships in construction and training,
- f. new resident's public realm and spaces,
- g. improved amenity for residents of Bronte Court facing the site in terms of daylight, overshadowing, outlook and visual amenity,
- h. improvements to management of air and environmental quality,
- i. environmental enhancements contribute to improving the character of the area, urban greening and ecological enhancements.

Collectively, the public benefits are of sufficient weight to outbalance the less than substantial harm to the significance of heritage assets. This tips the NPPF para.202 balance in favour of a grant of permission for this development.

Transport, heritage, environment, energy, CIL liability, and s106 matters and requirements are assessed. The GLA supports this mixed redevelopment. Member and Community representations are reviewed and addressed. Objections raised however are not considered sufficient to outweigh the recommendation for approval.

In conclusion, the application will positively assist in delivering national and strategic development plan regeneration objectives. It positively contributes to requirements to ensure a significant increase in the number of new, high quality, affordable homes especially specialist housing for single women on this site that has continuously provided.

Having careful consideration to all the material planning considerations, including that contained in the National Framework and Guidance, National Design Guide, GLA and LBE development plans and taking policy as a whole and in applying the planning balance, the conclusion is that, notwithstanding the non-compliance with the locational requirements of London Plan Policy D9 and the equivalent in the Draft Local Plan, this would be a sustainable development to which Framework para.11 states planning decisions should apply a presumption in favour.

Therefore, on its merits and in weighing the impacts and benefits in consideration of the Planning Balance, the tilted-balance and taking account of the performance of the application scheme against the provisions of the development plan as a whole, it is recommended that planning permission be Granted, with conditions and subject to prior completion of a s106 agreement and following Stage 2 referral to the Mayor of London.

Recommendation: Grant Permission with conditions and completion of a s106 agreement subject to Stage 2 Mayoral referral to secure:

A. Non-Financial obligations:

1. 102 social rent affordable flats (100% by habitable rooms) held in perpetuity in accordance Mayor of London guidance,
2. Affordable dwellings will be prioritised by LBE for single women living and/or working in the Borough,
3. Preclude occupation or letting of any dwelling as a holiday letting or for a use other than a person's primary place of residence,
4. 19 work experience placements and a financial contribution towards monitoring of project, preparing residents for upcoming vacancies on site and other employment and skills related activities and an additional financial contribution where an apprenticeship has not been delivered by the end of the agreed period,
5. Restoration of roads and footways damaged by construction,
6. Restriction of Parking Permits - precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs, nor in public car parking spaces, in the area,
7. Agreement for works in the highway under ss38 and 278 of the Highways Act in accordance with a specification to be agreed with the Council,
8. Monitoring, maintenance of renewable and low carbon equipment,
9. Payment of the Council's reasonable legal and other professional costs incurred in preparing and monitoring the s106 agreement.

B. Financial Obligations:

- a. Carbon off-set: £65,879,
- b. Post construction Energy Monitoring and Equipment: £7679,
- c. Air Quality monitoring: £10,200,
- d. CPZ Review and Measures to control Parking Stress: £10,000,
- e. Link and junction improvements to Gunnersbury Lane between A4020 and A4000: £10,000,
- f. West side of Gunnersbury Lane footway improvements: £10,000,
- g. Creation of Home Zone adjacent to Acton Town Station: £10,000,
- h. Contribution towards future off site layout and marking of 7 disability parking spaces: £7,000,
- i. Cycle Infrastructure improvements: £15,000,
- j. Travel Plan Monitoring: £3000,
- k. Regeneration: £63,000 towards town centre improvements, management and economic renewal schemes,
- l. Apprenticeships and training: £15,000 towards in the area in conjunction with Non-financial contribution Item 4 above,
- m. NHS CCG: £10,000 towards future improvement of Acton Health Centre
- n. Private and Communal Amenity space: £18,667 for Heathfield Gardens,
- o. Allotments and community gardens: £7485 for Jerome Allotments,
- p. CAVAT value of trees to be felled: £147,109,
- q. TfL contribution: £45,500 directed towards bus network improvements.

AND the conditions and informatives set out in the **Appendix** to this Report.

All s106 obligations must meet the three tests set out at Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and in national policy. Specifically, they must be:

- necessary to make the development acceptable in planning terms
- directly related to the development and
- fairly and reasonably related in scale and kind to the development.

These tests apply whether or not there is a CIL charging schedule for the area. Payments would be phased as appropriate and to ensure that the Regulation 122 tests are met at the time that the scheme / each phase is implemented evidence would be required from parties requesting contributions to ensure that any payments are solely to mitigate the impact of development.

1.Site and Surrounding Area

1.1 Site

Since the 1930s the site has been in the ownership of WPH and has been continuously providing social rented housing principally in west London for single women since the Charity was formed in 1920. It is the only such property owned by WPH in LB Ealing.

It first comprised Brook House only, a white rendered 4/5 storey block of flats built in 1935 lying on the north side at right angles to Gunnersbury Lane, followed in the 1970s by two smaller, 2 and 3 brick-faced blocks, forming the current group. There are marked out areas for the parking of 8 cars on site although WPH is not aware any residents are car owners.

The site comprises a broadly level asymmetrical area of 0.21ha and contains the three residential blocks comprising 39, 1 and 2-bedroom flats, located around the site perimeter with a centrally located vehicle and pedestrian access from Gunnersbury Lane and parking area adjoining belts of mature trees. The site is also bisected by an enclosed Thames Water SW drainage culvert (dotted blue) with a 6m wide wayleave (dotted pink either side of the culvert) on the plan above below:



On Gunnersbury Lane opposite are local shops. To the north are a school, open space and high accessibility to buses and train services (PTAL 5/6a). The site also lies within the Acton Town CPZ Area J. The site lies in Flood Zone 1 (the lowest flood risk). It contains no statutory or local heritage assets or any environmental or ecological designations. The site is located within Borough-wide Air Quality Management Area (AQMA).

The locality is suburban mixed-use in character, adjoining Bronte Court (a contemporary scheme of 5 x 3-and 4-storey residential blocks) the red brick and rendered panel blocks to the right of the original Brook House block on the north side of the site. On the south and north-western boundaries Museum Way, ramps upwards leading to the London Transport Museum and Depot. Adjacent to that is the LRT underground railway, in a shallow cutting below the site, which passes under the Bollo Bridge to Acton Town Station:



Views of 1970s blocks from front courtyard and rear facing Museum Way:



1.2 Existing Flats

Supporting Statements set out the condition of the existing flats by reference to modern criteria making refurbishment unviable. Below is a breakdown of the sizes of the existing units:

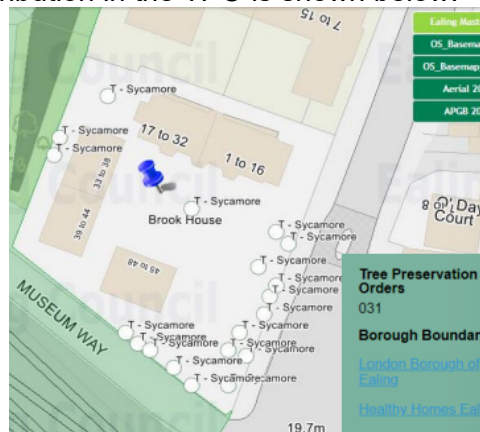
Type	1 bed										2 bed
	28.75 sq.m.	29.75 sq.m.	30 sq.m.	30.5 sq.m.	30.9 sq.m.	33 sq.m.	35.5 sq.m.	36.5 sq.m.	39 sq.m.	51 sq.m.	65 sq.m.
Total Homes	2	6	2	10	4	4	4	4	1	1	1

The principal issues are identified as:

- No cavity walls and poor insulation resulting in poor energy efficiency, heating or ventilation standards and sustainability,
- Failure to meet space standards for new build homes do not meet GLA and Nationally Defined Space Standards (NDSS) (some are only 28sqm),
- Failing to meet energy efficiency and climate change targets,
- No flats in any of the 3 blocks are wheelchair accessible or accessible by lift.

1.3 Trees

A belt of trees is located to the south and south-east and a further one to the north west boundaries, with one in the approximate centre of the site. There are 27 in total - 19 are Sycamores all comprising TPO No.31, made in 1970. The remaining 8 are of a variety of different species. Their distribution in the TPO is shown below:

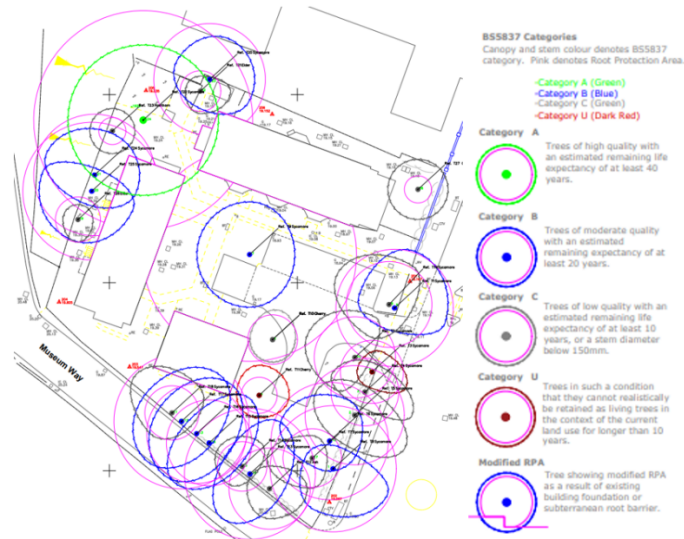


The site is not entirely self-contained by trees. Notable is the absence of any along approximately half of the southern boundary to Museum Way so that buildings Brook House are already visible from public places in Gunnersbury Lane as the photographs show:



View north of site from south side of bridge View towards Station from Museum Way

As shown by the photographs, the boundary TPO and other trees are generally tall, attenuated, with high canopies and closely intermingled with each other, giving them tight and compact crowns, especially those on the Museum Way junction. There is also significant overlap of the root protection areas of the trees:



The extent over canopy coverage, coupled with the distribution of the residential blocks to the perimeters and the central courtyard dominated by hardsurfacing and planting currently provides little if any functional amenity space for residents or visitors. Outdoor drying areas for example are in the only genuinely private space, giving little space for outdoor sitting or recreation. Overall, therefore the current level of public realm within the site is inadequate.

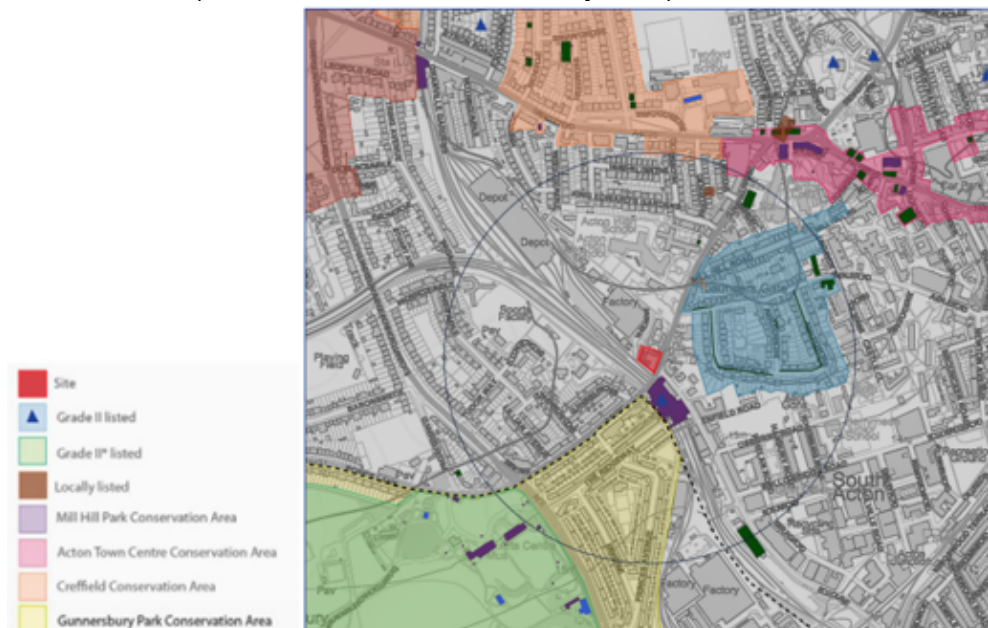
Turning to amenity, the aspect and orientation of the upper floors of two of the current Brook House blocks makes them prone to noise from the adjacent LRT railway and traffic on Museum Way, Gunnersbury Lane and from the railway. On Gunnersbury Lane, adjoining the site is Bronte Court, a contemporary residential block.

In terms of building heights, aside from the LUL Museum, the immediate Gunnersbury Lane/Bollo Lane area around the application site is characterised by mixed commercial and residential properties, the latter either as blocks or individual houses. More widely in the area, residential-led redevelopment and regeneration schemes (Acton Gardens under construction,

Bollo Lane Sidings permitted but not yet started), are increasing the scale, height and density of local housing are designed to make optimal use of available land in this highly sustainable location. Cumulative impacts are assessed in Section 7.9 below.

2. Heritage Assets

Conservation Areas and other assets, are shown below in relation to the application site, which is edged below in red (the isochrone is a 500m 'study area'):



The study area isochrone was verified on site and the HTVIA to ensure it represents the reasonable limits of intervisibility and proportionate to development scale. Assets beyond the isochrone may be affected and are assessed accordingly later in the Report.

3. Ecology & Bat Survey

A Preliminary Ecological Assessment has confirmed that trees within the site are of ecological value; the remaining habitats are of low ecological value. The buildings and trees inspected have Low Potential to support roosting bats and Moderate Potential for nesting birds.

Virginia Creeper, an invasive species, is present on site and will need to be removed in accordance with best practice. There is one statutory Local Nature Reserve (LNR) - Gunnersbury Triangle 1.06km away - and a number of SINCs within 2km of the site, the closest being the park at Heathfield Gardens. Adjoining the northern and western boundaries of the site is a Green Corridor. The scheme is designed to address the above alongside the submitted Biodiversity Enhancement Strategy, which shows the proposed Net Gain and Urban Greening uplift of the scheme.

4. Archaeology

An archaeological Desk-Based Assessment has been carried out. The site contains no designated or non-designated archaeological assets above or below ground, nor does it lie in an Archaeological Priority Area (the closest lies on the east side of Gunnersbury Lane). GLAAS considers it to have potential for finds or features of local or regional significance.

5. Application Design Development

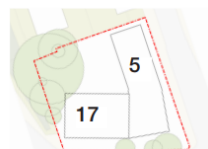
The scheme has been developed during the pre-application stage and tested in consultations with the GLA, Ealing CRP and DRP and consultation with the community, existing WPH residents of Brook House, TfL, Local Members, Mill Hill Park Conservation Area residents, Historic England, Met Police SBD and LBE Officers. Details of the pre-submission consultation and engagement undertaken are set out below.

The applicant has prepared a Design and Access Statement (DAS) to provide a discrete rationale for the development, beginning with evaluation of site and other constraints and opportunities. Design development predated the draft Local Plan but was prepared with specific regard to Council Policy and guidance, including the Core Strategy, DMDPD, London Plan, community and pre-application consultations. In addition, layout and design are informed by a Heritage Townscape and Visual Assessment (HTVIA) and DAS.

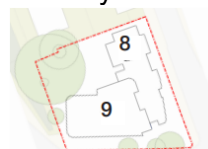
The applicant reviewed the emerging against the site and contextual analysis criteria:

- a. Site optimisation to achieve the minimum necessary number of new and replacement flats including securing GLA Grant
- b. Constraints caused by SW drainage easement/access location/railway and road noise impacts
- c. Minimising impacts on TPO and other site trees and natural features
- d. Building design including NDSS, fire safety measures and optimising dual aspect
- e. Daylight, sunlight and shadow to proposed residential units and communal areas and impacts on neighbours
- f. Residential amenity including impacts on neighbours
- g. Townscape impacts
- h. Layout and distribution of tall building height
- i. Impact on the character/settings of heritage assets
- j. Meeting sustainable design criteria e.g. Circular Economy, Whole Life Carbon Assessment
- k. Relation to the arrangement, distribution and cumulative impacts of other tall buildings developments in the area.

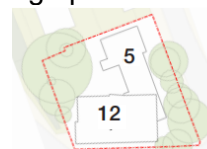
In consideration of the above, the below layout and massing options were taken forward:



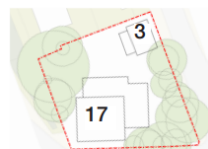
Scheme 1 Pre-App 1 proposal
 No. Dwellings: 106
 Trees at Gunnersbury Lane: Majority Lost
 Trees at Museum Way: Partially lost
 Trees at the rear: Retained
 Building Heights: 17 storeys
 Dual Aspect: Relatively low proportion



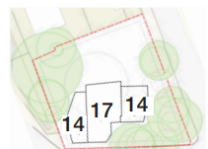
Scheme 2 Revised proposal
 No. Dwellings: 108
 Trees at Gunnersbury Lane: Majority Lost
 Trees at Museum Way: Partially lost
 Trees at the rear: Retained
 Building Heights: 9 storeys
 Dual Aspect: Relatively low proportion



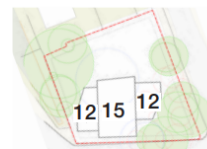
Scheme 3 Revised proposal Refining Gunnersbury Lane trees
 No. Dwellings: 99
 Trees at Gunnersbury Lane: Most Retained
 Trees at Museum Way: Partially lost
 Trees at the rear: Retained
 Building Heights: Max. 12 storeys
 Dual Aspect: Relatively low proportion



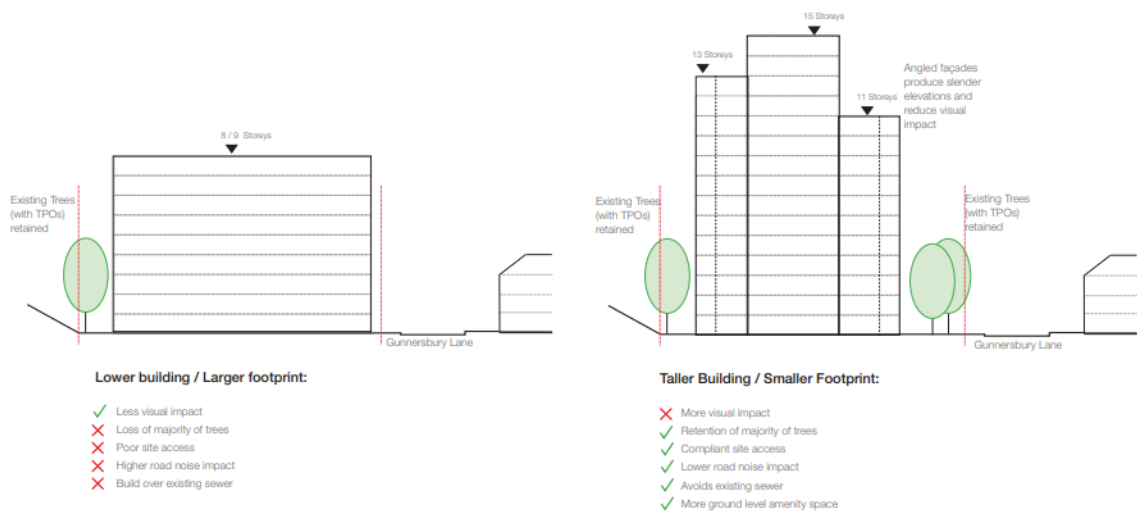
Scheme 4 Interlocking Point Block
 No. Dwellings: 104
 Trees at Gunnersbury Lane: TPO trees retained
 Trees at Museum Way: TPO trees retained
 Trees at the rear: TPO trees retained
 Building Heights: Max. 17 storeys
 Dual Aspect: Majority of apartments



Scheme 5 Central Block with lower wings avoiding TPOs
 No. Dwellings: 102
 Trees at Gunnersbury Lane: TPO trees retained
 Trees at Museum Way: TPO trees retained
 Trees at the rear: TPO trees retained
 Building Heights: Max. 17 storeys
 Dual Aspect: All apartments



Scheme 5 Central Block with lower wings increasing removal of some trees
 No. Dwellings: 102
 Trees at Gunnersbury Lane: TPO trees retained
 Trees at Museum Way: 2No. TPO trees removed
 Trees at the rear: TPO trees retained
 Building Heights: Max. 15 storeys
 Dual Aspect: All apartments



Scheme 5 was taken forward to the pre-application stage, representing the optimal layout for the required amount and distribution of development on the site, from which it was concluded the development would need to be in a tall building/tower form.

6. Pre application consultation

Pre application consultation meetings were carried out with GLA and TfL, Police and other stakeholders commencing in 2021 as set out below:

- a. LBE Officer Pre-Application Meetings: formal pre-application consultation in July 2021 and follow up consultation in July 2022
- b. GLA Officer meetings: 19th January and 9th August 2022
- c. DRP: 9th August and Chairs Review 11th October 2022
- d. CRP: 6th September 2022
- e. Public Consultation (Brook House Residents Consultation (through Source Partnership, an independent resident advisor) and Autumn 2021,
 - a. Bi-monthly advice Surgeries during 2022,
 - b. Freephone Service and
 - c. One-to-one appointments

6.1 GLA Pre-Application Consultation

a. February 2022

In pre-application consultation, GLA support was given to the scheme as summarised below: *'120. The proposed housing development could be strongly supported in land use terms, provided comments on other strategic issues are addressed and resolved. In particular, any application must ensure the like-for-like re-provision of the existing social rented floorspace. Any application should address comments regarding residential quality, the de-canting strategy, heights of the buildings, and that the scheme delivers the maximum level of affordable housing and sufficient supporting infrastructure.'*

Further information was required to: *'...address the issues raised in this report with respect to housing and affordable housing, design, sustainable development, environmental issues, and transport.'*

With regard to the principle of a tall building, it was found: *'41. The proposed development ranges in height from 12 to 15-storeys and at the meeting it was confirmed the application site*

is not located within the above specified sites suitable for tall buildings, and is contrary to the locational requirements of London Plan Policy D9. Therefore, any future application should demonstrate how it would comply with the remaining provisions of London Plan Policy D9 with regards to visual, functional, environmental, and cumulative impacts...'

With regard to layout, scale and massing the GLA noted: *'50. The design has evolved through a series of iterations which have taken into account all the constraints within the site and also how the massing could be accommodated with minimum disruption (cutting less trees possible, adjusting massing, angled facades to have a slender elevation and reduce visual impact). All these design changes are supported.'*

b. August 2022

With regard to follow-up consultation with the GLA, Officers advised in reiterating its support: *'The proposed specialist housing for women is strongly supported in land use terms, in line with London Plan Policies H8 and H12. The proposal to provide all homes at affordable levels is also strongly supported. The future application must provide further detail on the existing housing and demonstrate that all existing social rented floorspace is reprovided on the same terms. Further information should also be provided on the proposed decanting of existing tenants. In addition, the application should address comments regarding heights of the buildings, in line with Policy D9...'*

'...The future application will need to address the issues raised in this and the previous reports with respect to housing and affordable housing, design, sustainable development, environmental issues, and transport.'

6.2 LBE Officers Pre-Application Consultation

Pre-application meetings were held with Officers in 2021, in respect of development principles, design, heritage, transport, massing and scale, affordable housing, visual impact, trees, and amenity, community engagement, as well as EIA scoping, followed by a formal pre-application letter. A further pre application meeting was held in June 2022 to review the community and other consultations and the applicant's response to them in developing the application scheme.

6.3 Engagement with Brook House Residents

There are 39 flats (38 x 1bed and 1 x 2bed) in the three Brook House blocks. 38 are social rent tenure and the 2 bedroom flat is leasehold. WPH the applicant has engaged Source Partnership, an independent resident advisor, to help Brook House tenants on its behalf. Engagement by WPH is set out in their Supporting Statement as follows:

'4.2 WPH are continually engaging with existing residents at Brook House in regard to the proposals and have offered them the option to return. We have offered alternative accommodation, are making Home Loss payments, and are providing assistance with removal costs. This offer is entirely within our long-term objectives for the site.'

'4.3 Five consultation events have taken place with existing residents at Brook House throughout the progression of the development proposals. These have kept residents updated with any meetings with the Council or with key stakeholders and especially at the concept stage of the scheme.'

'4.4 Alongside the consultation events, there have been a series of drop-in meetings and coffee mornings organised by our independent tenant advisors, Source. Meetings with individual residents have also been held. Feedback on the design has been obtained from residents as part of this process and has been incorporated into the evolving design. These'

include the incorporation of built-in storage space, more external amenity space at ground floor and roof terrace, emphasis on security, reduced overlooking, good external lighting, emphasis on sustainability, and providing some flats with separate kitchens.'

6.4. Community Review Panel (CRP)

The proposals were presented to the Ealing Community Review Panel (CRP) on 6th September 2022. The Panel concluded: *'The panel welcomes the clear presentation and is generally supportive of redevelopment of the site, particularly given the increase of high-quality, affordable housing for single women. Some initial concerns were raised in terms of a tower in this location, however the panel recognises that the case for a taller building could be justified by the benefit of retaining the protected trees, the provision of enhanced landscape areas and the additional quantum of affordable homes. However, it cautions that this approach should not set a precedent for other tall buildings on adjacent sites and it would urge the Council to clearly address this, should the scheme be approved.'*

'The panel appreciates the site constraints and feels that the proposed location of the building footprint will reduce the impact on the residential homes to the north. The panel feels that the landscape strategy and placemaking approach is successful and that the varied character areas could work well. However, the panel feels that the uses and activities proposed should be developed further, with input from the existing and new residents, to ensure that these spaces are well-used.'

'The engagement with WPH residents has been done well, and the panel acknowledges that additional sessions with the wider community and neighbouring sites is underway. It feels that discussions with these groups should focus on themes including visual impact on the nearby conservation areas, building heights, environmental concerns such as overshadowing, and construction traffic management. It is also encouraged to hear that ongoing involvement with WPH residents will continue through detail design and beyond.'

CRP concerns about the fear of the likelihood of an undesirable precedent being set for other tall buildings on adjacent sites is noted and is addressed in later in consideration of the individual merits of the application.

6.5 Design Review Panel (DRP)

1st DRP

An Ealing DRP was held on 9th August 2022. The Panel noted concluded in summary:

'The panel welcomes the clear presentation and supports the redevelopment of the site to provide additional, high-quality housing for Women's Pioneer Housing. It recognises the concerns related to proposed height of the tower, but the panel feels that on balance the smaller footprint, improved landscape amenity, and retention of protected trees outweighs the potential issues related to visual impact.'

'The visual appearance and choice of materiality is appropriate, and the panel would like to see the articulation developed in more detail. It welcomes the attention to the internal quality of the new homes, particularly the number of dual-aspect units. However, it feels that firmer sustainability targets should be adopted. A more robust energy strategy should be developed for both the architecture and landscape design, which is informed by an assessment of overheating, daylight/sunlight, acoustics, and wind modelling.'

'The landscape character areas and external amenity spaces work well, and the panel is pleased to see the design team working within the site constraints and tree protection zones.'

However, the panel suggests that the site access is too car-centric, and feels that the entrance forecourt area should be designed to be more people-friendly. The panel also suggests that there could be a missed opportunity to provide shared spaces internally, such as communal lounges or break-out spaces. Options should be explored for potential additional uses, with input from the existing and prospective residents.'

2nd DRP

A second, Chair-only DRP, to appraise the proposed application scheme, was held on 11th October 2022. The Panel again complemented the positive development of the scheme and how well the design team had responded to comments from the previous DRP.

The Report states: *'The panel is supportive of the overall site layout, building height and massing strategy (subject to detailed reservations below) and of the principle of a new development on this site to provide additional high-quality homes for Women's Pioneer Housing. However, the panel recommends further refinement, to ensure that it will continue to look good and remain durable in the long-term and provide the best possible experience for residents. The amount of green space should be increased, at both ground level and in the rooftop amenity and, as noted in the previous report, the entrance forecourt should be designed to be more people friendly. For example, the panel suggests relocating the sensory garden and giving greater prominence to a more elegant screening solution for the substation, to give prominence to the threshold between public and private space.'*

'The choice of materials is appropriate, but the panel would still like to see the articulation of the façades developed in more detail. In particular, further thought should be given to the white banding, distinguishing the top of the building, and to the window detailing. The panel supports planning officers' use of planning conditions for the specification of high-quality materials and careful detailed design, to ensure that the aspirations presented by the design team are delivered onsite.'

'Further consideration must be given to the layout of the ground floor, to the effective use of space and to how the entrance sequence can bring more joy to the residents' daily journeys. The design should also encourage informal gatherings. The layout of the units located in the angled wings of the building need further thought, including the potential to provide direct front doors from the outside and active frontage to the east wing.'

The applicant responded to these further comments, and those arising from consultations in amendments to the scheme. The amended scheme is that which is presented to Committee.

6.6 Community and Stakeholder Engagement

The applicant has undertaken the following consultation events involving:

- a. -Political representatives,
- b. -Stakeholders,
- c. - Businesses,
- d. -The community.

The applicant sent out newsletters, 1649 exhibition invitation letters to homes and businesses posted locally and workshops using in-person events and on-line consultation via a dedicated website for the application):

- a. Initial residents' drop-in session 6 September 2021
- b. Exhibition at Brook House on 7th September 2021 attended by 30 residents who were able to ask questions and complete feedback forms

- c. Design workshop 18 October 2021
- d. Workshop feedback newsletter November 2021
- e. Design workshop 15 June 2022
- f. Ward Councillors Presentation: 26th July 2022
- g. Portfolio Holders presentations: 29th June – 18th July 2022
- h. Community Groups and Associations
- i. Historic England: (who advised they did not wish to participate but would comment on the application), August 2022

The following Community Groups and Associations were invited to the public consultation events, in addition to being offered one-to-one meetings or further information:

- a. Mill Hill Park Residents' Association
- b. Acton Green Residents' Association
- c. Central Acton Neighbourhood Forum
- d. Redbrick Residents' Association
- e. South Acton Residents' Action Group
- f. Bedford Park Society
- g. Bedford Park Residents' Association
- h. Gunnersbury Park Conservation Area Residents Association
- i. Gunnersbury Court Residents
- j. West Chiswick and Gunnersbury Society
- k. Arc Acton Academy
- l. Ealing Civic Society

Meetings were arranged with:

- a. Ealing Civic Society 26 July 2022
- b. Mill Hill Park Residents' Association 4 August 2022
- c. Mill Hill Park Conservation Area Advisory Panel 4 August 2022

A public exhibition was held on 7th September at Brook House and a virtual consultation (which contained all the exhibition material available at Brook House) went live on the same day. Both methods provided for the completion of feedback forms. 14 responses were received – 10 in opposition, 3 in favour and 1 neutral.

The substance of the comments made were:

- a. Well designed, much needed affordable housing
- b. No problem with height or footprint
- c. 15 storeys a significant increase from current heights
- d. Overdevelopment
- e. Understand the need but unacceptable to cramming extra storeys to make viable
- f. Precedent for more towers
- g. Inappropriate for site and location
- h. Harm to Conservation Area
- i. Harm to Bronte Court light and an eyesore
- j. Traffic access problems
- k. Pleased with community consultation and design but too tall
- l. Will provide affordable lifetime homes
- m. Appreciate inclusion of bike storage
- n. Need package delivery/front desk
- o. Good design does not balance height objection
- p. Support tree retention

- q. Regret tree loss overwhelmed by tower
- r. External insulation to existing blocks rather than rebuild

In response to the consultation process the applicant notes the following elements are incorporated into the scheme design:

- a. the incorporation of built-in storage space,
- b. more external amenity space at ground floor and roof terrace,
- c. an emphasis on security,
- d. reduced overlooking,
- e. good external lighting,
- f. an emphasis on sustainability, and
- g. providing some flats with separate kitchens.

6.7 Brook House Residents Consultation

The applicant Statement of Community Involvement sets out the engagement so far undertaken with existing Brook House residents:

'This initial drop in meeting and survey was followed by two in-person resident design workshops, with these occurring on the 18th October 2021 and the 15th June 2022.

The meeting on 18th October 2021 was attended by 21 residents and ran for an hour and a half. Residents expressed some concerns and suggested features for the new development based on their lived experience.

'A key theme was uncertainty: over whether the regeneration would happen and also feeling unable to make an informed decision about whether to return without knowing the final designs. Residents questioned if the scheme would go ahead, and asked about the rent levels for the proposed flats.

'After this meeting, a newsletter was circulated to residents which listed the key points raised at the meeting, and laid out clearly the details regarding moving out, remaining a tenant of WPH and the next steps for the project.

'A further meeting was held on 15th June 2022. 17 residents attended the meeting, which ran for an hour and a half. Discussion was fairly positive about the plans presented, and overall comments were focussed on the granular details of the flats themselves. There was still some concern and unease about moves throughout construction and a sense that residents would like to know where they would be placed prior to making a final decision on whether to stay or go.

'The main comments expressed in the breakout groups were as follows:

- *Kitchen layout – some opposition to open plan kitchens within flats. Topic was raised on a number of breakout tables with people stating they would prefer a separate kitchen or the feeling that the spaces were more defined*
- *Bathroom – Preference for a mixed shower/bath*
- *Balconies – Demand for a large balcony space*
- *Security – Concerns regarding antisocial behaviour were raised by some respondents. It was felt that an automatic gate, fencing, and lighting at night would help residents feel safer*
- *Storage – Requests for ample storage space, with preference for fitted wardrobes in bedrooms*
- *Parking – Requests for more car parking spaces. However, during the discussion residents appeared to accept the limitations set down in planning policy*

- *Noise – Some concerns expressed regarding noise and privacy*

‘One point that was interesting to note is how some residents expressed a desire to live on higher floors to have access to views and reduced noise, whereas others wanted to be on lower floors. However, no resident expressed a concern about the height of the proposed building.

‘Residents will continue to be informed on progress and involved in every aspect of the design process.’

The applicant’s community and resident engagement is considered to satisfy the Council’s SCI requirements, both pre- and post- application submission.

7.The Application Proposals

All of the existing flats will be demolished and replaced by 102 flats, all for social rent, making this a 100% affordable housing scheme. The main details of the proposal are:

- a. Demolition of all 3 existing blocks of 39 flats,
- b. Erection of a single tower block of between 11 and 15 storeys, for 102 flats (100 x1Bed and 2 x 2Bed),
- c. Ground floor caretaker office next to the main entrance,
- d. 10 flats will be wheelchair accessible and all will be adaptable,
- e. 100% of flats will be dual-aspect and NDSS compliant,
- f. Long and short stay residential cycles and mobility scooters storage,
(N.B. Application amended 22/3/23 to increase long stay cycle storage provision from 65 to 102 spaces and enclosure for mobility scooter storage)
- g. On-site refuse store,
- h. 3 x DDA-only resident parking spaces,
- i. Residential amenity spaces on the ground floor and 11th floor podium,
- j. Current vehicle access moved 3m north of its current location and new pedestrian access, both to Gunnersbury Lane,
- k. New landscaping to the site and boundaries,
- l. New electricity substation and generator.

The overriding emphasis on 1-bedroom flats therefore reflects the ethos of WPH as a Registered Social Housing Provider and a Cooperative and Community Benefit Society. At the point of letting the focus is on single women. In addition, the applicant advises that 46% of all of its tenants are over 60 years old (twice the national average) many of whom are long-term tenants of WPH. The personal circumstances of the applicant as a specialist form of housing provider are a material planning consideration to this application in that they explain the background to and form of the intended development.



Proposed Site Layout

It is not the applicant's intention therefore to provide family housing as this is inconsistent with their limited, available housing stock. Although there is currently a 1 x 2 bedroom flat at Brook House there are in total 3 tenants with a child living with them. At present only 2 tenants have indicated a wish to return. The applicant advises that generally tenants who become pregnant for example or have a young child, are helped where they can move to another landlord. The incorporation of 2 x 2-bedroom flats in the scheme for this purpose therefore provides some flexibility for tenants.

Going forward, the new development will remain under the management and auspices of WPH as landowner and landlord. In accordance with the Mayor's Good Practice Guide to Estate Regeneration, as employed by the applicant, existing residents of Brook House will have the right of return to new flats in the scheme (or at another property elsewhere) as they wish as part of the applicant's Homes Move Decant and on the same terms that they currently have and to include reasonable displacement, removals etc costs.

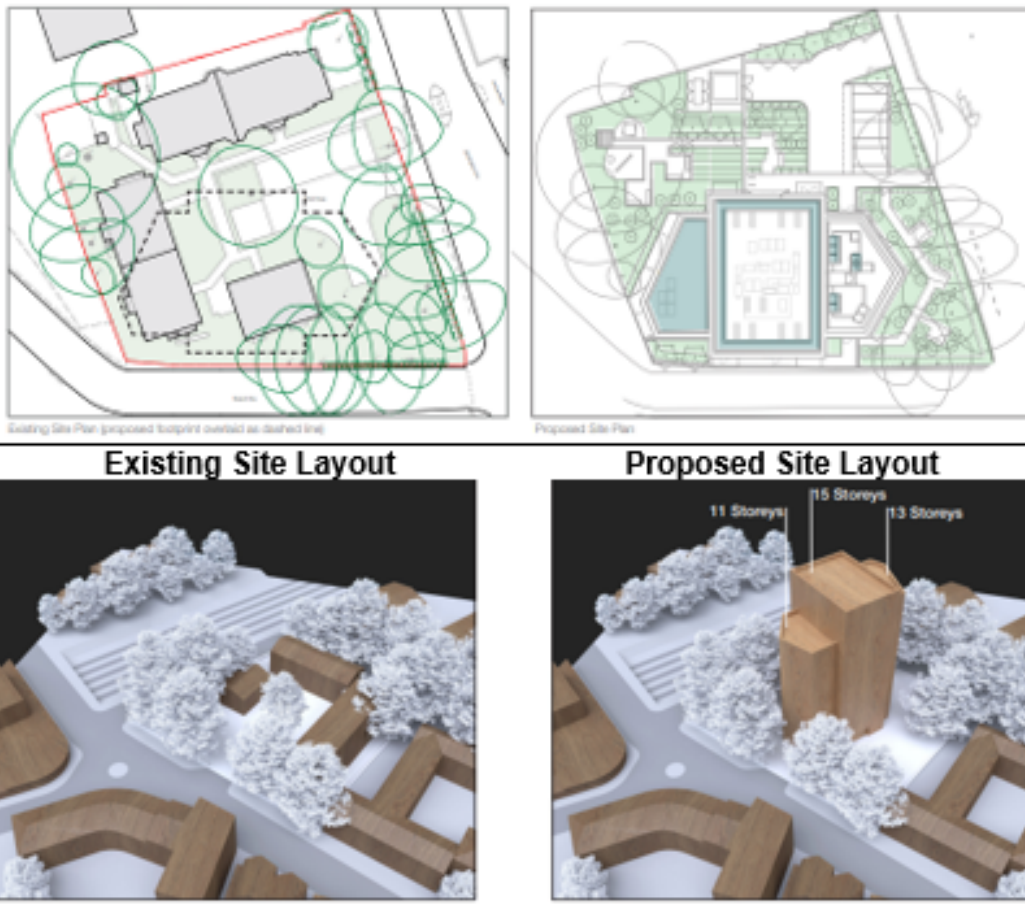
7.1 Block Design and Layout

Below is a CGI of view of block from the north side of Gunnersbury Lane. Sections 5 and 6 above explained the design development for the tower typology and position of the block taking account of site and development constraints.

The asymmetrical tower wings help to mitigate the height, graduating towards Gunnersbury Lane, neighbours and heritage assets. The wings respond also to the extent and locations of tree canopies and the shape of the site, whilst adding interest to the design and improving the outlook for flats facing the LUL Museum and Museum Way compared to the existing:



Below are plans and modelling comparing the proposed layout with existing:



In accordance with the Mayor’s Housing SPG, each core above the ground floor is accessible to no more than 8 flats per floor via an internal corridor with lifts and stairs (giving in effect 4 flats per core). The overall design will positively help to engender the sense of ownership over the whole space and a community within the block, which it is not currently possible to achieve with the three blocks distributed around the site perimeter.

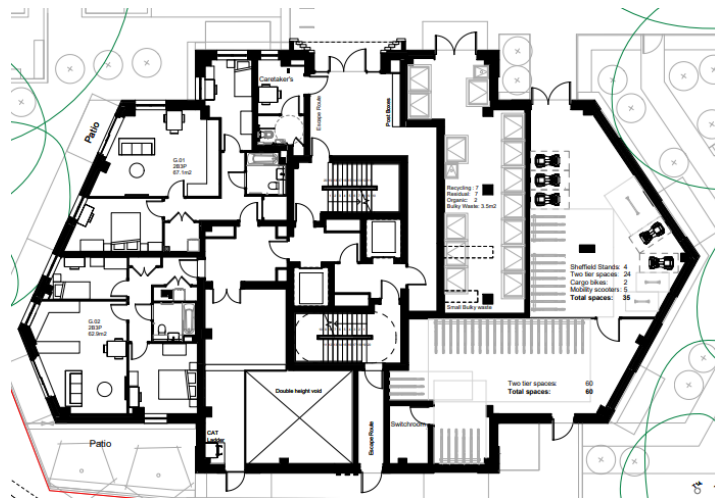
7.2 Flats Design

The scheme comprises:

- a. Dual Aspect: 102 units (100%). All have a second façade with opening windows,
- b. All flats meet or exceed NDSS/Mayoral space standards for single or two bedroom flats:

• Flat Type	1bed2p	2bed3p
• Standard	50.0m ²	61.0m ²
• Ave size	52.6m ²	65.8m ²
• Min size	50.3m ²	63.8m ²
- c. 90% (92 flats) Part M4(2) accessible for people with disabilities,
- d. 10% (10 flats) Part M4(3) to accommodate those with disabilities/wheelchair,
- e. All flats have 5sqm or 6sqm private balconies.

The block floor plan layouts are shown below:



Ground Floor

The ground floor provides the centrally placed main entrance, caretaker office immediately by the entrance, central stairs and lifts, on one side access to the internal bin store with doors at the front facing the turning area on site where collection will take place and to the cycle storage, on the other entrance to the two, 2-bed flats. At rear is access to the plant room and fire exits from the plant room, core and cycle store.

Below are typical flats layouts on upper floors:



Floors 1 -10



Floor 11 and podium garden

Floor 13 and Green Roof

7.3 Appearance and Materiality

The external facades appearance and materials are a key component of achieving exceptional design quality. Nodding to the pedigree of the original 1930s Brook House, the scheme takes inspiration from the 1932 Acton Station building and the 1930s mansion blocks at Gunnersbury Court below:



The DRP emphasised the need for durable materials. Below is details of the proposed palette of external materials:



North Elevation: Front facing into the site



East Flank to Gunnersbury Lane



North West Flank to LUL Museum

South West Elevation to Museum Way

(N.B. Note that variations in the colours of the stone banding on the north west and south west elevations is due to plan reproduction. The colours will match the north and east elevations).

7.4 Boundary Treatments

Illustrated on the plan below:



7.5 Trees

Of the 27 trees on site, 19 are Sycamores comprising TPO31. There are no Ancient Woodlands, Veteran Trees or Community Forests on site. No off-site trees are affected by the proposals. In terms of tree quality, there is one Category A (highest value) tree on site, a TPO Sycamore, located in the north-west corner between two of the existing blocks.

The majority of the TPO are Categories B or C, located around the site boundaries. 8 trees are proposed to be felled to accommodate the development - 4 in the TPO. Of the 8:

- a. 4 are Category B (Moderate Quality) all covered by the TPO,
- b. 3 Category C (Low Quality) and
- c. 1 Unclassified (Cannot reasonably be retained).

11 new trees are proposed to replace the 8 felled in the positions indicated below, principally to the boundary facing Bronte Court and 2 new trees (multi-stem Paperbark Maples growing to a height of 10m) on the west boundary to Museum Way that will help close part of an existing gap in the tree line on this flank of the site. Below is a plan showing the relationship between new, removed and retained trees in relation to the proposed block:



The applicant's Tree Survey (and the Planning History in Section 10 below) shows the TPO and other boundary trees have been routinely pruned and thinned over the years resulting in many cases in occluded and attenuated canopy growth, as well as suppressed growth such as those in close proximity to each other facing Gunnersbury Lane and Museum Way.

Consequently, the majority of the Category B (Moderate quality) TPO trees to be felled: T15-T18 located on the Museum Way boundary - lie in the lower B2 band of the categorisation. Photographs of the two main groups and individual trees viewed from within the site are below.

Notable is the distinct lack of under storey to their canopies (mainly from historical pruning and lifting) and good levels of daylight penetration into the site in the location where the new block is proposed:



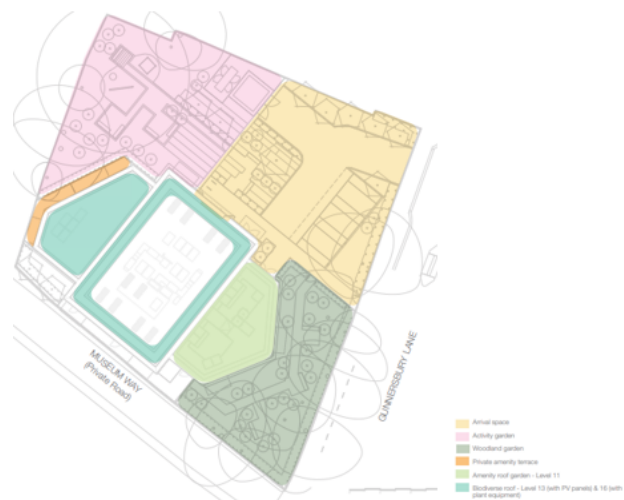
Group facing Gunnersbury Lane containing Categories B, C and U TPO trees



Group facing south west to Museum Way containing Categories B and C TPO trees

7.6 Landscaping

The application includes a comprehensive landscape strategy for the site based on the 6 new 'character areas' identified for the site as shown below:



In addition to the 11th floor podium garden, at ground level, centred around existing trees, two landscaped residents amenity spaces are proposed: an Activity Garden on the north side and

Woodland Garden on the south side. The scheme is designed to retain and incorporate existing trees on the frontages, maintaining an existing degree of ecological value, to be supplemented with new boundary trees and under canopy hedge and ground cover planting.

The application proposes 878sqm of landscaped amenity space and 512sqm private amenity space, a shortfall of 140sqm against the Council’s standard. No child play space is proposed as it is not expected that children will normally occupy any of the flats. There is a resident’s activity area proposed that can be used by any children.

7.7 Highways and Parking

The development is designed to optimise its highly accessible location and prioritise pedestrian and cycle access and movement, minimising car parking provision and reliance on the private car, with emphasis placed on residents and visitors walking, cycling and using public transport.

The PTAL is 5 - 6a (very good to excellent). There is a pedestrian crossing directly outside the site. The nearest bus stops (1 minute walk) are located either side of Acton Town Station on Gunnersbury Lane and on Bollo Lane. In addition, there is a Brompton cycles hire station outside Acton Town Station.

Vehicle access will continue to be from Gunnersbury Lane. To keep clear of the entrance to the new block, it will be moved 15m north of its current location but still away from (and not affecting) the existing pedestrian island on the main road, which will also maximise frontage tree retention. In addition, a raised level ‘Copenhagen-style’ pedestrian priority access is proposed onto Gunnersbury Lane. Loading/unloading, turning and refuse access at the front of the block as shown below:



The applicant has prepared a Residential Travel Plan. Residential cycle and car parking will be at ground level. Resident-only car parking provision is 3 spaces, equivalent to 3% of the total number of dwellings. Currently there are 8 spaces available on site however the applicant advises they are not aware any tenants are car owners so that the presence of any cars on the site from time to time would be likely to be visitors.

A 3% DDA only provision is a reasonable quantum in accordance with policy, reflecting the provision of DDA accessible flats within the scheme which currently do not exist. All spaces will have EV charging points from the outset. In addition, the applicant will be required to contribute to the provision of 7 off-site DDA spaces as part of the s106 agreement.

A total of 102 long stay cycle spaces will be located inside the block and in an external store next to the sub-station, comprising two-tier racks for 84 cycles, 16 standard Sheffield stands, 2 large Sheffield for larger cycles and 5 spaces for mobility scooters (with charging points). 4 short stay racks are proposed next to the main entrance.

Whilst 102 spaces is below the standard TfL 154 spaces requirement for a residential development of this size, following consultation with the GLA and TfL, it has been agreed that the circumstances of this application, centred on single person social rent flats, that a 1space/flat provision is acceptable. A cycle storage condition is included in the recommendation, the wording of which has been agreed with the GLA and TfL. It is considered therefore that this allowance would not be likely to set an undesirable precedent.

7.8 Construction Management

Arrangements will be made for access, site access, demolition etc as set out in the Demolition and Construction Management Plan and Outline Construction Logistics Plan, which includes measures to regulate, dust, noise, wheel washing, waste and lighting. Deliveries will generally be out of peak hours and school hours to minimise congestion on the local road network to be agreed with the Council as part of the relevant recommended planning condition. There will be no site operatives parking other than for carrying heavy construction equipment to or from the site. They will be encouraged to use public transport, walking or cycling.

Construction vehicle traffic routing is not currently determined but the intention is to use the fastest routes to the strategic highway (A406). Entrance and exit are from Gunnersbury Lane and as the plan above shows, it is proposed that delivery and other vehicles will be parked on site and away from the public highway. Given the site immediately adjoins dwellings at Bronte Court and locally, the contractor will appoint a Neighbours and Public Liaison Officer contact for the site operations, complaints investigation and resolution, updates etc.

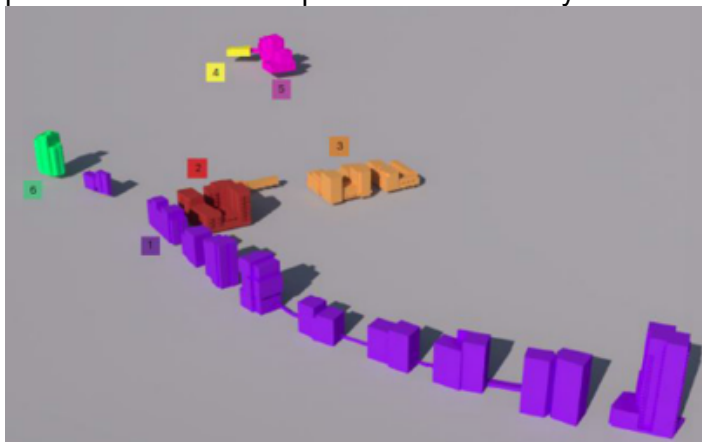
7.9 Visual Impacts

The design and layout of the proposed block has been set to ensure that the development can be optimised in a way that is cognisant of its context and the surrounding streetscape and the opportunity to make a positive contribution to local character, amenity and factors of heritage or environmental significance. In townscape terms, this is manifested in the block's orientation on site and the graduated 'rise and fall' of the block height and its shoulders between 11, 13 and 15 storeys.

This will help to minimise the significance of harm to the character, setting or significance of, or outlook from, or towards heritage assets. In relation to heritage assets, from examination of the submitted HTVIA accompanying the application the heritage assets potentially affected and assessed in the application are marked on the Plan in Section 3.

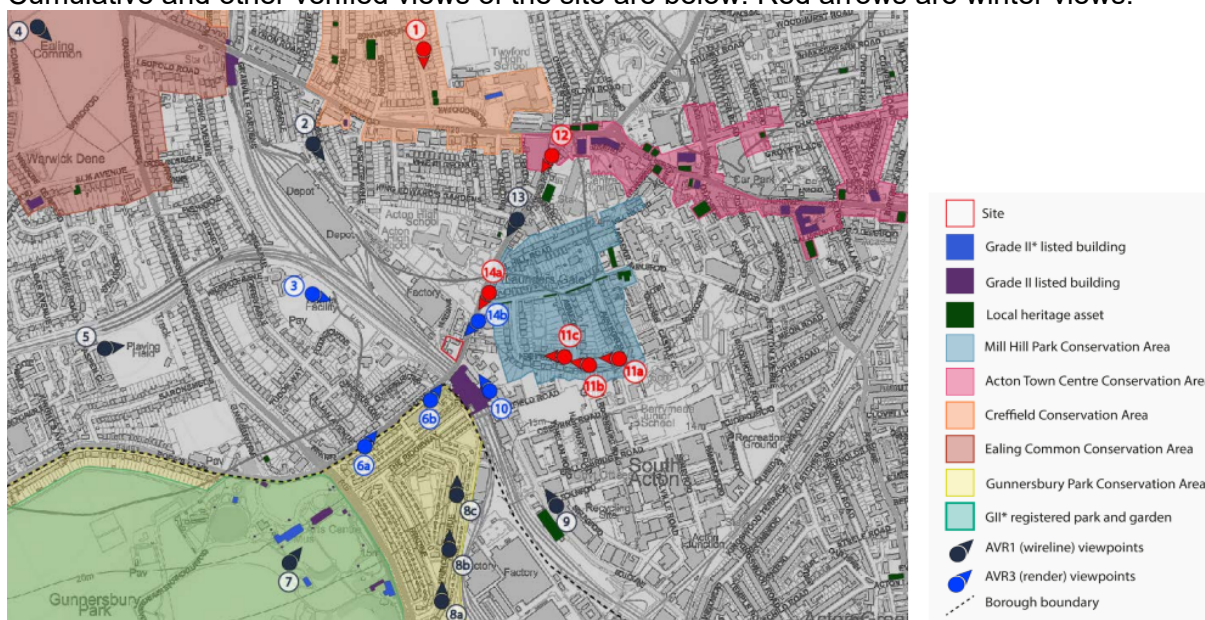
In accordance with established Historic England guidance townscape and visual impact on CAs are assessed by the applicant in an HTVIA. These are appraised in Section 14.4 below.

Views from beyond the site boundaries other than those in the immediate vicinity, relate to the impact of the tower. In this context, the HTVIA assesses the cumulative impact with other permitted tower developments in the locality as illustrated below (application site in Green):



Project Name	Model source	Reference
1 Bollo Lane Phase 1-4, Ealing, W3 8QU	Rock Hunter model based on PA drawings	201379OUT
2 Acton Gardens Phase 9.4, Ealing, W3 8TQ	Rock Hunter model based on PA drawings	192796REM
3 Acton Gardens Phase 9.3, 9.5 and 9.6, Ealing, W3 8TQ	Rock Hunter model based on PA drawings	215892REM
4 Ark Sloane Academy Phase 1, Ealing, W3 BUX	Rock Hunter model based on PA drawings	180224FUL
5 Ark Sloane Academy Phase 2, Ealing, W3 BUX	Rock Hunter model based on PA drawings	181990FUL
6 Site	Model Received	

Cumulative and other verified views of the site are below. Red arrows are winter views:



Below are Verified Views (taken from the HTVIA), using the same numbering.

Verified wireline View 1 of block (in green) within Creffield CA taken from Twyford Avenue south of Stanway Gardens:



View 3 from Old Actonians Sports Ground of proposed block (full rendered and arrowed) cumulatively with other consented schemes (coloured red and purple):



Verified wireline View 4 of block (in green) from within Ealing Common CA:



View 6B Gunnersbury Lane south-east side of proposed block (full rendered) cumulatively with Acton Station (red arrow) and consented schemes (coloured red and purple):



Verified wireline View 7 of block (in green) from Gunnersbury House and Park:



View 8B Princes Avenue south east side of Gunnersbury Park CA proposed block (green colour):



View 9 from Bollo Lane opposite Acton Gardens/Bollo Bridge Road and cumulatively with consented scheme on TfL site (coloured purple) and Acton Gardens (coloured red):



View 10 from Bollo Lane south side close to listed Acton Town Station proposed block (fully rendered) cumulatively with other consented scheme (coloured purple):



View 11C (Summer on left and Winter on right) from Heathfield Road south side of Mill Hill Park CA proposed block (green colour):



View 12 (Summer on left and Winter on right) from Gunnersbury Lane south side of Acton Town CA proposed block (green colour):



View 14B from Gunnersbury Lane south side of Acton Town CA proposed block (fully rendered) cumulatively with Bronte Court in the foreground:



7.10 Energy and Renewables

The development is designed to be served by a community heating system based on Air Source Heat Pumps (ASHP) in combination with a wastewater heat recovery to be fitted under the baths in each flat to pre-heat the shower water. At the current design stage the overall site-wide CO₂ emissions will be cut by at least 68.75%, with 17.75% carbon reduction through “Lean” efficiency measures, and 51% through “Green” renewable energy.

The size and type of development is not suitable for CHP. According to the London Heat Map, there is no available “Clean” district heat network (DHN) in the vicinity of the site, however the ground floor plant room will include space for a future heat substation that would be suitable for connection to a district heating system. Also proposed are two PV arrays – on the 11th and 15th floors. A financial contribution is proposed to address the zero-carbon shortfall of 693 tonnes (over 30 years) of CO₂ and energy monitoring by the Council’s consultant Energenec.

7.11. Whole Lifecycle Carbon

A Whole Life-Cycle Carbon Assessment (WLC) has been prepared and submitted to the GLA in accordance with London Plan Policy SI2. As noted above, the applicant intends to address the zero-carbon shortfall by way of a financial contribution, which accords with current policy. A condition to secure compliance is included in the recommendation.

The applicant has, through the submission generally, demonstrated why it is neither feasible nor practical to retain or retrofit the existing residential blocks to meet current and future housing need. Further, to retain them would be inconsistent with national, strategic and local policy and guidance on sustainable and inclusive building design and dwelling sizes and to make full and optimal use of residential land in an established urban area to meet the identified need for more affordable housing.

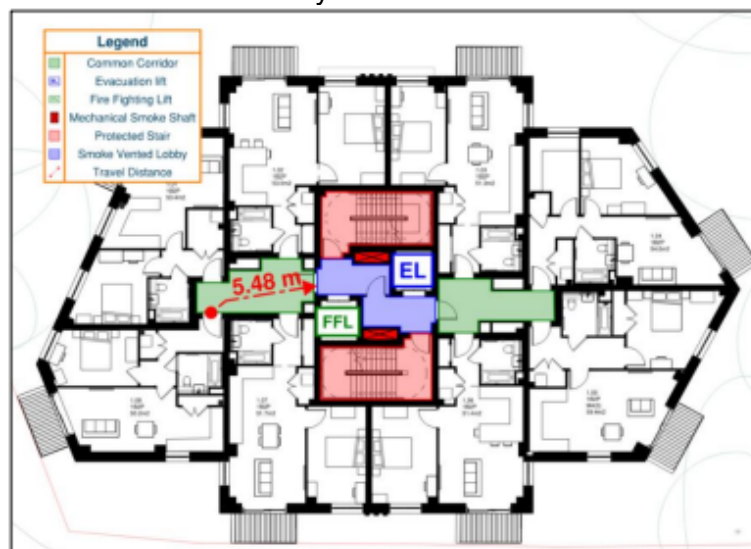
Regarding demolition materials, a Site Waste Management Plan (SWMP) will be prepared to manage the disposal and reuse/recycling of materials generated by the site in accordance with the Waste Hierarchy and Government Regulations. sets a minimum target of 95% waste not going to landfill i.e. being reused or recycled.

In addition, the Whole Life-cycle Carbon planning condition will be employed to reduce carbon emissions. It includes waste as well as the long-term performance of the new development, which overall will be a significant improvement on the existing flats.

7.12. Fire Strategy

In accordance with London Plan Fire Safety Policy D12B and associated Policies D5, D9 and D11 and the Mayor's Fire Safety LPG, the applicant has produced a Planning Fire Safety Statement, prepared by a Chartered Engineer with the Institute of Fire Engineers. It sets out the measures for building construction, means of escape, passive and active fire safety systems and access and facilities for firefighting services.

As the block exceeds 30m in height, the applicant has followed the Government Consultation Proposal (published 23rd December 2022 - since adopted by the Mayor) to design the block with 2 fire-protected staircases as well as 2 lifts. Below are details of arrangements in the block in compliance as set out in the Fire Safety Statement:



8. APPLICATION NOTIFICATION

The geographical extent of the neighbour notification consultation area corresponds, for consistency, to the area used by the applicant for the community consultation, outlined in blue on the plan below:



9. EIA SCOPING

An Environmental Impact Assessment (EIA) Screening Request (ref 224084SCE) was submitted in September 2022. It was determined:

1. The proposed development falls outside of the definition of 'Schedule 2 Development' as this 'Urban Development Project,' proposes less than 150 dwellings and is not located within a 'sensitive area' defined within the Town and Country Planning (Environmental Impact Assessment) Regulations, 2017 (as amended) (the Regulations).
2. On this basis the Local Planning Authority is of the opinion that the proposed development will not be likely to have significant effects on the environment as interpreted by the Regulations and thereby does not constitute Environmental Impact Assessment (EIA) development requiring an Environmental Statement. This is not to say that the proposed development will not have environmental effects of a localised nature which will need to be considered in determining any planning application(s).

(Officer Note. Environmental effects of a localised nature are assessed below).

10. PLANNING HISTORY

App Number	Proposal	Decision	Date
224084S CE	Request for an Environmental Impact Assessment (EIA) Screening Opinion under Regulations 5 and 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') (as amended) for The proposed development seeks to redevelop the site to provide up to 102 new homes in a building up to 15 storeys in height (71.5 metres AOD) with associated car parking and landscaping. All existing buildings on the site will be demolished as part of the proposals.	EIA Not Required	10.10.22
223520P TT	TPO 031 Crowning, pruning, thinning to 10 mature/mature sycamore trees	APP	28.09.22
215783P TT	There are three trees that are touching the building and require cutting back about 2-3 metres. There is a third	APP	12.11.21

	tree (tree touching building 3) that is not featured on the TPO map that we would also like to cut back. Sketch plan and photos attached. TPO/2008/0031.		
165009P TT	Sycamore (T1) (<i>Acer pseudoplatanus</i>) (Approximate height 20m) Front garden boundary corner of Museum Way Remove 1 x large dead stem on road side to make safe Sycamore (T2) and (T3) (<i>Acer pseudoplatanus</i>) (Approximate height 20m) Front garden front boundary Reduce branches away from street light to provide 3m clearance as part of continued maintenance Sycamore (<i>Acer pseudoplatanus</i>) and various shrubs/hedging (G1) Front garden front boundary Trim all growth back from the pavement up to a height of 2-6m to remove obstruction 3 x Elder (<i>Sambucus nigra</i>) (G2) (Approximate height 5m) Front garden right hand boundary Reduce height to 1m above fence line and crown reduce sides by 1-2m to contain as part of continued maintenance.	APP	14.11.16
P/2012/4 010	Conversion of existing roof space to form 3 flats.	APP	15.11.12
P/2011/3 247	T1 to T4 Sycamore – thin and cut crown, lift and prune back.	APP	30.11.11
P2010/30 74	Works to trees granted with conditions: T19 Sycamore – Reduce lateral crown spread all round by 2-3m to clear adjacent buildings, contain, and improve light. Thin and clean out crown, remove deadwood and suppressed branches. Lift canopy all round by 2m.	APP	14.09.10
P/2003/1 740	Crown thinning of two Sycamores covered by LBE TPO No 31.	APP	04.06.03

11. REPRESENTATIONS

Ealing Civic Society (ECS)

Objects. Disappointed that feedback provided by ECS and the public to the so-called public consultation appears to have been ignored; the many representations that the proposed height of the block was excessive have resulted in no changes whatsoever. Objections are thus primarily related to this excessive height. Contrary to what is suggested, this is completely out of context in the local area, where there are no close-by buildings of more than 6 storeys.

Street views in the application clearly show the proposed block as over-dominant and towering over neighbours. The new block would dominate the adjacent flats to the northeast and have many windows and balconies on this elevation - mitigation would be necessary to reduce the overlooking from living rooms, even at lower levels, in the new block.

Very close to the listed Acton Town station and would be harmful to its setting. The yet to be constructed TfL development cited as a precedent does include some tall buildings, but these are some way away along Bollo Lane and the development steps down towards the station specifically to mitigate any harm to its setting. Views from Mill Hill Park Conservation Area would also be significantly adversely affected.

Provision of accommodation for women, possibly including some identified as vulnerable, does not outweigh these identified harms and justify the excessive height. Also question whether a high-rise model offers good living conditions for future residents, some of whom may be isolated and some may have children, lacking as it does a sense of community and raising possible safety concerns.

(Officer Note. Impacts and merits of the development are assessed below).

Acton Park CA, Acton Town Centre CA and Mill Hill Park CA Conservation Area Advisory Panel (CAAP)

CAAP objects on the grounds that: the height of this particular proposed tall building, in this particular location would have significant, adverse effects on the environment; in particular, that it would irreversibly damage the location of the Grade II Listed Acton Town Station to the enduring detriment of everyone approaching or leaving it for decades to come: and that it is inconsistent with both the existing (2012) Local Plan and the proposed Local Plan (TBC) as this is not an area designated for tall buildings.

The argument that the 15 storey Brook House would be joining a host of other tall buildings nearby does not bear scrutiny.

Repeatedly the PA refers to the height of buildings in the Acton Gardens development and the proposed Bollo Lane TfL developments. The PA fails to mention that there are no 15-storey developments near or planned to be in Gunnersbury Lane or near Acton Town Tube Station. In fact, the buildings planned for the end of Bollo Lane near the Tube Station are 2, 4, or 7 storeys high. The buildings in the area approaching that height (15 storeys) are differently, remotely – and largely sensitively – located. CAAP does not object to tall buildings as such, only to – in this case – a proposal for one insensitively located.

Need it be so tall?

The documentation argues that the number of flats is a balance of possible and desirable provision of homes, and costs. Among the factors affecting costs is the presence of a Thames Water sewer running across the site. They have elected not to build over the sewer, making the footprint of the building smaller than it might otherwise be, and so the building, taller. This, according to the architect, is the cheapest option. Alternatives would be prohibitively expensive.

Yet, the sewer could be culverted over and built on. This is technically possible and practical. It would increase the footprint of the building and thus reduce its height. The argument that, because of the extra costs, the economics would not work, is irrelevant. It is a matter for the developers to resolve.

The proposed building would cause damage to heritage because of its height.

It was notable that the yellow paper site notices which went up read:

“The proposals comprise a Major Development that may be likely to affect the character or setting of listed buildings and/or of a Conservation Area.”

It would.

The “Heritage Townscape and Visual Impact Report” concedes in paragraph 9.5 that the development would damage the setting of Acton Town Station, a Grade II listed building by the distinguished architect Charles Holden:

“It was found that the proposed development would [arguably] cause no harm to the significance of the heritage receptors [sic] scoped into the assessment, other than to Acton Town Station (Grade II listed) where a very minor level of less than substantial harm [specialist criterion noted] has been assessed to occur to the setting and so significance of the designated heritage asset.”

On that at least, save in the matter of degree, we are agreed. Less plausibly, the report continues:

“The scale of the harm is considered [by Savills] to be negligible, as the harm arises to the

setting of the heritage asset which is not where is draws the majority [but obviously, some] of its significance from, and only occurs in a very minor manner with the majority of its setting being preserved under the scheme. This harm will have to be weighed against the public benefits arising from the proposed development, as required by paragraph 202 of the NPPF.”

No matter how well-informed or expert, these are subjective judgements. And it must be borne in mind, the “public benefits” might be achieved through other, less damaging developments. We live here. We are entitled to express our own subjective judgements. We are the people who will be living with the adverse consequences of the “minor level of less than substantial harm”, long after these experts have moved onto their next commission.

Will the building make “contributions” to the area?

It says in the documentation that:

“The development improves on the architectural character of the area of the building”

This is a vague, subjective and near meaningless judgement.

“It would provide a “legible way find marker”

No one needs a tall building to guide them to Acton Town Station.

That it will be:

“Bookending the proposed Bollo Lane element”

This last is a bizarre assertion which, based on no evidence whatsoever, save for some imagined, abstract ideal, assumes that TWO very tall buildings (the other planned for the area near the pedestrian crossing at the eastern end of Bollo Lane) are better than one. In this, the PA fails to acknowledge that the planned Bollo Lane development near the Tube Station is much lower, as explained above.

Women’s Pioneer Housing have obviously invested a great deal in preparing this PA.

For all the purchased expertise deployed to support this PA, we think objections to the building from those, like us, who are already living in the area and who will – if it is approved – live for decades with its adverse consequences ought to carry more weight than comments from those who, however well-qualified, do not.

(Officer Note. Impacts and merits of the development are assessed below).

Mill Hill Park Residents Association

Support applicant aims and recognise the need for the redevelopment as the existing accommodation does not meet today’s required standards. Concerned about massing and the height of the proposed building, and particularly its 15-storey.

Proposed development would have little visual impact on the Mill Hill Park CA, but would have a significant adverse visual effect on Gunnersbury Lane and the area surrounding Acton Town Tube Station. Existing and proposed views from Gunnersbury Lane provide a good illustration of the height and types of existing buildings and dominating and out of character the proposed development.

The D&A Statement, implies that a large development on the Brook House site would thus be acceptable. However, the sites and surroundings are quite different in character. Acton Gardens is replacing the mostly high-rise buildings of the South Acton Estate while the TfL Bollo Lane ribbon development along the tube line, faces, in most part, an industrial estate and other new high-rise developments being constructed within the estate. Additionally, the buildings in the proposed Bollo Lane development close to Acton Town Tube Station will be very much lower (4-7 storeys) so as not to dominate the setting of the Station or the Art Deco Gunnersbury Court flats. The D&A Statement also refers to an application at 83-85 Gunnersbury Lane to build a 33 unit apartment block. However, this application submitted in January 2018 to construct a much lower building was subsequently withdrawn.

Disagree on the secondary roles of the proposed development. There is no need “to create a legible wayfinder marker on the horizon”, nor “to present an opportunity to ‘book-end’ the

regeneration area" nor to "introduce another landmark building on the junction of Bollo Lane and Gunnersbury Lane, creating another positive twenty first century addition to the local skyline". Disagree "this development improves on the architectural character of the area". Heritage Statement concludes that the harm arising from the demolition of Brook House is considered minimal. Not the demolition of the existing three buildings and their contribution to the station's immediate setting which will have an adverse impact but their replacement with a 13-15-11 storey building.

Request that this application be refused.

(Officer Note. Impacts and merits of the development are assessed below).

Neighbour Representations

At the time of preparing this report 56 objections (including ECS, CAAP and Mill Hill RA above), 8 support 2 neutral (a total of 69) received, summarised as follows:

Support

- Live in a comfortable house. We need cheaper housing especially for women. Will have to build taller. Will improve the area.
- Well-designed providing desperately needed housing for vulnerable people. Need more projects like this to address London's profound housing crisis. High density close to existing transport.
- Affordable housing is good. NIMBYs are bad.
- Environmental disbenefit v housing gain. As Mill Hill Park residents agree it will not change its character. As a car-free development should not add to congestion/pollution. Mature aged residents should be able to walk to transport links/shops. Design should focus on minimising overshadowing and positively contribute to local character/Gunnersbury Lane crossing. Option of 8/9 storeys on a larger footprint may not be as aesthetically pleasing as the application. Possible concern of departure from mixed community as a 'women's high rise'. If public funding not forthcoming, then design and composition may change.
- Fair and reasonable development. Meets urgent housing need. Minimal intrusion. Looks over railway lines, main road and transport museum. Hard to think of a better location in a built-up area. Impact and inconvenience minimal. Area needs improvement and enhancement. Will add to character of the area. Applicant is genuinely committed to the area. Demographics will add to the richness and diversity of local community.
- WPH rescued me from abusive and controlling relationships. Happier and more confident now. Without this housing, women like me face an almost impossible challenge. Proposal provides 100 light and spacious homes for those who need it. Life circumstances can change so the plan to offer 100 women renewed lives must be good. Wholehearted support.
- Site needs re-developing. Beneficiaries will be women who experience difficulties. London housing market almost out of reach for minimum wage earners. Greenery around the building and bigger flats will be beneficial.
- Support energy efficient homes for women. A tenant of WPH since 1983 - attest to ongoing adherence to original mission - safe, affordable and habitable homes for women. Landlords strive for excellence in their housing stock. Often a challenge when much of that stock is 150 years old. Applaud plan to demolish outdated, cramped and damp housing stock and replace it with housing fit for 21st century. Opportunity to build exemplary social housing not just fit for purpose but leads the way in energy efficiency, health and wellbeing and financial security. Have been able to have a career in a low paid sector and live safely and affordably in my home city for nearly 40 years because of the homes provided to me by WPH. Rental landscape has changed beyond

recognition. Fully support proposal for more and better quality homes for women. Women still likely to be paid less and have smaller pensions than men. Many more face single parenthood and caring responsibilities compared to men.

- Going to be great for Acton Town. Used to live at Brook House. The building is very old and in need of knocking down. Will help house more people and great look for the area.
- Will provide affordable housing to women in the area. Much needed as current building has many problems - mould, asbestos, flats that are too small and not enough. Plans for the new building are in keeping with the area and are a great improvement on the present situation. New building will be more eco-friendly, meet social housing space standards and have green spaces, making it far more pleasant for tenants to live in.

Object or Neutral

- Too high.
- A disaster adjacent to Conservation Areas and listed buildings.
- Appalling, not in keeping. Infrastructure could not support.
- In a good cause but ruin Acton Town.
- Destroying the neighbourhood.
- Need more free green space. Overwhelmed by new build. Strain on schools and surgeries.
- 15 storeys too aggressive for Acton Town. Making it women only is divisive and discriminatory. Will be visible from a long way.
- Out of keeping and overshadow next door flats.
- Building here out of place. Subjects neighbourhood to unhealthy dust, noise, erection of formidable dangerous 'Crates'. Loss of child play space. Loss of Art Deco building. Applicant can do internal alterations to the existing building. Refurbishment is cheaper. Applicant demolishing other flats to give way to high rise in Du Cane Road - could raise that building. Why vast increase in population. Alternatively find another more suitable spot in Ealing.
- Height not in keeping with the area. Should be graduated to relate to the listed station.
- Height conflicts with the area, unsuitable site and London Plan. Not the right location. Should be considered at a Planning Hearing.
- Services in Acton reduced. Recycling centre closed. Too high and over development. Impact on the infrastructure of Mill Hill CA including damage by piling from construction.
- Should build over sewer crossing the site and make the block lower rather than radically change the area/listed station. In favour of WPH housing on site but not in this form. Eyesore.
- No set back from Gunnersbury Lane/LUL lines has maximum townscape impact. Contrary to Draft Local Plan Policy SP4.1E detracts from the character of the area and distinctive differences of Acton Town, South Acton, Gunnersbury Lane and Mill Hill Park CA. Disproportionate tower height. Scale of block overshadows street level. Sets a precedent e.g. Halfords site opposite. Not part of Acton Masterplan. Contrary to LBE Tall Buildings Policy. Noise mitigation required from LUL will considerable. Will not be able to have west opening windows. Design and appearance unsuitable for the area. Should be low density/rise. Underpinning of block next to LUL lines. May delay construction to night working. Loss of mature trees and character to more rural nature of Gunnersbury Park. Impact setting of Acton Station. Increased traffic impact on Gunnersbury Lane/Bollo Lane junction. Aging physical and mental impairment of residents will require support/care. What safeguards for residents from abusive

partners? Does this meet NPPF/NPPG guidance for older care? No consideration in design for communal activity for residents. No mention of Government policy for older persons housing. High level flats may affect social mobility and interaction or mental well-being of tenants above 5 storeys. No mention of HAPPI standards.

(Officer Note: Housing our Ageing Population Panel Innovation (HAPPI) was formulated by the Housing Learning and Improvement Network, a 'knowledge hub' to provide specialist advice for extra care, sheltered, senior living, retirement and supported housing. In terms of the general approach to, inter alia, those in need of support the Ealing Development Strategy 2026 DPD Chapter 1 states that a key role for the Local Plan is to improve public health and support those with specific needs to achieve well-being and independence. As such all relevant planning decisions have due regard to these considerations. In this regard the applicant has submitted a Health Impact Assessment, which is referred in this Report).

- Generally in support but not 15 storeys. Will tower over Mill Hill CA. Already considerable development in the area. Area overrun with traffic. Lack of parking, High street and parks busy and unclean. Excessive litter. Lack of services and public transport. Businesses converted into flats exacerbates the problem.
- Horrible tower will blight the area.
- Understand social aims but object to tower. Against the common interest and will damage local environment. Could build over culvert for a lower development. Object to tree loss.
- Too high. Brook House is tallest building on Gunnersbury Lane. Excessive density. Insufficient open space and access for service/delivery.
- Ill-considered. Will dominate the area on a high point in Acton and deprive neighbours of light and compromise privacy. Applicant is a very negligent landlord. No way of knowing if new building will be kept any better.
- Adverse effect on residential amenity and loss of light. Nothing else this high and will be anomalous. Dwarf architecture if historic local area and Conservation Area. New building should maintain existing heights. Not a positive environment for vulnerable women. How will older residents cope with stairs and lifts. High concentration will put the women at risk. Support aims but not at expense of existing residents.
- Residents will need a safe and amenable environment not met in this dense overdevelopment. Interests better served with greater amenity. High rise development is now utterly discredited.
- Too high for the neighbourhood. Will stick out like a sore thumb. Should keep to existing height. Increased traffic and pollution next to busy road junction.
- Not in keeping with the area. Out of synch with surroundings and conservation area.
- Visual Impact Assessment misleading as does not include closer views from Mill Hill CA. Building would be highly visible.
- Will overshadow the Tube Station.
- Design does not utilise the site. Cannot the existing footprints be used?
- Negative impact on the environment. New TfL development will be lower in the vicinity of the station. Needlessly large. Laudable aims could be met by building over the sewer.
- Safer housing for women should be spread across a wider geographical area.
- Contrary to Ealing development plans.
- Will set undesirable precedent.
- Inconsiderate for existing people. An eyesore. 1032 flats a problem in the area.
- Building is no doubt for a good cause; however, this should not be used as an excuse to negatively affect the local conservation area.

- Some of the supporting comments do not have local postcodes and would therefore be unaffected by the impact of this building.
- Far too high, out of keeping. Repeats 1960s mistakes of social isolation. Might become magnet for predators or drug dealing. Difficulty escaping fires. South Acton project already resulted in a proliferation of tower blocks. Comments that application contributes to diversity, landscaping etc wear thin when it results in a 15-story monster overshadowing the Listed Station and Conservation Area.
- As an elderly person, a 15-storey block is ridiculous. Lifts break down and power cuts leave people stranded. Photographs on the website are misleading.
- No other such development in the area. Will tower over station at the top of the hill.
- Impact unfavourably on all the buildings in the area. This part of Acton is a low rise residential. Current grouping is an attractive series of white blocks arranged in a U shape and in scale with the block of red brick flats next door. Single women would find a high rise very unpleasant. Impact of towers felt strongly by the local communities, out of scale with environment, long-term damaging effects on communities, degrading the existing built environment. Impact on Acton Town Station and Gunnersbury Court.
- South Acton Estate already resulted in a large increase in tower blocks. Another 15-storey block will adversely affect the appearance of the road. Understand the need for more housing. This part of Acton has had enough high-rise dwellings.
- Far too high and out of keeping. Too many developers trying to impose high rise buildings on this part. Main aim is profit, not creating housing in keeping with the area.
- Not in keeping with the area. Extends massive scale of Acton Gardens into a nature conservation zone. Broadly sympathetic to intention and design. Feel that single sex sheltered housing of these proportions, in the direct vicinity of a transport hub known to have its challenges, might not be in the best interests of those designed to shelter or the neighbourhood.
- Support aims but excessive height, loss of light and character and loss of trees.
- Residents and workers fed up with sky high towers blighting suburban skyline of world famous leafy Ealing.
- No objection to the re-development. Object to height. 15-storey building way too tall. West London area has small to medium sized buildings. Probability approval will be given for this building. Should approve a maximum height of 8 storeys.

(Officer Note: Representations applicable to the planning merits of the application are addressed in the Sections below.

Reference to Du Cane Road is a site owned by WPH in White City, where WPH secured 80 new affordable flats and a head office building as part of a 209 unit mixed residential scheme. Reference to an Art Deco building is Brook House built in 1935. It is not included in the Council's list of statutory or local heritage assets.

The Visual Impact Assessment comprises views from publicly accessible places. The same applies to views from and within Conservation Areas. Locations have been assessed and are considered to be accurate.

Where the social infrastructure of the area is insufficient and not wholly or partially provided on site, a financial contribution is negotiated to meet the need in accordance with the development plan and national policy guidance.

As a car-free (other than disability and car club) development the scheme promotes lower traffic generation, emissions and pollution objectives than the existing.

12. EXTERNAL CONSULTEES

Met Police Secured by Design	Reported crime in the area is high. Applicant has met with SBD. Development should be able to reach Secure by Design accreditation. <i>(Officer Note: An Informative is proposed in the recommendation).</i>
Crossrail	No comments.
HSE	Welcomes incorporation of 2 nd staircase. Satisfied with the fire safety design. <i>(Officer Note: A Fire Statement condition is recommended).</i>
NHS Property Services	Requests a financial contribution towards future redevelopment of Acton Health Centre. <i>(Officer Note: Financial contribution included in the recommendation.)</i>
Environment Agency	No comments received at the time of preparing this report.
Affinity Water	No comments received at the time of preparing this report.
GLAAS	Request condition and Informative to evaluate nature and extent of surviving archaeological remains. <i>(Officer Note: Included in recommendation)</i>
London Fire Brigade	Concerns about detailed aspects of design although the majority can be dealt with at the Building Regulations application stage. <i>(Officer Note: LFB has confirmed the matters are generally high level and not fundamental the scheme. The applicant is addressing this. An update will be included in a Briefing Note).</i>
GLA	<p>Stage 1 Report:</p> <p>Estate regeneration: The comprehensive redevelopment of the estate may be supported subject to providing further information with regards to the like for like replacement of existing affordable housing floorspace, the right to return/remain, and alternative options to demolition. <i>(Officer Note. The applicant has submitted remaining information to the GLA).</i></p> <p>Land Use Principles: The proposed re-provision and expansion of specialist accommodation for women with good access to public transport is acceptable in principle in accordance with London Plan Policies H8 and H12. <i>(Officer Note. Noted.)</i></p> <p>Affordable Housing: The proposal would deliver an affordable housing provision of 100% (habitable room) comprised solely of social rent, which is strongly supported. This should be secured via the legal agreement in line with London Plan Policy H6. <i>(Officer Note. Complies with London Plan Fast Track criteria. Affordable housing s106 clause is included in the recommendation).</i></p> <p>Urban design: The principle of tall buildings at this site could be acceptable in strategic terms, subject to fully addressing impacts. The applicant should review the proposed wheelchair accessible homes and distribute them more evenly across the floorplate. A revised fire statement is required. <i>(Officer Note. The applicant has submitted remaining matters to the GLA to LBE. The Fire Strategy has been carried out by a Chartered Engineer with the Institute of Fire Engineers and compliance with London Plan Fire Safety policy is confirmed. A Fire Safety condition is included in the recommendation).</i></p>

Heritage: The proposed development could result in less than substantial harm at a low level to designated heritage assets as a result of harm to the contribution made by setting to significance. At this stage, it is considered that the public benefits could outweigh the identified harm. A full assessment will be undertaken at Stage 2.

(Officer Note. Noted.)

Transport: Public realm/ highway improvements are expected to be secured through a s278 Agreement or other appropriate planning mechanism. Data should be provided to inform decisions around suitable improvements to improve safety. The proposal will be “car-free” in accordance with London Plan policy. 3 disabled parking spaces proposed represents 3% of spaces. Locations for a further 7% of spaces offsite to account for future provision should be identified. All car parking spaces fitted with active charging from the outset is welcomed. The site is located within a controlled parking zone (CPZ) and the proposal will be permit-free should be secured via the appropriate legal mechanism. In view of the circumstances, 102 long-stay cycle parking spaces a 1-for-1 long stay provision, plus short stay and mobility scooter storage is accepted. Contribution towards bus capacity mitigation requested. Travel Plan should be secured by a legal agreement. Expect a full delivery and servicing plan and full construction logistics plan to be secured through condition

(Officer Note. Comments addressed in this Report. A condition to provide the requisite cycle storage has been agreed with the GLA and TfL and is included in the recommendation along with highways conditions, travel plan, logistics and delivery conditions and s106 clauses).

Sustainable development: Further information required on energy with respect to Be Lean/Green, Be Seen, Energy Infrastructure, Managing Heat risk. Further information in relation to Whole Life Carbon and Circular Economy is required.

(Officer Note. The applicant has submitted remaining information to the GLA. Appropriate conditions are included in the recommendation).

Environmental issues: Air Quality conditions recommended. Proposed UGF exceeds London Plan target supported. Assessment required of CAVAT value of trees to be felled. LPA should secure AIA recommendations for tree protection. Diverse range of trees recommended including large canopies to target urban heat island effects. CEMP should set out how ecological impacts can be avoided and impacts on SINC. BNG net gain rules should be demonstrated. Ecological Management Plan should be secured.

(Officer Note. The applicant has settled remaining sustainability matters with the GLA to LBE Officers’ satisfaction. Conditions and planning obligations in accordance with the above are included in the recommendation).

Transport for
London (TfL)

It has been confirmed that the S106 will secure the delivery of 102 social rent affordable flats to be held in perpetuity and the affordable dwellings will be prioritised by LBE for people living and/or working in the Borough. S106 is yet to be drafted however the above forms part of the S106 Heads of Terms to be presented at committee stage. Although the provided quantum is still below London Plan policy compliant levels (a minimum of 154 spaces), the revised offer of 102 spaces represents an 56.9% increase from the 65 stands previously proposed. The cycle parking provision at this site is now broadly acceptable with London Cycle Design standards, with 17.6% of the cycle parking provision taking the form of Sheffield Stands. The applicant is also seeking to provide 5 mobility scooter bays (swept path analysis has been provided).

This revised arrangement provides a more favourable approach from the first offer of 65 long-stay spaces. This approach would equate to 1 space per dwelling, which would match the applicant’s assumption (based on the Charity’s tenant

demographics) that flats will be used by a single resident. Whilst the preference is for full London Plan compliance, TfL could accept this revised arrangement based on the provision that the Travel Plan that has a stronger cycle parking review mechanism to ensure needs of future residents are catered for and improvements being secured towards the cycling environment.

Request financial contribution to bus service enhancements. Request further information to address the Healthy Streets and Vision Zero.

(Officer Note. The s106 clauses referred to concerning use and occupancy are included in the recommendation along with Travel Plan and Cycle Parking conditions. The applicant has provided additional information to the GLA.)

Transport for London (TfL) Infrastructure Protection	No objection in principle. Number of potential constraints adjacent to rail infrastructure. Request condition and Informative concerning engineering details. <i>(Officer Note. Included in recommendation)</i>
MoD Estates Assets	No safeguarding objections. <i>(Officer Note. Bird Hazard Management Plan condition included in the recommendation)</i>
Natural England	No comments received at the time of preparing this report.
NATS/Heathrow Safeguarding	No safeguarding objection. Request crane obstacle lighting Informative. <i>(Officer Note. Included in recommendation)</i>
Network Rail	No objections.
Thames Water	No comments received at the time of preparing this report.
London Wildlife Trust	Does not currently have the capacity to the majority of applications.
Highways England	No objections.
LB Hounslow	Does not wish to comment.
Historic England	Does not wish to offer advice.

13. INTERNALCONSULTEES

Housing and Regeneration	The housing is being provided by Women's Pioneer Housing (WPH), a 'specialist' HA which, since 1920, has provides homes for single women who are unable to access the London housing market to privately rent or buy due to their sex, disability, ethnicity and age and who may also have been victims of domestic violence. As stated in the application documentation, WPH has existed on this same site since 1930 providing the same type of social rented housing to its tenants. the proposal will be supported in part by GLA grant-aid if permission is granted. These circumstances are a highly important consideration to Housing Supply given that WPH will continue in its commitment to provide these homes for the tenants at Brook House,
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a number of whom we understand wish to be re-housed here in the new scheme as well as benefiting those who will be eligible to be housed from the Council's Waiting List in brand new housing to replace the existing rundown and inefficient units.

Policy H4 of the 2021 London Plan says that "the strategic target is for 50 per cent of all new homes across London to be genuinely affordable" and that all major developments of more than ten units trigger an affordable housing requirement. As this site is providing 102 homes (a net increase of 63 over the existing, albeit all 102 will be new flats) then it should be providing affordable homes. This development is providing 100% affordable homes, and, as all homes provided are for London Affordable Rent it satisfies the criterion of "genuinely affordable".

This site is providing 100% affordable social rented homes that is in accordance with specialised accommodation Policy H12 of the London Plan 2021.

Would usually ask for a range of bed sizes but these homes are for a specialist housing association who has provided housing for single women in housing need on this site for the past 90 years. Provision of primarily one bed accommodation is acceptable and will contribute positively towards meeting the needs of a cohort of the Borough's housing that is generally underprovided.

In these circumstances Housing Supply strongly support this specialised housing scheme including the 100% social rent affordable housing tenure and bed size proposed, that will give modern new homes to tenants. *(Officer Note. Housing Services advises that as of 2nd March 2023 there are currently 2303 single women applicants on the LBE Housing Register. Recommendation includes s106 clause to restrict occupancy to 100% social rent)*

Transport Services	Request conditions and legal agreement clauses for highway improvements, parking permit restrictions in the CPZ consultation, Travel Plan and monitoring, 7 future off-site disabled parking bays, cycling and public transport. <i>(Officer Note: Requirements included in the recommendation. GLA Stage 1 request for a 7% future disability car spaces would be addressed by Transport's requested financial contribution).</i>
Environmental Services (Refuse Team)	No comments to make.
Energy & Sustainability	Good strategy that will deliver a highly effective all-electric development. Request conditions/s106 obligations. <i>(Officer Note: Included in the recommendation).</i>
Education	Not intended for family occupation. In these circumstances do not seek a contribution.
Pollution Technical (Air Quality)	Request conditions, informatives and s106 clauses to cover noise mitigation and separation, dust monitoring, odours, hours of operation, installation of emergency generator, air quality, construction and demolition, contaminated land, external lighting, bonfires, removal of asbestos. <i>(Officer Note: Conditions and financial contribution requested are included in the recommendation).</i>
Pollution Technical (Contamination)	Remediation condition to remove any material from former pond and asbestos requested. <i>(Officer Note: Included in the recommendation)</i>
Pollution Technical (Noise)	

Mitigation measures required in relation to substantial road and rail noise and for potential structure borne noise. Request conditions and Informatives. *(Officer Note: Included in the recommendation)*

Tree Service	Most of the protected trees retained. Concerns for remainder from demolition and construction. Would like to see footprint rotated 90 degrees to retain more trees. Area where trees are removed (facing Museum Way) could be used for tree planting and to screen the building. Request tree protection conditions requested during construction and compensatory planting and conditions and CAVAT compensation for tree loss. <i>(Officer Note: New and replacement tree planting is proposed. Tree protection conditions and a CAVAT contribution included in the recommendation).</i>
Leisure & Parks	Landscape masterplan, planting and materials palettes are good and make best use of a shaded site. Small increase in BNG and UGF with wider wildlife habitats. Ecology Strategy good. Doubts new trees will mitigate for removal of existing. Concern construction will require ongoing tree pruning and tree damage. Good range of resident community garden space. Financial contributions required to shortfalls in amenity, allotments and for new soft and hard landscaping, boundary treatments, management, Green/Brown roofs, SUDS and ecology strategy. <i>(Officer Note: Increase in new and replacement tree planting proposed. Planting and management, habitat creation, bird boxes, further bat surveys etc conditions included in the recommendation and financial contribution to amenity and other space shortfalls. Tree Service has not expressed concerns re construction damage. Conditions are recommended to secure appropriate tree protection).</i>
Sport & Leisure	Welcome inclusion of resident's activity/fitness area in the scheme. Request condition to approve equipment. <i>(Officer Note: Included in the recommendation).</i>
Regeneration and Economic Growth	Support scheme for affordable housing. Request contribution to Acton town centre responsive retail projects to deliver improved local parades with associated public realm areas to boost local use, business turnover and support enterprise into vacant units in the area. <i>(Officer Note: Contributions included in the recommendation).</i>
Economic Development Employment Learning and Skills LLFA	Request 19 work experience placements and a financial contribution towards monitoring of project, preparing residents for upcoming vacancies on site and other employment and skills related activities and an additional financial contribution where an apprenticeship has not been delivered by the end of the agreed period. <i>(Officer Note: Included in the recommendation).</i> Satisfactory surface water drainage strategy. Infiltration is not feasible on site, so soft landscaped areas would potentially be saturated in a 'worst case scenario', therefore we require total site area be used in calcs Applicant should produce a total site area calculation. <i>(Officer Note: Drainage conditions include harvesting measures in the recommendation).</i>

14. Reasoned Justification:

The proposal is assessed in terms of its potential impact on the area, on the amenities of the occupiers of neighbouring development, taking into account the relevant development plan policies for the area, considerations of the impacts of the development and all other material considerations. The main issues (not in order of importance) are:

- Compliance with development plan policies and national guidance
- Residential use

- Affordable housing
- Scale of development, loss of existing housing and estate redevelopment
- Impact on neighbouring properties
- Tall Buildings
- Design
- Heritage Assets and Public Benefits
- Highways, transport and parking
- Amenity/open space
- Environment
- Equal Opportunities
- Energy
- Environmental Health, noise, air quality
- Fire safety
- s106 agreement and Community Infrastructure Levy.

14.1 National and Local Planning Policies - Analysis of Policy and Guidance

The assessment of the proposal has had regard to the following planning policy documents and guidance:

- d. National Planning Policy Framework (NPPF), NPPG and National Design Guide (NDG)
- e. London Plan
- f. Ealing Development (Core) Strategy
- g. Development Management DPD
- h. Development Sites DPD
- i. Draft Ealing Local Plan
- j. Other Ealing Supplementary Planning Guidance/Documents
- k. Mayoral Supplementary Policy guidance

14.2 NPPF

At the heart of the NPPF lies the principle of sustainable development. Para.8 states:

'8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'*

The policy relationship between development plans applicable to this application is discussed later. The Framework sets out the following considerations:

'12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making....Local planning authorities

may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

The objective to secure a sufficient supply of housing, including affordable housing, states:
'60. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

'63. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site...'

In meeting the housing needs of a range groups in the community para 62 states:
'62...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing,... older people, ..., people with disabilities,..., people who rent their homes...)'

The applicant WPH explains that a significant proportion of their tenants are older persons. The Framework Annex 2:Glossary defines older people as:
'People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.'

Whilst this application is not designed as an older persons residential development or care home, it will contribute towards helping meet the housing needs of older single women, be they existing residents of Brook House wishing to return to better quality and accessible dwellings, those on the Council's Housing Register or known the WPH and eligible tenants. In this regard as was noted above in relation to comments from Housing Supply, as of 2nd March 2023 there are currently 2303 single women applicants on the LBE Housing Register, which represents a significant need from this section of the community.

With regard to regeneration projects, para 94 (and para 124 below) states:
'94. 'Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.'

In relation to making effective use of land, the Framework states:
'119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'

120. Planning policies should
a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation...;

...

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs...

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively...

In seeking to optimise the potential contribution of sites the Framework sets out criteria that are directly applicable considerations to this application:

'124. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- 1. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- 2. local market conditions and viability;*
- 3. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- 4. the desirability of maintaining an area's prevailing character and setting (...), or of promoting regeneration and change; and*
- 5. the importance of securing well-designed, attractive and healthy places.'*

'125. ...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;...

...; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

On design quality, the Framework states:

'129. Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.'

Lastly, in achieving well designed places, the Framework states:

‘133. Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large-scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.’

In the same context, the Government’s advice on design was significantly expanded in the National Design Guide 2019 (NDG) and more recently in the NPPG 2021. The fundamental principle at para.130(c) of requiring new development *to be sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities)* remains consistent. (NPPF guidance on heritage assets is addressed later).

14.3 Housing Land Supply

NPPF para.74 advises that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing (the ‘5-year housing land supply’) against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 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 Annual Monitoring Report (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, which replaced the GLA’s London Development Database in 2020.

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 a 5-year land supply, most of which 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 NPPF presumption in favour of sustainable development – the so-called ‘tilted balance’ – is engaged in dealing with applications for residential-led development such as this application. NPPF paragraph 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 Court of Appeal held 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.

The proposal will be situated in a highly sustainable location with a high degree of connectivity to a variety of destinations through a range of travel options. The s106 contributions referred to in the recommendation will deliver a series of benefits within the scheme. The proposals will also deliver significant economic benefits during construction and increased spending from new residents, which should be given significant weight, as supported by para.81 of the NPPF.

Regarding environmental benefits, the landscaping scheme in the Design Statement has been prepared to demonstrate that known constraints have been taken into account. The biodiversity enhancements will make a positive and permanent local contribution, including the provision of areas of green infrastructure and increase in tree planting, which should also be given weight.

Ultimately the function of identifying and demonstrating adequate supply is with the objective of increasing and facilitating housing delivery and therefore the Committee may also want to take note of the Council's performance in delivering new homes.

The official measure of housing delivery in this context is the Government's Housing Delivery Test (HDT). Ealing has comfortably and consistently passed this test since its introduction in 2018. The latest results record that the Council has delivered a total of 5,359 (against a requirement of 4,395) between April 2018 and March 2021, which equates to 122% of its housing requirement. It should be noted however that given the different periods covered by the HDT and a 5-year housing land supply, different requirement figures may be employed for the two measures. So direct comparisons should be avoided, although the general positive direction of performance is an important indicator.

Against the background of NPPF para.11d)ii, these figures indicate that, in respect of delivery, the Council has been meeting or exceeding targets. Whilst this is different to the supply measure covered through a 5-year housing land supply, nevertheless until a definitive position on the Council's 5-year supply is available, the Council's recent performance in respect of delivery is indicative that its pipeline of permissions and supply of sites continues to appear to be healthy against available forms of measurements. Balanced with these considerations is the significant weight given to the benefits of this development.

14.4 Strategic Housing Policy

The London Plan was adopted in March 2021. It forms part of Ealing's development plan, along with the Ealing Core Strategy and associated Development Management and Sites documents (the Local Plan). For weighting policy, it is an established principle that where there is conflict between two or more plans then the most recent should take precedence.

The London Plan identifies a very substantial need for housing growth. It passed its examination without fundamental changes to these aspects of the spatial strategy, however the Secretary

of State remained concerned about the levels of growth set out in the Plan and directed changes to increase housing growth.

In this context, key to understanding both Government's view of the Plan and the impetus to increase housing delivery, it is worth noting that the last letter on 29th January 2021 from the SoS to the Mayor concerning adoption of the SoS' Modifications includes the following, under the title 'Next Steps':

"Now that you are in a position to be able to publish your London Plan I fully expect you to start working to dramatically increase the capital's housing delivery and to start considering how your next London Plan can bridge the significant gap between the housing it seeks to deliver and the actual acute housing need London faces."

Set out principally in Policy H1, the strategy of the London Plan identifies an increase in development needs necessitates a progressive densification across Boroughs. Allied to this, the key housing policies relevant to this application are:

GG1 (Building strong and inclusive communities) encourages Good Growth building on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities, support and promote the creation of an inclusive London where all can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

GG2 (Making the best use of land) encourages developments to actively explore the potential to intensify the use of land to support additional homes, promoting higher density development, particularly in locations that are well-connected. The same policy encourages the adoption of a design-led approach to determine the optimum capacity of a site.

GG4 (Delivering the homes Londoners need) seeks to create a housing market that works better for all Londoners and create mixed and inclusive communities that meet high standards of design and provide for identified housing needs

D3 (Optimising site capacity through the design-led approach) states the design of development must optimise site capacity. This means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling and that where there are clusters of high-density buildings, expansion of the clusters should be positively considered.

D4 (Delivering Good Design) states the higher the density of a development, the greater the level of design scrutiny that is required, particularly qualitative aspects of the development design.

H2 (Small Sites) states Boroughs should actively support well-designed new homes on small sites (defined as below 0.25ha in size – the application site is 0.21ha) as a strategic priority. The policy seeks incremental intensification in PTAL3-6 areas or within 800m of a station. The application site satisfies both criteria.

H4 (Delivering affordable housing) of the London Plan sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable.

H6 (Affordable housing tenure) of the London Plan describes the preferred affordable housing tenure arrangements across London, which comprises 30% low-cost rented homes, 30% intermediate products and 40% to be determined by the borough. All affordable homes are expected to meet the Mayor's definition of 'genuinely affordable homes.' The provision of 100% social rent affordable housing meets the tenure requirements of Policy H6 Part A, and Part B which allows flexibility of tenure above 35% affordable housing where the homes are genuinely affordable.

H8 (Loss of existing housing and estate redevelopment) relates to the loss of existing housing and estate regeneration proposals. It states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. The Mayor's Good Practice Guide to Estate Regeneration (GPGER) also sets out the following principles for estate regeneration projects:

- a. Increase the amount of affordable housing
- b. Provide a full right of return to existing social housing tenants and
- c. A fair deal for leaseholders and freeholders.

H10 (Housing site mix) encourages a choice of housing based on local needs with regard given to robust local evidence of need, including the nature and location of a site. It states that a higher proportion of 1- and 2-bed units may be more appropriate in locations like the application site with higher public transport access and connectivity.

H12 (Supported and specialised accommodation) supports the delivery, retention and refurbishment of supported and specialised housing which meets an identified need ed need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London's population, including disabled Londoners, victims of domestic abuse or violence against women and girls. The GLA has confirmed this application is classified as a form of specialist housing and is eligible for Grant aid.

Acton is identified as a key location for sustainable growth within the Borough and an essential part of the spatial strategy for London's growth as a whole, as enunciated in the London Plan and in accordance with national policy guidance.

The development balance should have regard to the growing development needs of the Borough as identified in the London Plan and the desirability of achieving these on this sustainable site and the positive contribution it will bring towards meeting the contribution small sites can make and the objective of specialised housing needs through the current and emerging Local Plans. Both positively support increasing the provision of residential development in this part of the Borough.

14.5 Ealing Core Strategy/Local Plan

The site has the following designations:

- i) Developed Area
- ii) Air Quality Management Area
- iii) Area of Local and District Park Deficiency
and it adjoins:
- iv) SINC
- vi) Green Corridor
- v) Archaeological Interest Area

14.6 Draft Ealing Local Plan, 2022

The following Policies are relevant to this site and scheme:

SP.2 Tackling the Climate Crisis

SP2.2A making the best use of land

SP3 fighting inequality

SP3.1A spatial inequalities

SP3.1B equal and affordable borough

SP31C safe and secure environments

SP3.3 I specialist housing

SP.4.1 Good Growth

SP4.3 Genuinely affordable homes

D9 Tall buildings

DAA – Design and Amenity

HOU Affordable Housing

G5 Urban Greening

CO Carbon Offsetting

FLP Funding the Local Plan

A.1 Acton Spatial Strategy

A - significant investment opportunity to increase affordable homes

C - growth focussed around transport interchanges such as Acton Town

I - delivering more genuinely affordable homes

K(ii) - improving living conditions alongside Gunnersbury Lane

L(iii) - ensuring development achieves highest design standards

The applicant has submitted a Draft Ealing Local Plan Regulation 18 'Call for Sites' Submission Form seeking an allocation for the application site.

Adjoining the northern boundary of Brook House, the LUL Museum and depot has been identified in the Draft Local Plan as suitable for residential-led, mixed use scheme and potential re-provision of the Museum (Site: Acton-AC06).

14.7 Principle of Residential Development on this site

Policy objectives are expressed in terms of achieving optimum, rather than maximum development potential. The site provides the opportunity to make full and efficient use of a sustainable brownfield site to significantly boost the supply of housing, four square with Framework and development policy and guidance. Relevant also is the Mayoral LPF on Optimising Site Capacity.

The optimisation of development of affordable housing in the Borough is encouraged, particularly where it can demonstrate adherence to standards set out in London Plan Policies, particularly in this case H1 and to the Ealing Local Variations Policies 3.5 and 3A where it concerns brownfield land with a high PTAL rating.

The site is located in an established suburban, mainly housing, area. It has been in residential use by the same applicant, WPH, for some 90 years. The principle of residential use therefore is not in dispute. The increase in housing proposed will contribute to policy objectives to secure mixed and inclusive communities as set out in London Plan Policies GG4 and D5, with an emphasis on single women's housing, to help address housing need in the area. It will also help assist in meeting a recognised need for single women's housing, which is strongly supported by LBE Housing Team.

To support inclusive housing opportunities in accordance with the Mayor's Housing SPG Dwelling Space Standard 24, all of the flats are designed to meet or achieve, NDSS, Building Regulations, GLA and LBE policy stands for internal living space in a variety of flats sizes, adaptability (where relevant, including 10% wheelchair access) and accessibility.

In terms of the general approach those in need of support the Ealing Development Strategy 2026 DPD Chapter 1 states that a key role for the Local Plan is to improve public health and support to those with specific needs to achieve well-being and independence. As such all relevant planning decisions have due regard to these considerations. In this regard the applicant has submitted a Health Impact Assessment.

The proposal will therefore help to retain and enhance the objectives of mixed communities, which is a key plank of national and local housing policy. There is no rational basis to conclude, as suggested in representations, that the continued use of this land to provide accommodation for single women, as it has by WPH for the past 90 years, is likely to give rise to unsafe housing, drug risk or the predation of vulnerable women. No evidence is brought that Brook House is already a 'magnet' for such behaviour, as would be expected if it was a realistic likelihood over so many years.

The Metropolitan Police Secured by Design consultation in Section 12 above, advises there is a high crime risk in the area, albeit that area extends over a 1km radius either side of the site and does not indicate that Brook House is a source. Concerning consultations with Brook House residents, concerns regarding antisocial behaviour were raised by some respondents, it was felt that an automatic gate, fencing, and lighting at night would help residents feel safer. The proposal includes a caretaker's office located at the front entrance to the new block and a condition is included in the recommendation to incorporate appropriate resident security measures in the design.

14.8 Equalities Analysis

The 2010 Equality Act places a duty on public bodies, in the exercise of their functions to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The applicant has submitted an Equalities Impact Assessment (EqIA).

This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics, which includes age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

As the development involves the redevelopment of an existing housing estate including affordable housing the EqIA provides the basis to assess the potential impact of the proposal on equalities target groups particularly around age, disability, pregnancy and maternity, race, religion or belief, sex and sexual orientation and the wider community (London Plan Policy D5). The WPH Supporting Statement also notes:

'1.7 The situation is worsened for women who are older, have a disability, or are BAME women. For example, when the average hourly pay gap for women was 18.2%, it was 26% for Bangladeshi and Pakistani women.'

'1.8 Income equalities build up over a lifetime. The private pension pots of women in their 60s are on average a third of the size of men's. Older women are three times more likely to retire on just the basic state pension.'

The applicant has also prepared a Health Impact Assessment (HIA) in line with London Plan Policy GG3 (Creating a Healthy City), NHS best practice guidance and the LBE Annual Public Health Reports on System Wide Principles of Working on Health Inequalities.

The key conclusions of the HIA are summarised as: *'The proposed development at 100 Gunnersbury Lane provides opportunities to positively impact upon the health and wellbeing of future residents. A large proportion of the site is to be provided as landscaped amenity space, accessible to all residents in a safe and secure environment. The amenity spaces will promote activity and support the reduction of isolation. Well-constructed affordable homes will minimise the risk of fuel poverty and associated illnesses while the highly sustainable location of the development will allow future residents to access key places benefitting and supporting health and mental wellbeing.'*

Current Brook House residents who wish to move into the new housing would be able to do so on the same tenure terms that they currently have.

Further, as noted in the Community Consultation section of this report, extensive pre-application consultation has been undertaken during the preparation of the application and that process continues including with statutory bodies such as the Metropolitan Police SBD.

A total of 10 different flat types are proposed, including 8 different one-bedroom types ranging from 50.1sqm to 59sqm. Five types would have a separate kitchen, which would increase the number of habitable rooms for 66 of the 100 units to 3hab rooms. These unit sizes will help the Council to meet an identified need for single person housing, directly specifically for women, as indicated in the Housing Supply Team consultation response to this application.

Turning to people with disabilities, the application proposes 10 flats specifically designed for wheelchair users (M4(3) compliant). Besides that, all Blocks provide level, gently sloping of step free access to communal areas.

All 102 flats are designed to meet the requirements of Approved Document Part M (2015 edition incorporating 2016 amendments), which incorporates the previous requirement for Lifetime Homes Standards as Category 2 'Accessible and Adaptable Dwellings' M4(2) for the other 90% of the units. The layouts for each unit will also adhere to the requirements set out in the GLA London Housing Design Guide.

Overall, it is considered that with the inclusion of these facilities, the proposed development would positively benefit and not negatively impact on local community groups with a protected characteristic nor upon the wider community in consideration of the EqIA in accordance with London Plan Policies D5 and D7.

14.9 Loss of Existing Housing and estate redevelopment

The site in its present form and layout and currently fails to contribute positively to the permeability, legibility, and identity of the local area overall and the proposed scheme provides considerable potential to address these issues.

The development proposes the demolition of Brook House which currently comprises 38 affordable units in social rent tenure and 1 unit is leasehold. The proposal would replace them all (in accordance with strategic policies and planning guidance) as well as providing a further 63 social rent affordable flats for WPH tenants; making a total of 102 flats. No new flats would be leasehold.

As already noted, London Plan Policy H8 (Loss of existing housing and estate redevelopment) relates to the loss of existing housing and estate regeneration proposals. The policy states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. The existing floorspace is 1595sqm; the proposed is 7462sqm, resulting in a higher density and a significantly more than existing replacement floorspace.

The Mayor's Good Practice Guide to Estate Regeneration (GPGER) also sets out the following principles for estate regeneration projects:

- a. Increase the amount of affordable housing
- b. Provide a full right of return to existing social housing tenants and
- c. A fair deal for leaseholders and freeholders

The existing 39 flats are small, sub-standard in quality and no longer fit for purpose. The unit sizes average approximately 29 sqm. equivalent to the size of a studio unit. The size of the units falls below the current minimum national and London Plan space standard of 37 sqm.

The Applicant has set out that the three blocks built between the 1930s and 1970s need significant repair and investment to bring the site up to modern standards, improve their environmental performance and to provide additional high-quality new affordable homes. The replacement affordable housing will comprise larger and modern rented housing, with better energy efficiency, balconies, step free access and lift.

All the units would be retained in social rent tenure for perpetuity. 10% (610units) of all the homes would be wheelchair accessible homes; all units would be wheelchair adaptable. A total of 10 different flat types are proposed: 8 different 1-bedroom types ranging from 50.1sqm. to 59sqm. Five flat types would have a separate kitchen, which would increase the number of habitable rooms for 66 of the 100 units to 3.

By the same token, the proposal will positively support the provision of increased specialised accommodation for single and vulnerable women in accordance with London Plan Policy H12. Therefore, whilst the dwelling size range of the proposed new and replacement units does not target family provision (other than in the 2 x 2-bedroom flats), Housing Supply considers that the significant opportunity provided by this application to a specialist housing need in the Borough, for which there is current under provision is welcomed.

Further, with regard to representations stating that high rise flats would be unsuitable or inappropriate for – especially older - WPH tenants, as noted in Section 6.7 above regarding consultation between WPH with existing Brook House residents, the following was noted: *'One point that was interesting to note is how some residents expressed a desire to live on higher floors to have access to views and reduced noise, whereas others wanted to be on lower floors. However, no resident expressed a concern about the height of the proposed building.'* Plainly, this does not indicate any reticence amongst the applicant's tenants towards living in this tower block.

14.10 Affordable Housing Policy

Current Core Strategy Policy 1.2(a) and DMD Policy 3A seek affordable housing at a level equivalent to 35% of new residential development on private land. The draft Ealing Local Plan Policy HOU seeks a step change increase to the London Plan strategic target of 50% in response to the significant need in the Borough. The application proposes 100% social rent affordable housing.

The GLA's strategic target is also 50%. The GLA operates a fast-track route (FTR) whereby applications are not required to be accompanied by a Financial Viability Assessment (FVA) where a scheme exceeds certain threshold levels for affordable provision. The scheme proposes 100% by habitable room, making it eligible for the fast-track route.

The applicant is receiving GLA grant funding to support the delivery of 100% affordable housing by habitable room. The scheme as proposed exceeds the 50% threshold level and uses grant to increase affordable housing delivery in line with London Plan Policy H4. This is strongly supported including by the GLA in the Stage 1 referral. The affordable housing in perpetuity would be secured through a s106 agreement.

Mayoral commitment to the delivery of genuinely affordable housing, London Plan Policy H6, the Mayor's Affordable Housing and Viability SPG and his Affordable Homes Programme 2021-26 Funding Guidance set out the Mayor's preferred affordable housing products. Furthermore, London Plan Policy H8 makes clear that replacement affordable housing must be provided at social rent levels where it is being provided to facilitate a right of return for existing social rent tenants as proposed in this application. Social rent levels are based on the formulas in the Social Housing Regulator's Rent Standard Guidance. The rent levels for social rent homes use a capped formula and are significantly less than 80% of market rents, which is the maximum for affordable rent permitted in the NPPF.

The Council's Housing Supply team has carefully considered the tenure and unit mix proposed and advises:

'The housing is being provided by Women's Pioneer Housing (WPH), a 'specialist' housing association which, since 1920, has provides homes for single women who are unable to access the London housing market to privately rent or buy due to their sex, disability, ethnicity and age and who may also have been victims of domestic violence. As stated in the application documentation, WPH has existed on this same site since 1930 providing the same type of social rented housing to its tenants.

'Noteworthy as well is that the proposal will be supported in part by GLA grant-aid if permission is granted. These circumstances are a highly important consideration to Housing Supply given that WPH will continue in its commitment to provide these homes for the tenants at Brook House, a number of whom we understand wish to be re-housed here in the new scheme as well as benefiting those who will be eligible to be housed from the Council's Waiting List in brand new housing to replace the existing rundown and inefficient units.

'Policy H4 of the 2021 London Plan says that "the strategic target is for 50 per cent of all new homes across London to be genuinely affordable" and that all major developments of more than ten units trigger an affordable housing requirement. As this site is providing 102 homes (a net increase of 63 over the existing, albeit all 102 will be new flats) then it should be providing affordable homes. This development is providing 100% affordable homes, and, as all homes provided are for London Affordable Rent it satisfies the criterion of "genuinely affordable".

'There are no 'Intermediate' homes in this development and although the Ealing policy is for a 60/40% split of rented and intermediate housing, this site is providing 100% affordable social rented homes that is in accordance with specialised accommodation Policy H12 of the London Plan 2021.

'The new development will contain mainly one bedroom accommodation. Again, although we would usually ask for a range of bed sizes in a development, these homes are being provided by a specialist housing association who has provided housing for single women in housing need on this site for the past 90 years. Therefore the provision of primarily one bed (100 x 1bed and 2 x 2bed) accommodation is acceptable and will contribute positively towards meeting the needs of a cohort of the Borough's housing that is generally underprovided.

'The current scheme provides 39 homes for rent so the increase in supply of 63 flats also for rent will increase the provision of housing for women on this site. There will be 2 x 2B units to replace the existing 1 x 2B flat. This will give WPH the flexibility to enable a tenant to rent a flat if they have a family dependent, such as a child, although this is the exception, rather than the rule.

'I can confirm therefore that in these circumstances Housing Supply can strongly support this specialised housing scheme including the 100% social rent affordable housing tenure and bed size proposed on this site, that will give modern new homes to tenants.'

The 100% social rent meets the requirements of London Plan Policy H6 Part A, and Part B which allows flexibility of tenure above 35% affordable housing. As noted above, whilst the scheme involves the demolition and replacement of affordable housing, the proposed provision of 100% affordable housing enables the application to follow the FTR subject to confirming the tenure mix is acceptable, which it is in this case.

14.11 Tall Buildings Policy

Current adopted LBE Development Strategy DPD Policy 1.2(h) and DMD Policy 7.7 and London Plan Policy D9 (excluding in this section those functional or operational aspects of the development which are assessed under appropriate headings below in Section 14), state that tall buildings are acceptable where they contribute positively to the local context and do not cause harm to heritage assets. The quality of the design, especially in relation to context and accessibility, are the overriding considerations.

Regard must also be had to national and London Plan policy and guidance concerning the positive contribution that tall buildings can have towards meeting objectives for the full and efficient use of small and other urban sites to meet housing need, especially for affordable housing, which this application wholly comprises.

A 'tall building' is defined by London Plan Policy D9A as:

'Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.' At 11-15 storeys, the application scheme exceeds this height threshold.

Policy D9B (and supporting paras 3.92 and 3.9.3) set the criteria where tall buildings may be appropriate as:

- a. In locations determined by Boroughs to be an appropriate form of development and subject to meeting other requirements of the Plan,

- b. In any such locations identified on Development Plan maps
- c. Should only be in locations identified as suitable in a Development Plan.

Policy D9 para.3.9.2 sets out that Boroughs should employ a sieving exercise form of evidence gathering to identify areas for growth including the locations where tall buildings could have a role to play *'in contributing to the emerging character and vision for a place'* within the Borough.

The application site has not been identified in an adopted Plan or upon any maps, as an appropriate location for a tall building.

Locations for tall buildings would be defined in the adopted Local Plan. In preparation for this, LBE prepared a Character Study and Housing Design Guide to inform this approach to identifying locations to be included in the development plan. They informed the preparation of Draft Local Plan DM Policy D9, which states:

'E. The definition of a tall building in different parts of Ealing is set out in Figure DMP1.

F. Tall buildings above this threshold should be located upon allocated development sites defined in the development plan.

G. Tall buildings on designated industrial sites will be subject to agreed masterplans and based upon local impacts and sensitivity.'

In Figure DMP1 the application site is in Acton Area A5, where a tall building equates to 24.5m high or to 7 storeys.

The application scheme is a maximum of 48m high (excluding the rooftop plant room) and 15 storeys. Nor is not on an allocated development site in the Draft Plan. Therefore, it is not in compliance with the draft policy (although the owner has submitted a request under the Reg.18 consultation for it to be allocated). In applying this DM Policy D9 and other relevant draft Local Plan Policy, the approach is that this policy should generally receive moderate weight; the policy itself accords strongly with the established approach of the London Plan, however, the principle of a tall building on any given site is still subject to testing, and a proportionate approach should be taken to proposals already under development.

Pending full adoption of the Local Plan Sites Document there is some scope for unallocated sites still to come forward where these received planning advice prior to the publication of the Plan. Extensive pre-application consultation was carried out for this scheme prior to publication of the draft Plan. In addition, there is the strong policy support for the principle of this 100% social rent affordable specialist housing scheme and the significant contribution it will make to help meet the Borough's needs.

Accordingly, whilst, in development plan-making terms the application site proposal for a tall building should be expected to come forward as a site allocation, in this case detailed design assessment of the scheme supported by GLA, DRP and CRP consultations endorses the principle of a tall building of this height on this location. This approach is consistent with that to be taken in applying London Plan Policy D9, where the proposed tall building would not comply with the strategic locational requirement of Policy D9B. Tall buildings are however also subject to the criteria set out in Part C of D9, relating to visual, environmental, functional and cumulative impacts which are assessed in Section 15.2 below.

15. ASSESSMENT OF THE MERITS

15.1 Scale and Site Capacity

As well as the Council's published guidance on design quality, guidance on the best practice approach is found in National Design Guide (NDG). Para.16 states: *'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context'*.

The NDG also says:

63 *'Compact forms of development bring people together to support local public transport, facilities and local services. They make destinations easily accessible by walking or cycling wherever this is practical. This helps to reduce dependency upon the private car'*.

64 *'Well-designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context'* and

'65 Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context, accessibility, the proposed building types, form and character of the development'.

Taking these principles on board, it has been noted this site is a highly sustainable PTAL 5/6a location, a short walk from bus stops and Acton Town Station, for higher density development. The London Plan seeks to secure the delivery of good design in a variety of ways. Policies D3 (Optimising Site Capacity through the Design-Led Approach), D4 (Delivering Good Design), D6 (Housing Quality and Standards), D8 (Public Realm) and D9 (Tall Buildings) are particularly relevant to the consideration of this application. Policy D3 highlights that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, through careful consideration of issues such as form and layout, experience, alongside consideration of quality and character.

Policy D4 highlights that where appropriate, visual, environmental and movement modelling/assessments should be undertaken to analyse potential design options for an area, site, or development proposal. Both methods have been employed by the applicant in preparing this application as shown by the Design Development in Section 5 and the TVHIA in Section 7.9.

The application scheme also represents a positive example of site optimisation, balancing design, amenity and site constraints, whilst maximising the potential for significant additional affordable housing for which there is an established need. As required by Policy D4, it has been developed in consultation with and by scrutiny from LBE Officers, the GLA, CRP and DRPs. Through this process, the scale of development in relation to delivering optimal site capacity in a tower typology is found to be an acceptable approach in principle. Regarding whether the scale and arrangement of the development gives rise to significant adverse impact on the character of the area and residential amenity is addressed later.

15.2 Tall Building

National Design Guide (NDG) gives advice on appropriateness of tall buildings typologies in para. 69. It states: *'well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline'*.

Para.70 adds that: '*proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character*'.

Representations concerning the proposed tower/tall building seek to conflate the principle of a tall building on the one hand, with the effects of that tall building on the other. Policy is only able to discuss the principle of a tall building on this site. The effects of that tall building must be a matter for the development management balance, the specific impacts of the scheme and the detail of the specific impacts criteria-based policies.

In the context of the impacts criteria of Policy D9, the applicant has provided a detailed and rational assessment of the case for the distribution of height within the scheme. Nevertheless, having established the adopted strategic and draft local plan policy criteria for the location of tall buildings do not currently allocate this site for a tall building, attention must necessarily turn to the applicable development management impacts criteria of London Plan Policy D9C as follows.

A. Visual Impacts Criteria

The applicant has followed the Design Scrutiny advocated in London Plan Policy D4, Delivering Good Design. Other than in respect of its prominence in the surrounding area which is generally low scale suburban in character, GLA Officers (in both pre application consultation and via the Stage 1 referral), the CRP and DRP, raise no in-principle concerns to the provision, layout, massing strategy or height of this new tall building on the site.

The CRP was generally supportive of the concept that the proposed tower height would represent a reasonable compromise to retaining more amenity space and existing trees, that would outweigh issues around visual impact and reduce the impact on dwellings at Bronte Court (to the north). No reason is seen to disagree with these conclusions subject to satisfying the GLA requirement to meet the other relevant assessment criteria in London Plan Policy D9C and adopted Local Plan Policy 1.2(h) and DPD Policy 7.7.

As regards the D9C impacts criteria therefore the Policy states:

'1) visual impacts

a) the views of buildings from different distances:

i long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views

ii mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality

iii immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.'

The area around the application site currently features a number of mid-rise height buildings such as Acton Town Station and Bronte Court (both around a maximum of 4 storeys), Grosvenor Court and r/o O'Day Court, Gunnersbury Court (6 storeys) and at Acton Gardens (generally 4 -11 storeys). Beyond that is the permitted residential-led development on the TfL sidings land at Bollo Lane (8 – 23 storeys).

The scheme addresses the height impact by graduating the heights to the flanks of the central 15 storey element. It would be 11 storeys facing Gunnersbury Lane and heritage assets such as Acton Town Station and Mill Hill Park CA in close range views and 13 storeys facing the LUL Museum building and suburban housing beyond across the railway towards the Old Actonians Sports Ground and wider CAs beyond.

The application is supported by a detailed Heritage Townscape and Visual Impact Assessment (HTVIA) addressed in Section 7.9 above. These impacts have been tested in the applicant's HTVIA and the analysis in the DAS and in pre-application consultation as noted above.

In terms of visibility, at 11- 15 storeys the proposed development, would be likely to impact more upon immediate, long/mid-range views than from newer, tall building typologies (at Acton Gardens and the TfL land) that are less visible in large part because they are on lower lying land to the south from Bollo Lane or would be obscured by new development. Significantly however the TfL development will obscure views of the new block looking north along Bollo Lane (HTVIA Views 9 and 10 in Section 7.9 above).

In mid- to long-range views, the only place where a 'skyline impact, above the tree line, would be evident from Old Actonians Sports Ground to the north-west (View 3). Other long-range views around the compass points would be variously obscured by trees lines or intervening buildings that are not heritage assets. Close to mid-range views would be more evident from Gunnersbury Lane (north and south of the site), Acton Town Station and Mill Hill Park CA (Views 6B, 11C, 12, 13 and 14B in Section 7.9).

In these locations approaching the site from the south-west side of Gunnersbury Lane, views of the block would be primarily over the roofs of houses and boundary trees to the site, with Acton Town Station retaining its dominance in foreground. In the approach from the north of Gunnersbury Lane in the other direction (running parallel to the Mill Hill Park CA), the view is primarily of street trees and the residential blocks of Bronte Court in the nearest foreground, again with views only of the upper storeys of the new block stepping down to the Gunnersbury Lane frontage as the façade of the listed Acton Town Station is reached.

In these Views and locations it is important that the tower achieves architectural quality and that materials are of an exemplary standard, that it would cause less than substantial harm to heritage assets and is not expected to cause adverse glare or excessive light pollution, which are unlikely where as in this case, it is a residential, rather than commercial, block.

Overall, therefore in visual impact terms of Policy D9C, it is considered the location, scale and massing of the proposed tall buildings is successfully incorporated into the locality.

Spatial Hierarchy

'b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding'

The graduated massing and heights of the block have been developed by the applicant and independently assessed by the GLA, CRP and DRP in response to townscape considerations

whilst still maintaining good levels of amenity into the residential accommodation and protecting residential amenities for neighbours, especially to Bronte Court. Although reference has been made to other tall building typologies in the area, including on Allocated sites, they do not act as or should be treated as a precedent per se.

No local or strategic views have been identified as being harmfully affected by the development. There are no significant negative townscape impacts on views from publicly accessible places. The HTVIA shows that viewed from verified locations individually and cumulatively, the development will not have an overriding significant harmful impact but will contribute positively to the skyline in this area. Indirectly, it will also act as a way-finder to Acton Town Station as a transport hub as well as to the LUL Museum.

Design Quality

'c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan'

To ensure the new development is appropriate in scale and massing to its location, as part of the design development process the scheme has been independently assessed by the GLA, CRP and DRP.

As noted in Section 7.3, the new tower in its design, appearance and materiality draws on, without slavish adherence, to the traditional facing brick and stone banding colours and materials, takes motifs and design cues from the 1930s Gunnersbury Court mansion blocks and Acton Town Station that at one time shared the same space as Brook House around the Bollo Lane junction. As such the new block will relate well to its surroundings, without harmfully impacting on the traditional suburban scale and design of housing lying on Gunnersbury Lane and adjacent housing estates.

Taken together, the development proposal is considered to be suitable for tall buildings subject to heritage impacts and satisfying design policies in the development plan and national policy guidance. The use of brick as the main interface material of the development would be durable throughout its lifespan. As requested by the DRP, the details of:

- choice of specification of high-quality materials
- the white banding, distinguishing the top of the building and
- the window detailing

will be provided through the proposed external materials condition in the recommendation.

Heritage

'd) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area'

The site is not located in a Conservation Area and does not contain any heritage assets. Concerning whether *'alternatives have been explored...'* The applicant commissioned in the Design Review process a range of alternatives prior to arriving at the application proposals. In terms of policy and practice, neither the GLA (who were involved in the design development), nor HE requested a review or raised objections to the application on this matter.

Having assessed the scheme, it is also considered unnecessary in this case to consider the need to appraise alternatives in heritage impact terms. Consideration of the heritage impacts of the development is addressed in the Section below.

World Heritage Site

e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it

The proposal site is not within the setting of any World Heritage Site. Therefore, there would be no impact.

River Thames

f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river

The proposal is not located close to the River Thames. Therefore, there would be no impact.

Reflected glare

g) buildings should not cause adverse reflected glare

The scheme involves fenestration set in deep reveals. The amount of fenestration is limited to achieve thermal efficiency of individual flats units. These measures should avoid excessive or adverse reflected glare from the development upon the surrounding environment.

Light pollution

h) buildings should be designed to minimise light pollution from internal and external lighting

The existing blocks of flats will be replaced with a new but more intensive residential development. A condition is proposed in the recommendation to ensure that external illumination shall be in accordance with the recommendations of the Institution of Lighting Professionals.

B.Functional Impacts Criteria

These are assessed below in Sections 15.4 – 15.6 inclusive below. Dedicated access, entry, postal, maintenance strategies that show these concerns have been addressed during the design process. Incorporating these into the design results in a proposal that would function in a safe and efficient manner, preserving the amenity of neighbours and residents.

Additionally, a Fire Statement, produced by a suitable experienced expert, details the safety measures including the incorporation of dual stairs and lifts in this design in line with D9C2(a), (b) and (c).

Transport impacts are dealt with in D9C2(d). They demonstrate that the transport network has capacity to accommodate the development. There are no transport objections and the local transport network has sufficient capacity to accommodate the proposal. The site is located in a highly sustainable PTAL 5/6a location. The TfL scheme in Bollo Lane will improve future cycle and pedestrian access, supporting this car free (except for DDA parking) scheme.

The overall conclusion is that these impacts have been satisfactorily addressed either in the scheme design or can be by conditions and/or obligations as appropriate.

C.Environmental Impacts Criteria

These are assessed below in Sections 15.7 – 15.12 and 15.15 (as part of the Heritage Impacts assessment) below. Either no, or no significant, adverse impacts or objections are received

from consultees. The overall conclusion is that these impacts have been satisfactorily addressed either in the scheme design or can be by conditions and/or obligations as appropriate.

Cumulative Effects

As noted earlier and by reference to the applicants HTVIA, the surrounding area does not, nor is it expected to have, other tower blocks that may be likely to have some cumulative impacts, with the sole exception of Views 9 and 10 looking north from Bollo Lane, where the development will be largely obscured by permitted new buildings on the TfL site. This is not however considered to give rise to a significant adverse impact.

Public Access

It is not feasible to incorporate public access to the roof of the Block Policy as indicated by D9D, to allow wider views of London as it would compromise potentially resident security and amenity to all access to the general public, require significant design changes, including the possibility of reducing the number of flats, in order to construct a public lift access or changes to scale and massing to accommodate them, as well as conflicting with access to ground floor uses.

Further, other than the 11th floor resident's podium garden, the roofs are intended mainly for PVs and green roofs, which would also prohibit scope for public access other than those invited by the residents.

15.3 Summary and Conclusions on Tall Building Policy

The site is not allocated nor in an area identified as suitable for a tall building. The proposal does not therefore comply with current London Plan Policy D9A or B and draft Ealing Local Plan DM Policy D9.

In consideration of the impact criteria on Policy D9C, it is concluded this tall building in a tower typology will relate satisfactorily to the location, making effective and optimal use of this highly sustainable location, without giving rise to significant adverse impacts, in accordance with adopted Core Strategy and DM DPD design Policy. This conclusion is shared by the GLA Stage 1 referral and supported by views expressed by DRP and CRP consultations.

In conclusion on the overall policy objectives and considerations, as set out in the NPPF, balancing the performance of the scheme against Policies of the London Plan as a whole, the main adopted Policies that support the development are:

- GG1 – building strong and inclusive communities
- GG2 – making best use of land
- GG3 – Creating a Healthy City
- GG4 - Delivering the Homes Londoners Need
- D3 – Optimising Site Capacity
- D4 – Delivering Good Design
- D5 – Inclusive Design
- D6 – Housing Quality and Standards
- D7 - Accessible Housing
- H1 – Increasing Housing Supply
- H2 – Small Sites
- H4 – Delivering Affordable Housing
- H8 – Loss of Existing Housing and Estate Development
- H12 – Specialist Housing

G5 – Urban Greening
G7 – Trees and Woodlands.

LBE development plan policies that also give support are:

Core Strategy

1.1(b),(h),(k) - Spatial Vision for Ealing 2026

1.2(a),(f), (h) – Delivery of the Vision for Ealing 2026

DMD DPD

7.7 - EALING LOCAL VARIATION - LOCATION AND DESIGN OF TALL AND LARGE BUILDINGS

7B - EALING LOCAL POLICY - DESIGN AMENITY

7C - EALING LOCAL POLICY - HERITAGE

EA - EALING LOCAL POLICY - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

The public and regeneration benefits of the development are therefore supportable in functional, environmental and cumulative impacts and D9 and related Policies terms.

Taking the above on board and the concerns of the DRP and CRP that a tall building tower typology on this site should not give rise to setting an undesirable precedent for other such tower buildings on adjacent sites, the following material planning considerations apply to this application:

1. the well-settled planning precept that each case should be considered on its individual merits,
2. the strong policy support for the provision of 102 new, 100% social-rent affordable flats that will continue to support the valuable local community role played by WPH in the provision of these specialist, rented homes for single women at Brook House as it has since the 1930s,
3. the replacement of substandard in terms of size and accessibility, energy inefficient, non-inclusive housing with new high-quality energy efficient, and accessible homes for WPH tenants in accordance with estate regeneration objectives,
4. the need and demand by WPH for this policy-supported, specialist form of affordable housing accommodation in this location, for single women, that can only be practically and optimally achieved on this relatively constrained site in a tower form that would not have a disruptive or harmful impact on the skyline and would comply with the impact criteria of London Plan Policy as a whole,
5. the opportunity to optimise the development of a partially vacant, small brownfield site in accordance with development policies in a new high-quality development,
6. the optimisation of this site in a tower tall building form is reasonable in weighing the policy-harm in the planning balance support for this residential development and lack of significant harmful impacts on the character and appearance of the area,
7. the building design and appearance of exemplary design quality will have a positive visual impact, the external treatment and materials complement the building and its context which would, compared to the existing buildings on site, enhance the appearance of the local area without substantially impairing surrounding heritage assets.

Going forward, tall building typologies will be identified in the emerging Ealing Local Plan, where their locations will be determined through the site allocations process.

The overall conclusion therefore is that whilst the application site should have come forward as a site allocation, the design assessment based on current adopted development plan policies, supported by the design-led process of the scheme development endorses the application scheme on its individual merits.

15.4 Architecture, Design and Materiality

London Plan Policies D1 and D2 seek to ensure that new developments are well-designed and fit into the local character of an area. Design Policy D4 states that tall buildings that are referable to the Mayor (such as this proposal) must be subject to design scrutiny.

As already noted, the proposal was developed during an extensive process of pre-application consultation with Council and GLA Officers, a CRP, two DRPs, public and community consultation. The design iterations and development process are set out in the applicant's Design and Access Statement (DAS).

London Plan Policy D9, Local Plan DM DPD Policies 7.4 and 7B relate to local character and design amenity and require, amongst other things, that development should complement scale and detailing, display high quality architecture, make a positive visual impact, with external treatment and materials that complement new buildings and context and must not impair the visual amenity of surrounding uses.

These objectives are found again in Draft Local Plan DM Policy DAA: Design and Amenity – Ealing LPA – local policy.

The proposal is of an exemplary quality design that successfully responds to the scale and character of the existing surrounding context and emerging typologies, without causing significant adverse impacts. The horizontal banding employing traditional coloured red/brown facing brick and stone coloured banding take their cues from the more prominent local buildings for example Acton Town Station, Bronte Court and Gunnersbury Court.

The GLA is supportive of the colour scheme and as the DRP concluded the success of the scheme will rely on high quality finish and materials, A condition to this effect is included in the recommendation. In this regard, the view expressed by the GLA that further consideration should be given to the appearance of the top and flanks of the tower has been reviewed but it is not considered this will be necessary in this case.

The top and flanks already have a recognisable termination point in the brick banding, whilst differentiation to the flanking blocks is achieved through their varied height and their angled articulation away from the main tower elevation. High quality and durable external materials that are 'self-cleaning' and resist staining will ensure the longevity of the block.

The scaling and graduation of the tower flanks respect the lower scale of neighbouring buildings at the junction with Bollo Lane. In mid-range views the tower emerges above the tree lines in a high-quality built form. The retained trees to the frontages, even the glimpses from the south side of Gunnersbury Lane and still respectful of the natural environment.

The present view is represented below from Gunnersbury Lane railway bridge (to the left), boundary trees and partial views of one of the existing Brook House blocks, the listed Acton Town Station (the right foreground) and Central Parade shopping parade (centre of the image) compared with the impact of the proposed block in the same location.

The impact of the development on heritage assets are assessed in the Section below. The development overall is a qualitative improvement on the present character of the site comprising the original 1930s block and a small cluster of contemporary flats of no architectural quality, which will be replaced with a high quality, design and appearance.

The CGI image below compares the current view from the railway bridge and the proposed view and demonstrates that with the graduated block heights of its flanks, down to the Gunnersbury Lane frontage, coupled with its sympathetic and high-quality design ethos to this suburban setting along with high quality and durable materials.

The listed Station building with its tall central ticket office foyer, will continue to maintain its prominence in the foreground view without its setting being substantially harmed:

Existing view of south side of site from Gunnersbury Lane:



Proposed view of south side of site from Gunnersbury Lane:



It should be noted also that other than for pedestrians waiting to cross Gunnersbury Lane at this point, the view will generally be transitory in this direction whether in a vehicle, bus, cycling or walking.

Included in this process during the design development was exploration of the scope to retain more boundary trees (as also requested by the Council Tree Services) particularly to the south-west facing Gunnersbury Lane/Museum Way and opposite Acton Town Station.

Views of the new block through the retained and flanking boundary trees show that it will be a high-quality addition to the area that does not need to be obscured from view.

As such it is not considered necessary to move the block to retain more of the boundary trees. Instead, it will add positively to the existing prevailing suburban architectural quality of the area, in a form that is well-articulated with different planes having differing prominence depending on the angle of view. The proposed development would be articulated further by the juxtaposition of windows, lintels and string courses across façades reflecting the necessarily repetitive grid of rooms consistent with building facades locally.

Overall, the block will positively contribute to the skyline without causing substantial harm to the settings of heritage assets. In relation to these assets HE has examined the scheme and has no comments to make. It can reasonably be assumed from this that HE considers the harm to heritage assets to be no more than 'less than substantial'. This too is the view of Officers and the GLA.

It is considered the development is enhanced by its singular outstanding character and exceptional, high-quality detailing and materiality. Collectively the building form and typology throughout the scheme secure an exemplary design that respond positively to its location and positively contribute to the character of the area, enabling the scheme to achieve the potential of a high level of quality and outstanding quality and meet sustainable development objectives, on its merits and having regard to the NPPF and development plan policies.

Balancing the policy considerations therefore, this scheme would be development plan policy compliant in terms of urban design (sense of place, density, landscaped areas) and optimises development potential. In its wider context no significant adverse harmful impacts are identified. Scope for cumulative impacts are few and will not harmfully lessen the sense of open sky between existing and new building so the impacts would not give rise to significant adverse harm to the suburban character of the area amenity.

In conclusion, in terms of the development plan and on its merits therefore, in townscape and visual terms the scheme would be a significant enhancement over the existing in an development of outstanding quality.

15.5 HERITAGE ASSETS

No World Heritage Sites, Scheduled Monuments, Statutory or Local Listed Buildings, Registered Parks and Gardens, Historic Battlefields or Historic Wreck sites are recorded within the site. The site adjoins or is visible from statutory and local heritage assets.

A. Statutory Designated Heritage Assets and Assessment of Harms

S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires that when determining planning applications, special regard must be had to the desirability of preserving designated listed buildings, their setting and any features of special architectural or historic interest which they possess.

The Court of Appeal in *Barnwell vs East Northamptonshire DC 2014* made clear that in enacting s66(1) of the LBCA Act, Parliament's intention was that '*decision makers should give "considerable importance and weight to the desirability of preserving the setting of listed buildings"*' when carrying out the balancing exercise that must be undertaken in this application. Preservation means not harming the interest in a listed building, as opposed to keeping it entirely unchanged.

'Harm' is deemed by the Framework to be either 'substantial' or 'less than substantial.' Since the application does not directly involve a listed building either in terms of its demolition or alteration, nor on land comprising one, harm in this application relates only to impacts on the settings of other assets.

Historic England (HE) has stated it wishes not to offer any comments on the application. The GLA concludes that the scheme would result in less than substantial harm – at a 'low level' - to the significance of the statutory designated, or to locally designated, assets. Plainly neither considers the development would meet the high bar of 'substantial harm.' The GLA Stage 1 analysis has been reviewed and is a reasonable analysis of the heritage impacts. It is therefore reproduced here:

Heritage asset	Level of harm	Scale	TVIA view
Gunnersbury Park House, listed Grade II*, Gunnersbury House, listed Grade II and group of 18 associated listed structures in Gunnersbury Park, a registered park and garden, Grade II* and a Conservation Area	Less than substantial	Low	Views 6a, 6b, 7, 8a, 8b, 8c and 14b
Acton Town Underground Station, listed Grade II	Less than substantial	Low	View 6a, 6b, 9, 10, 13, 14a and 14b
Acton Town Centre Conservation Area, with its associated group of 10 listed buildings	Less than substantial	Low	View 12
Ealing Common Conservation Area, with its associated group of 4 listed buildings	Less than substantial	Low	View 4
Creefield Conservation Area, with its associated group of 3 listed buildings	Less than substantial	Low	View 1
Mill Hill Park Conservation Area	Less than substantial	Low	Views 11a, 11b, 11c, 13 and 14a

The following comments are made in respect of the analysis of impacts:

- a. Acton Town Station: Some harm is caused to the setting of Acton Town Station. Compared to the application the Station is low-scale and in character with the predominant low-to mid-rise suburban architecture around it. However, the proposed development is not within a key view of the asset. It does not form a backdrop the Station in views whether from Gunnersbury Lane or Bollo Lane other than, in the case of the latter at the southern approach to the Bollo Lane/Gunnersbury Lane mini-roundabout, where the new block, largely obscured by the frontage trees would be visible as a visual 'end-stop to the junction. With the single storey Station building entrance lying to the left of that view, the tower block will neither screen the Station nor have any impact on its skyline behind, nor will it impinge on the taller, central ticket office foyer, so that the Station will retain its largely unhindered prominence in the foreground. The harm caused is therefore considered to be less than substantial. The low level of impact is therefore agreed.
- b. Gunnersbury Park: Because of the significant separation distances involved, over more than 0.5km, in conjunction with the intervention of the tree cover and topography, there is no apparent visual impact on the setting of listed buildings or Gunnersbury Park, the park or garden (located in Hounslow LB, who do not wish to offer any comments on the application). There are some impacts to the setting of the Gunnersbury Park CA in terms of some visibility of the proposed development within the streetscape albeit filtered by intervening buildings and trees making views generally transitory when travelling north

or south along Gunnersbury Lane. The harm caused is considered to be less than substantial. The low level of impact is therefore agreed.

- c. Acton Town, Creffield (and its listed buildings) and Mill Hill Park CAs: Summer and Winter views in relation to Acton Town, Creffield (and its listed buildings) and Mill Hill Park CAs are in Section 7.9 above. Winter View 1 from Creffield CA shows there is little different impact given the intervention of equally foreground tall blocks visible on Uxbridge Road that would obscure the proposal apart from a small part of its top floors. The significance of tree leaf cover in obscuring Summer views should not be disregarded as it demonstrates their mitigating effects so that any harmful impacts on setting are seasonal i.e. not all year round. The Winter view (View 11C) illustrates impacts on the CAs and Mill Hill Park in particular in this location would be generally one of a distant view of a tall and different style of building to the suburban houses, filtered by overlapping tree branches, with these houses in the middle ground limiting views to only the upper half of the block. View 12 from Gunnersbury Lane looking south from Acton Town CA, towards Mill Hill Park CA and past the local listed Acton Fire Station, shows the block to be largely obscured on the Gunnersbury Lane flank as a result of the graduated height of its wing. It shares the skyline with traditional lower scale foreground buildings and would not overpower the CAs. Overall, the seasonal views harm caused is considered to be less than substantial. The low level of impact is therefore agreed.
- d. Ealing Common CA: Impacts on the setting of Ealing Common CA and associated listed buildings is minimal, given the significant separation distances involved, the intervening tree cover and the topography. The harm caused is therefore considered to be less than substantial. The low level of impact is therefore agreed.

B. Non statutory (Locally Listed) Heritage Assets

Locally listed buildings do not share the same legal protection as statutory ones. Framework para.203 nevertheless states: *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'* DMD DPD Policy 7C sets the same requirements.

In relation to the site, the nearest Locally List buildings to the site are:

- a. Acton Fire Station
- b. Passmore Edwards Cottage Hospital
- c. Frank Pick House.

There will be no direct harmful impacts to the assets themselves; any harm would be in relation to their settings. Passmore Edwards Cottage Hospital and Acton Fire Station derive their setting from their location of Gunnersbury Lane. The proposed building will not diminish their significance and they will continue to be the dominant buildings locally.

Given the significant visual separation between the assets from the application site, the set back from the road in the case of Acton Fire Station and the permitted demolition of Frank Pick House (in conjunction with the TfL redevelopment in Bollo Lane) along with intervening buildings and the proposed scheme and the oblique middle distant views between them, then the harm to these assets is also considered to be less than substantial.

C. Overall conclusion on impacts on heritage assets

Core Strategy Policy 1.1 1.2g, DM DPD Policy 7C, London Plan Policies HC1, D9C state that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Proposals resulting in harm require clear and convincing justification and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area. These requirements are tested in this Report.

The applicant's HTVIA assessment and conclusions, along with those of the GLA, have been reviewed and the conclusions on matters of harm are accepted as set out above. Consideration therefore must be given to whether there are substantial planning benefits that outweigh the identified harm. This is addressed below in Section 16.

15.6 Highways/Transport

The London Plan requires that new development ensures highway safety and is designed to maximise the use of public transport and other non-car methods of travel and requires that development provides adequate servicing capability and does not subject surrounding streets to parking stress or compromise traffic safety. Off-street access for refuse collection is satisfactorily provided in accordance with LBE and GLA standards.

The site is in a high accessibility PTAL 5/6a location for pedestrian and cycle accessibility. Local shops are immediately opposite the site and the edge of Acton town centre is a reasonably level walk of 600m from the site. In addition, there is a Brompton cycle hire located outside Acton Town Station on Gunnersbury Lane. Restricted DDA on-site parking and the Travel Plan put emphasis on promoting the car-free objectives of the scheme.

Taken together with this highly accessible location and following discussion with the GLA and TfL it is considered that the particular and individual circumstances of the application, focussed fundamentally on single person occupancy of the 102 flats, the provision of 102 long-stay cycle spaces, in conjunction with mobility scooter parking and charging points and more accessible stands for cycles for older residents, is reasonable in this case.

In addition, the applicant has prepared an Outline Framework Travel Plan that will be provided by the Coordinator to residents of the scheme to help them source sustainable travel modes. Through the Travel Plan as a condition of permission the scope to keep the under regular review and promote the future need and demand for resident cycle parking represents a reasonable approach towards encouraging increased future cycle usage.

Delivery and Servicing Plan conditions are recommended. No highways or pedestrian safety issues are raised by Transport, nor in relation to the servicing and delivery strategy. Transport and TfL request financial contribution for bus improvements, highways improvement and undertakings, including CPZ review, restrictions on new residents obtaining future parking permits and appropriate conditions including a Construction Management Plan.

15.7 Trees and Landscaping

Tree Service expressed concern about the loss of the TPO trees and the proximity to other trees from demolition and construction and requests the block be relocated to the middle of the site to avoid them. Otherwise, a CAVAT-based tree replacement financial contribution is sought and standard conditions in respect of tree protection/monitoring during construction and new planting as set out in the applicant's Arboricultural Method Statement.

As noted in Section 5 above, alternative locations for the block were assessed as part of the design development. The submitted location is considered to be the optimal in terms of optimising tree retention, avoiding the SW culvert landscaping provision and safeguarding residential amenity and the character of the area.

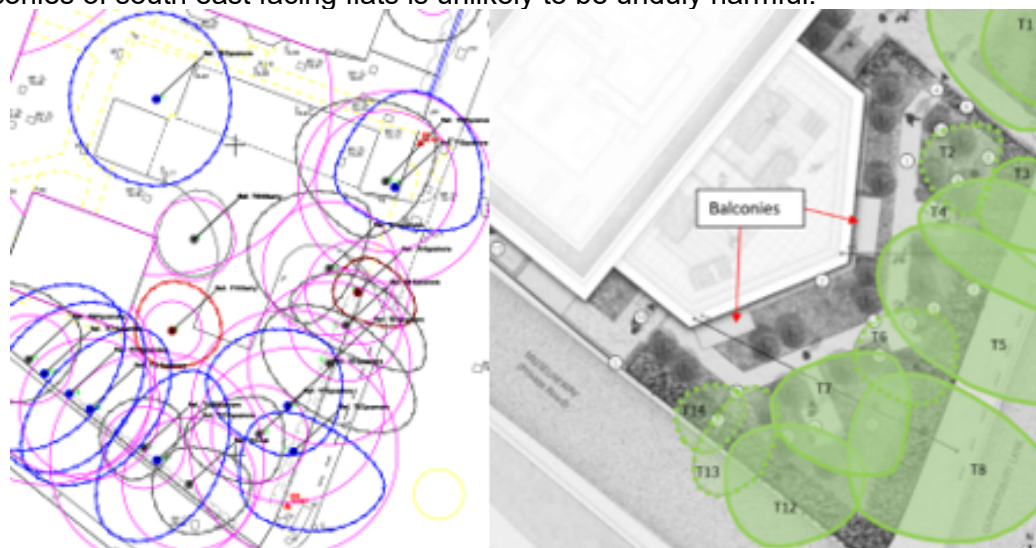
As such, the limited extent of localised tree loss to accommodate the new development on the south-west side facing Museum Way will not be likely to give rise to any significant adverse harm to the visual amenities of the area.

Regarding impacts on retained trees from the new development, those on the perimeter are already subject to an ongoing process of routine management to minimise their impacts on the existing flats. Additional tree planting on the Museum Way frontage will visually enhance views of the site from Gunnersbury Lane whilst softening any impacts of the new block from this side.

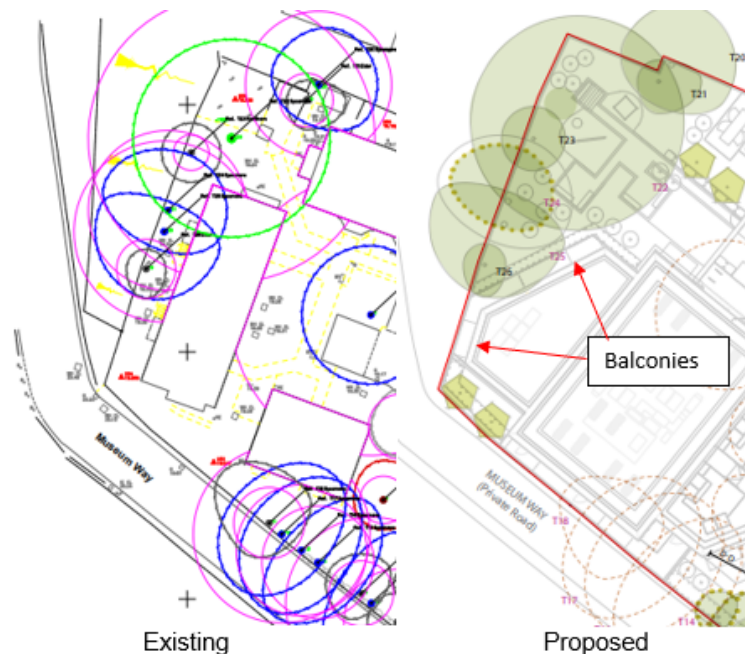
Whilst the TPO trees have a statutory amenity value and frontage ones to Gunnersbury Lane are prominent in the street scene along with a number that are not protected; on the other hand many have grown to a height where they offer no significant street level screening or amenity. As part of the ongoing maintenance, recently, the Council granted TPO consent to prune the crowns of trees overhanging the existing blocks. It is understood the works have not yet been carried out.

The applicant's Tree Survey states that the block will not impinge on new balconies and will provide sufficient construction and building separation space for the new façade lines of the block and balconies facing Gunnersbury Lane, as illustrated below in comparison to the existing. It should be noted in this context that there are no ground floor flats facing Gunnersbury Lane. Tree Services request conditions to control tree works during construction.

Furthermore, given the roadside trees are generally around 20m in height, the balconies of flats at, or over, the 7th floor would be above the tree canopies. Accordingly, any impacts to windows or balconies of south east facing flats is unlikely to be unduly harmful:



On the north-west boundary facing the LUL Museum, comparing the existing layout with the proposed, the relationship and separation of the new block to trees will be significantly improved as illustrated below so that the need for future pruning is likely to be reduced:



The applicant's Arboricultural Impact Assessment (AIA) anticipates only light pruning will be needed in the future as part of regular management. It should be noted that any future pruning of TPO trees would still require the Council's consent in the normal way.

On balance, taking account of all the above considerations, whilst the removal of a 20m long section of TPO trees will have some degree of harmful impact in terms of a resulting loss of amenity to Museum Way near its junction with Gunnersbury Lane (leaving a 20m gap as exists to the north west boundary to Museum Way), 2 new trees will be planted at the north west end of the block where currently are none, which in time will reduce the present openness of this part of the site and the view of the building, reducing the remaining unplanted gap to about 10m.

In this context it should be noted that there is already a view of the end wall of one of the, albeit smaller, three blocks visible from Gunnersbury Lane so that the presence of the attractive new and taller block will not be a fundamental change to the current view of the site or its sylvan character.

Therefore, it is considered that the introduction of new trees will:

- a. avoid the necessity for material changes to and diminution of the number and quality of the affordable housing proposed,
- a. enhance biodiversity of the frontage, in conjunction with retained trees
- a. in association with new planting,
- b. enables the high-quality design of the new housing to be better appreciated

tips the balance in this case in favour of their removal and replacement with new trees that will positively contribute to the long-term amenity of this part of Gunnersbury Lane to existing, as well as new, residents.

The applicant has submitted an Arboricultural Impact Assessment (AIA) and Tree Management Plan (TMP) for the protection, management and incorporation of trees during the construction process to be incorporated into conditions, including in relation to protecting the core bird nesting season and other ecological mitigation and Management.

15.8 Amenity Space

London Plan Policy GG3 and the Healthy Streets objectives, states new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles.

LBE Core Strategy Policy 5.5 supports healthy communities by setting out the importance of addressing deficiencies in the provision of parks and local green space. The site is in an area of Local Park deficiency. Landscape Services request contributions in respect of:

- c. Private and communal outdoor amenity space – all flats have balconies of 5sqm or patios of 6sqm plus ground floor gardens and roof terrace residents' space of 1390sqm. 1530sqm required so a shortfall of 140sqm; s106 contribution of £18,620 required for Heathfield Gardens,
- d. Allotment and community gardening space – 4.5sqm gardening space on 11th floor podium proposed, 254sqm required; s106 contribution £7485 required for Jerome Allotments,
- e. Sports – Active Ealing request condition to approve proposed exercise equipment in the Activity area,
- f. Play space shortfall – accept that as a single women's housing scheme then no contribution required in this case.

The Landscape Officer is content with the applicant's design approach. Landscape Services commends the landscape masterplan and planting and materials palettes, stating the proposed are all very good and will create an attractive setting for the development and much needed local green infrastructure and habitat for wildlife. The overall landscaping strategy is positive, providing a variety of spaces for residents to use with consideration to adjacent noise constraints to facilitate a more welcome and attractive environment than is currently the case. These improvements should be capable of accommodating the increased demand arising from the proposal, as well as improving the quality of the public realm in the wider area.

Concerns about the size of new/replacement trees, impact of construction works and the laying out of the proposed fitness area, on root protection zones and the size of the 'community growing space' on the 11th floor podium are addressed. The applicant advises these areas were agreed in consultation with Brook House residents and are designed in the case of the growing space to enable wheelchair access that enlargement would compromise.

The applicant has also responded that the Activity fitness area location is the least intrusive in terms of impacts on trees and maintenance from leaf fall and damage from tree sap, minor root pruning and a foundation design that is sympathetic to roots will be contained in a Landscape Management Plan. Conditions and s106 contributions are recommended to secure implementation and maintenance and address the shortfalls.

15.9 Ecology

As noted earlier, a Phase 1 Habitat Survey and Desk Study have confirmed that the site is of low ecological value. The buildings and other structures potential for roosting bats. LBE Landscape and Ecology notes:

'The ecology strategy document is good and the developer must continue to follow and implement its recommendations. Further details of habitat creation, perennial and woodland planting, provision of bird and bat boxes, insect hotels etc will all be required as part of the landscape and ecology conditions...

'...Biodiversity net gain proposals will achieve a minimum biodiversity net gain of 20.22% which is welcome.'

The development achieves an Urban Greening Factor (UGF) of 0.675 and exceeds the London Plan Policy G5 requirement of 0.4. London Plan Policy G6 states that development proposals should aim to secure net biodiversity gain. The applicant has provided a Biodiversity Impact Assessment which sets out that there would be a 25.76% increase in ecological value and 84.89% increase in linear features hedgerow units. The applicant has confirmed that BNG trading rules have been met. Conditions are recommended in respect of:

- biodiverse roofs
- further bat survey and inclusion of bat boxes
- landscape and ecology
- woodland and other planting
- CEMP to demonstrate how ecological and impacts on SINC can be avoided,
- Ecological Management Plan.

No objection is raised by the MoD to the applicant's Bird Hazard Management Plan to prevent the risk of bird strike for aircraft on the Heathrow flightpath. A condition is proposed to secure implementation and retention of its objectives. An emergence survey/mitigation, compensatory planting and a bat sensitive lighting strategy can be secured by conditions of permission as part of a Construction Management Plan (CEMP).

15.10 Privacy and Overlooking

Neighbours concerns regarding the prospect of overlooking and loss of privacy are noted. London Plan Policy D8 reiterates the importance of ensuring that tall buildings do not compromise the comfort and enjoyment of neighbours and open spaces. LBE Development plan policies and guidelines seek minimum distances of between 18 and 21m.

The plan below gives separation distances from existing and proposed neighbouring residential buildings at Bronte Court, assumed residential uses above shops on Central Parade (as well as from the LUL Museum and Acton Town Station).

The separation distances generally exceed the minimum. They range from 22.5m to 33.1m to Bronte Court, comparing favourably with the current Brook House separation of 7-16m, which also has balcony walkways on the rear elevation directly facing Bronte Court:



The proposed elevated position of the 11th floor amenity area to the new block could allow overlooking, or the perception of same, for residents of dwellings in Bronte Court (albeit at a significantly greater distance away than existing) or above shops in Central Parade. A condition for boundary screens to control and minimise this potential impact is proposed.

Overall, it is considered this will not give rise to a significant unacceptable loss, or the perception of loss, of privacy or amenity between existing and proposed residential accommodation.

15.11 Sunlight, Daylight and Overshadowing

The applicant's Report analyses the daylight and sunlight impacts having regard to Framework, NPPG and local policy, BRE guidance and the individual circumstances of the site. In doing so the Report assess impacts on neighbouring properties, Assessment of Proposed Dwellings, Daylight and Sunlight Assessment to Neighbouring Properties and Daylight and Sunlight Assessment internal to the Proposed Development, including to new amenity spaces within the scheme.

The Report makes clear: *'In accordance with the BRE guidelines detailed assessments have not been carried out to the surrounding commercial or non-habitable room windows as they are not considered to have a reasonable expectation of daylight or sunlight.'* Therefore only impacts on residential properties are addressed.

A.Impacts on existing neighbouring and proposed dwellings

The Report concludes overall in terms of impact on neighbours from the development:

'1.5 The results show that a number of windows within Bronte Court are likely to experience gains in daylight, sunlight and overshadowing which is a beneficial effect.'

'1.6 Where reductions do occur, the results show that any daylight or sunlight effects to the surrounding residential properties are generally within the BRE guidelines and therefore likely to be un-noticeable to the occupants.'

'1.1 Where reductions beyond the BRE guidelines do occur, the effects are considered small and/or due to other factors such as being located in the corner of a building.'

In terms of daylight impacts to the block of flats at Bronte Court, the Report finds:

'7.3 Due to the fact that the existing block adjacent to this building is due to be demolished and the proposed development is set further back, 13 windows will experience better levels of daylight when using the VSC (Vertical Sky Component) test than in the existing condition. This is considered a beneficial effect.'

'7.4 Of the remaining 23 windows, 19 will experience reductions in VSC that are within the BRE guidelines and therefore considered a negligible effect. 2 of the remaining windows are located on the western flank elevation... and the last 2 are located in the corner of the building...'

It continues:

'7.7 The daylight distribution results show that of the 30 rooms, 3 will experience reductions beyond the BRE guidelines but 10 will experience gains. The 3 rooms that experience reductions beyond the BRE guidelines (sic) are not considered significant as each room will retained daylight distribution to more than 50% of the room's area. Putting this in context, the windows in question already experience a reduction because of their locations on the inside corner of the block.'

'7.8 Whilst unrelated to the daylight and sunlight tests, it is also clear that any sense of enclosure and outlook should be improved to this building given the existing building built at the end of the gardens is due to be demolished and the proposed building will be set further back.'

'7.9 Overall, the daylight effects are beneficial to a number of windows. Where certain windows experience reductions beyond the BRE guidelines the effects are not considered material.'

In terms of overshadowing impacts to Bronte Court, the Report finds:

'7.12 The results show that the garden located immediately to the Site will experience some noticeable gains (less overshadowing), which is beneficial.'

'7.13 The main courtyard located beyond this garden will experience some additional overshadowing, however it will still retain levels of sunshine that are in accordance with the BRE guideline criteria. The overall effects are therefore considered negligible.'

Turning to the block of flats at 105-107 Gunnersbury Lane the Report concludes (acknowledging the author did not have access to floorplans so that a reasonable assumption about room layouts was made):

7.15 Of 18 windows assessed, all windows will experience small VSC daylight reductions which are well within the BRE guidelines recommended criteria. In relation to daylight distribution, the NSL reductions are also well within the BRE guidelines recommended criteria.

7.16 Overall, the results of our daylight assessments (VSC and NSL) indicate that any reductions to this building should be within the BRE guidelines and therefore any reduction is unlikely to be notable.

7.17 This property does not have any site facing rooms which have site facing windows that are orientated within 90 degrees of due south. Sunlight assessments have therefore not been undertaken.

7.18 This property does not have any spaces that require overshadowing assessments.

Turning to the block of flats at O'Day Court Gunnersbury Lane (acknowledging the author did not have access to floorplans other than some sales particulars so that a reasonable assumption about some room layouts was made) the Report concludes:

'7.22 The results of our VSC assessments indicate that of the 19 windows assessed, 12 will experience VSC reductions that are within the BRE guidelines.'

'7.23 The remaining 7 windows serve 4 living rooms, which all have 3 windows serving each living room. In each case, the main window to each living room experiences a reduction of up to 25.17% which is only marginally beyond the BRE guidelines recommendations. In addition, each main window will retain a VSC of at least 19% which is considered to be good for an urban area and above the alternative target value.'

'7.24 In terms of daylight distribution, all rooms will experience small NSL reductions which are in accordance with the BRE guidelines criteria.'

'7.25 Given the NSL (No Sky Line) results are all within the BRE guidelines and the main living room windows, whilst slightly beyond guidance, retain good level of daylight for an urban area, the overall effect to this property are not considered significant.'

'7.26 This property does not have any site facing rooms which have site facing windows that are orientated within 90 degrees of due south. Sunlight assessments have therefore not been undertaken.'

'7.27 This property does not have any spaces that require overshadowing assessments.'

Turning to the block of flats at 1-16 Central Parade, Gunnersbury Lane (acknowledging the author did not have access to floorplans so that a reasonable assumption about whether they are in residential use and some room layouts was made) the Report concludes:

'7.31 The results of our VSC assessments indicate that of the 37 windows assessed, 31 windows will experience VSC reductions that are within the BRE guidelines. The remaining 6 windows will experience VSC alterations beyond the BRE guidelines.

7.32 Of 6 windows, 5 windows will experience VSC reductions slightly below the BRE recommended criteria between 24.77% and 25.09%. However, they will retain VSC values between 25.26% and 26.03% VSC which is just below the BRE criterion and which is considered very good for an urban area.

'7.33 The remaining window ... is located on the second floor, in the corner of the building and beneath the roof overhang, therefore lower daylight values are expected. This window serves a room ... with two other windows. Whilst this assessed window will experience VSC alterations below the BRE guidelines criteria, the remaining two windows will retain VSC values of 25.68% and 27.84% which are considered very good for an urban area. The overall effect on the room is therefore considered negligible.

'7.34 In terms of daylight distribution, all rooms will experience small NSL reductions which are in accordance with the BRE guidelines criteria.

'7.35 Overall, the results show that any (loss of daylight) effect is likely to be small and non-material.

'7.36 Of the 9 rooms that have a site facing window which is orientated within 90 degrees due south. Our results show that each room will experience a reduction which is within the BRE guidelines.

'7.37 This property does not have any spaces that require overshadowing assessments.

'7.38 Overall, the daylight effects to this property as a result of the Proposed Development are considered to be acceptable. Where minor adverse effects are experienced, the retained levels of daylight are considered good for an urban area and therefore the impacts are not considered material.'

Lastly, turning to the two dwellings 122 Gunnersbury Lane and 37, Gunnersbury Crescent, (acknowledging the author did not have access to floorplans so that a reasonable assumption about room layouts was made) the Report concludes:

'7.1 Of the 7 windows assessed, all will experience small VSC daylight reductions which are well within the BRE guidelines recommended criteria. In relation to daylight distribution, the NSL reductions are also well within the BRE guidelines recommended criteria.

'7.2 Overall, the results of our daylight assessments (VSC and NSL) indicate that any reductions to this building should be within the BRE guidelines and therefore any reduction is unlikely to be notable.

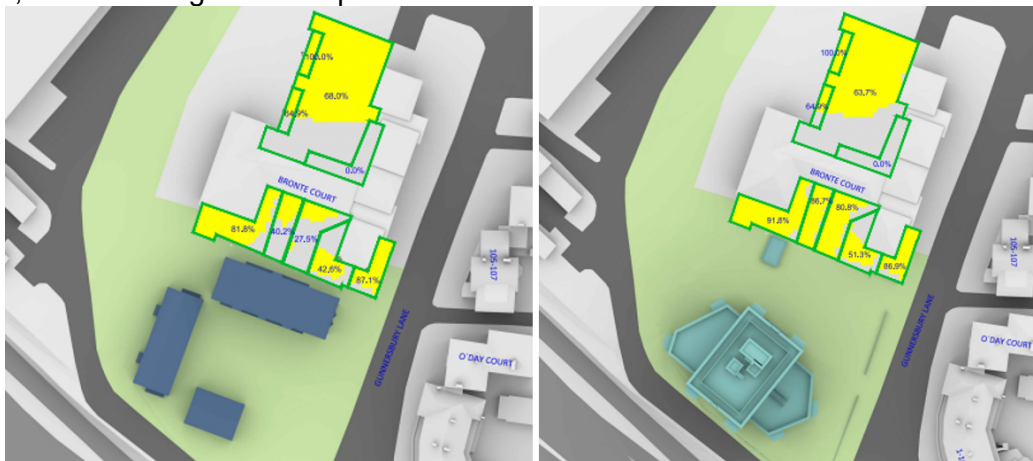
'7.3 These properties do not have any site facing rooms which have site facing windows that are orientated within 90 degrees of due south. Sunlight assessments have therefore not been undertaken.

'7.4 These properties do not have any amenity spaces that are within 90 degrees of due south. Overshadowing assessments have therefore not been undertaken.'

'7.5 We can conclude that the daylight, sunlight, and overshadowing effect on these properties will be negligible.'

In summary, in relation to each of the blocks or individual dwellings assessed above, when compared to the existing situation, the overall conclusions are that will not result in a significant adverse impact on daylight, sunlight or overshadowing levels to the windows of rooms of these blocks facing the proposed block that would justify refusing permission. Further, as would be expected, in respect of certain south facing windows to Bronte Court (being the closest residences to the site and new building) there will be an increase in daylight gains - a beneficial effect and an improvement in the sense of less enclosure and better outlook because of the demolition and removal of the Brook House block.

The extract below shows the extent and percentage amount of the courtyard amenity areas receiving more than 2 hours direct sunlight on the ground (coloured yellow). Comparing the present layout with the proposed, it ranges from (currently) 27.5% - 87.1% to (proposed) 51.3% - 91.8%, which is a significant improvement:



It also shows there will be a marginal reduction from 68% to 63.7% to the north facing courtyard amenity of Bronte Court arising from shadow caused by the tower height, although this is not considered to be a significant adverse diminution compared to that currently available.

B.Impacts on proposed dwellings and amenity within the application scheme

Turning to daylight and sunlight impacts on proposed dwellings in the scheme, the Report concludes:

1.5 Sunlight assessments in accordance with the BRE guidelines and BS EN 17037 have been undertaken to the proposed habitable rooms along with overshadowing assessments to the proposed amenity spaces.

1.6 The CBDM calculations show that 100% of the proposed habitable rooms should meet the suggested daylight standards. This is considered a very good level of compliance which is unique and rarely achieved, especially when considering the urban context.

1.7 The sunlight assessments show that 57% of the proposed habitable rooms will meet the suggested sunlight criteria. However, those that do not meet the guidance are oriented towards north where lower levels of sunlight will naturally be enjoyed. Those rooms that face east, west or south will generally enjoy levels of sunlight above the recommended guidance. Overall,

therefore, when taking into account the orientation of the rooms, good levels of sunlight will be able to be enjoyed.

1.8 Overall, the results show that the proposed flats will have access to good levels of daylight and sunlight amenity.'

It is important to bear in mind that the Framework makes clear that Guidelines are not to be employed rigidly. They are not mandatory and as the BRE Guidance states: '*...should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer*'.

Overall, it is considered that the proposal would provide acceptable amenity and environmental standards for existing neighbours and future residents. The proposals are considered to be well designed and the development can therefore be concluded to accord with NPPF, London Plan Policy D6, D8 and D9, Mayor's Housing SPG and the draft Housing Design Standards LPG and DM DPD Policy 7B.

15.12 Environmental Impacts

Turning to the individual and cumulative impacts of the development, the following are identified in the application submission documents and Reports:

a. Air Quality

Ealing Borough is an Air Quality Management Area (AQMA). Framework, NPPG, London Plan Policy SI1 supported by the Mayor's Control of Dust and Emissions during Construction and Demolition SPG (July 2014) and other Technical Guidance, LBE Core Strategy Policy 1.1 and the Air Quality Action Plan, provide strategic and local policy guidance on avoiding the deterioration of existing poor air quality.

The application site is in an Air Quality Focus Area at risk from dust impact during construction, as well as subject to pollution impacts from road traffic and the railway. The applicant has carried out an Air Quality Assessment (AQA) that finds:

- The assessment of air quality in relation to roads during the construction stage has determined that there will be a negligible impact on air quality as a result of construction traffic and therefore its effect will not be significant.*
- The dust risk assessment has identified that construction activities pose a medium maximum dust risk. However, with the implementation of the mitigation measures detailed in the relevant section of this report, the activities are not anticipated to result in significant effects on local receptors.*
- The assessment of air quality in relation to roads during the operational stage has determined that there will be a negligible impact on air quality at nearby existing sensitive receptors and therefore its effect will not be significant.*
- The assessment in relation to the road traffic has determined that future receptors within the Proposed Development will likely not be exposed to concentrations in excess of the annual mean objective for NO₂.*
- The development has been assessed as air quality neutral.'*

This is not to suggest that the development is unlikely to have any effects but that the development complies with the Policy requirement for new development, in terms of building and transport related emissions levels below the relevant benchmarks.

The AQA has been assessed by LBE Pollution Technical. To mitigate against adverse impacts, including cumulative impacts with other development locally, Pollution Technical seeks a s106

contribution to the Council Air Quality Action Plan and conditions (including from the GLA) to cover submission of an Air Quality and Dust Management Plan (AQDMP), controls over the operation of non-road mobile machinery a fresh air Ventilation Strategy for new flats and common areas, revised Air Quality Assessment detail the impact of any fixed plant proposed, back-up generator details, including hours of operation, bonfires and removal of asbestos. These are included in the recommendation.

b. Noise

London Plan Policy D13 requires adherence to Agent of Change principles and places responsibility for mitigating impacts from existing noise and other nuisance generating activities or uses on the proposed new noise sensitive development. London Plan Policy D14 also addresses the management of noise.

The Applicant's Noise Report and Construction Methodology and Environmental Management Plan (CEMP) has been assessed by LBE Pollution Technical. The CEMP provides a strategy for the management of site-based works, site security, health and safety measures, noise and dust disruption, hours of work on site and proposals for the mitigation of wider reaching impacts of the implementation of the development.

Pollution Technical request conditions and Informatives, which are included in recommended conditions of permission, to control anticipated substantial noise impacts from road and rail traffic on sensitive residential uses.

Taking all the above into account, noting inter alia, that separation distances between noise sensitive and commercial/rail uses are not likely to give rise to significant adverse impacts, cumulatively or individually, these effects are capable of being mitigated by conditions and are not considered sufficiently harmful to amount to a sound and clear-cut reason for refusal.

c. Wind and Microclimate

London Plan Policy D8 and D9 addresses the environmental impact of tall buildings, requiring careful consideration of the wind conditions around them and their neighbourhood so that they do not unduly compromise their comfort and enjoyment. The applicant has produced a Report to address the local environmental impacts on the outdoor areas of the development in respect of wind and air movement, including a pedestrian level assessment and within the balconies of flats, based on the Lawson Comfort Criteria.

The Report concludes: *'The assessment of the proposed development is predominantly positive, with most areas demonstrating negligible and beneficial impacts on the microclimate of the proposed and surrounding environment.'*

The Report conducted a microclimate analysis for the proposed development assessing the wind conditions within a 250m radius from the site, which would encompass the predominant number of residential properties and amenity spaces in the immediate vicinity of the site up to and including Heathfield Road, Avenue Road, Bollo Lane, Gunnersbury Lane, Gunnersbury Crescent, Gunnersbury Gardens and Princes Avenue. The results show that areas within this radius will not experience uncomfortable wind conditions.

Pedestrian routes, amenity spaces, entrances, roads and car parks were analysed as part of the assessment, all of which show positive results. Some seating areas within the site boundary (located towards the northwest of the site) were found to have wind conditions suitable for standing in both the proposed and cumulative context assessment, which is a minor adverse impact for pedestrians and residents.

Mitigation measures have been implemented to lower the wind speeds, including retaining fully grown trees as well as designing a landscape plan for the ground level of the site that includes shrubs, hedges and trees. All other areas in the assessment were found to have wind conditions suitable for their intended uses. Most areas have largely positive results with having minor to moderate beneficial wind conditions.

Overall, most wind conditions within and surrounding the site will remain suitable for intended uses. Pedestrian comfort and safety is assessed to be suitable for walking, sitting, and standing within the site during both the winter and summer months. The above are achieved with landscaping and screening to balconies as proposed, controlled by the recommended conditions of permission.

d. Energy and Sustainability

The Applicant's Report concerning sustainable energy usage, sustainability of the scheme generally, alternative technologies, management of CO2 emissions, PV provision and other relevant matters has been appraised by Emergence, the Council's Energy Consultant, who consider the proposed strategy to be '*perfectly good... that will deliver a high efficiency all electric development*'. The Energy Strategy has been assessed against the draft SAP10 benchmark and follows the standard energy hierarchy of "Lean, Clean, Green" required by London Plan Policies SI2 and SI3 and Ealing DPD Policy 5.2. The applicant has responded to the GLA Stage 1 request for further clarification.

Regulated CO2 emissions reductions from the dwellings will be 70% against the Building Regulations 2021. These meet and significantly exceed the policy requirement for at least 35% reduction to be achieved on site. Furthermore, this is a significant improvement on the performance of the existing 39 flats. In accordance with normal practice and policy, the remainder to achieve the Net Zero target reduction would be through a carbon offset payment at the LBE level of £95/tonne.

S106 clauses and conditions are proposed to secure appropriate provision and maintenance and a financial contribution towards monitoring in compliance with development plan policy.

e. Environmental Health (Contaminated Land)

The application is supported by a desk top study for contamination. Conditions and Informatives are proposed in the recommendation.

f. Flood Risk

The site is in Zone 1, at the lowest risk of flooding but in a critical drainage area. It is not in a Critical Drainage Area. The applicant has produced a Flood Risk and Drainage Strategy including a detailed SUDS assessment, incorporating Blue-roof rainwater collection and underground catch tanks for attenuation. This is calculated to reduce surface water discharge from the site, including the 1:100 year +40%CC event. Surface and foul water will be discharged to separate foul and surface water Thames Water sewers. It also has the scope to provide a significant betterment on existing site conditions and bio-diversity benefits.

The LLFA is satisfied in principle with the applicant's surface water strategy. Measures for SUDS, surface water and harvesting, and foul water management and drainage would be regulated by the proposed conditions in the recommendation.

15.13 Conclusions on Cumulative Impacts

Taking all of the above into account, including and employing the relevant criteria of Tall Buildings Policy as well as London Plan Policy D9, LBE Core Strategy Policy 1.2(h), DM Policy Policy 7B, Draft Local Plan Policy D9 and other associated Policies as cited above, i.e. functional, architectural, townscape, aesthetic, environmental and in terms of Housing quality and standards in relation to residential amenity external and internal amenity space standards, inclusivity will not have an adverse impact on existing and future residential neighbouring properties and offering acceptable (daylight and sunlighting) residential amenity for future occupiers in accordance with London Plan Policy D6.

It is considered the proposal will satisfactorily comply with these relevant impacts criteria and the development plan policies are satisfied. It is appropriate therefore to turn to consider the impacts on heritage assets and the weight to be ascribed by any public benefits of the scheme.

16. HERITAGE ASSETS AND PUBLIC BENEFITS

As noted in the assessment in Section 15.5 above, the acknowledged 'harm' to statutory and locally designated assets is found to be, both individually and collectively, no more than 'less than substantial,' a conclusion also reached by the GLA. It is necessary nevertheless to follow the national policy test and balance the less than substantial harm with the benefits of the scheme.

Where there is 'harm', NPPF para. 202 requires there must be substantial public benefits that outweigh it. Therefore, in accordance with statute, policy and case law the public benefits of the development are to be weighed in the planning balance.

The NPPG provides guidance on what may be regarded as public benefits: '*Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits...*'

This application delivers the following public benefits:

- a. optimisation of the regeneration of this under-utilised, sustainable urban site,
- b. significantly increase the supply of new dwellings by providing 102 (net 63) new flats in this brownfield land location,
- c. 100% social rent affordable housing (by habitable room) held in perpetuity in a range of flats sizes, for single women will help meet a significant housing need and in accordance with specialist housing London Plan Policy H12,
- d. new accessible and adaptable affordable homes,
- e. high-quality and sustainable construction and energy efficient performance of the new homes,
- f. new resident's public realm and spaces,
- g. improved amenity for residents of Bronte Court facing the site in terms of daylight, overshadowing, outlook and visual amenity,
- h. new training and apprenticeships in construction and training,
- i. improvements to management of air and environmental quality,
- j. environmental enhancements contribute to improving the character of the area, urban greening and ecological enhancements.

In accordance with the NPPG test, they are demonstrably clear, substantial, flow from the development and are genuinely of a significant scale and nature to benefit the public at large.

They are not exclusively private; particularly in respect of their contribution towards the delivery of development plan policies and objectives.

These benefits are advanced therefore against the acknowledged less than harm and were acknowledged as such by the GLA in its Stage 1 analysis.

17. WHETHER THIS IS SUSTAINABLE DEVELOPMENT

Turning to whether this development can be regarded as 'sustainable', para.8 of the Framework explains that "*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)*". The proposal positively responds to all three objectives in the following ways:

- a) economic objective – it will make a contribution to the local economy by providing employment in construction, apprenticeships and training. The occupants of the new flats will help to support, day to day, local businesses and the potential to create new jobs and generate direct and indirect expenditure locally.
- b) social objective – it makes a meaningful and early contribution to the supply of 102 new homes to housing need. Of particular importance it will provide 100% affordable homes. This contribution is significant in view of the need to apply the 'tilted balance' to the decision-making process. It will also contribute towards enhancing a strong, vibrant and healthy community, with a range of well-designed new flats creating a safe built environment, with accessible services.
- c) environmental objective – contributes to protecting and enhancing the natural, built, and historic environment, including making effective use of land, improving tree cover, landscaping and BNG and UGF biodiversity objectives.

Para.11 of the Framework states that planning decisions should apply a presumption in favour of sustainable development. The regeneration benefits set are components of the planning balance to advance against the acknowledged less than substantial harm to the significance of the heritage assets as noted above. Harm to heritage assets therefore is not a reason by itself to refuse permission for this application. Collectively, the public benefits are considered to have sufficient weight to outbalance harm.

Having considered all the material planning considerations, including that contained in the Framework and NPPG, GLA and LBE adopted and draft development plans and taking policy as a whole and in applying the Planning Balance, the conclusion is that this would be a sustainable development in accordance with the Framework.

18. FIRE SAFETY

The Fire Strategy for this development, taking account of its compliance with current London Plan Policy for tall buildings, is set out in Section 7.12 of this Report. Consultation has also been carried out with LFB and HSE.

Large schemes may require a number of different consents before they can be built. Building Control approval needs to be obtained so that certified 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, or a '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 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 London Plan (for development management purposes), Building Act and specifically the Building Regulations. 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 tall buildings high rise residential developments some of the key measures include dual lifts and stairs above prescribed heights, 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.

19. S106 CONTRIBUTIONS

The scheme would be mitigated by financial (a total of £458,496) and non-financial clauses within a s106 agreement to secure 100% (by habitable rooms) affordable social rent housing tenure; transport; health; amenity/open space; construction, employment and training contributions; apprentice and placement scheme; energy monitoring; parking permits, CPZ permits; highways restoration and works and payment of the Council's legal and professional costs incurred in preparing the agreement as well as any s278 highway works agreement to implement off site highway works (site access, etc.).

Accordingly and taken as a whole, relevant development plan policies are satisfied.

20. COMMUNITY INFRASTRUCTURE LEVY

Of the total chargeable development of 7462sqm GIA and MCIL, the applicant is eligible to seek Mayoral social housing relief for all the affordable housing floorspace. If it was applicable a calculation at £60/sqm gives about £448,000.

21. OVERALL CONCLUSIONS AND RECOMMENDATION

Overall, the development proposes a high quality 100% affordable residential regeneration of this previously land developed site, whilst helping to achieving strategic and local regeneration and spatial planning objectives that will positively contribute towards the Council's requirement to ensure the provision of new homes in high quality environments. This contribution is significant also in applying the 'tilted balance' to the decision-making process.

The circumstances of the applicant as a specialist housing provider are a material planning consideration to this application. The proposal is to replace the existing 39 flats, with 102, 100% social rent affordable flats for WPH tenants, for which there is a significant strategic, housing need. Further, it will deliver high quality, modern new homes to current adopted housing standards for single women, which the GLA recognises is a specialist form of housing need and for which there is a significant need in the Borough.

In addition, it more than satisfactorily meets estate regeneration policy for the demolition and replacement of poor-quality affordable housing. It will also contribute to making optimal use of housing land, having regard to London Plan Policies H1, H12 and D3 and to all other material considerations.

The development is an example of a scheme where, as stated in NDG para.16: *'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context'*.

At NDG para.59 it states: *'Where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity'*. The existing environment presented by the site is visually unattractive and uninspiring. The proposal on the other hand will positively transform the area with a new residential building in a new tall building typology of exemplary architectural and material quality.

In this context the application site and tall building scheme does not comply with the Plan-led locational requirements of London Plan Policy D9B, nor Draft Local Plan Policy D9.

It has been necessary therefore to assess the scheme in accordance with the impacts criteria of London Plan Policy D9C. It is concluded by this assessment that the urban design of the scheme will create a high-quality sense of place. It proposes a high quality, tall building in a rational and well-planned form that, following London Plan Policy D4, has been carefully analysed, scrutinised and supported by the GLA, CRP and two DRPs.

S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when determining planning applications, special regard must be had to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest which they possess.

The Court of Appeal decision in the case of *Barnwell* made it clear that in enacting s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Parliament's intention was that *'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings'* when carrying out the balancing exercise, which is undertaken in this application.

The applicant's HTVIA has been assessed and shows that the development would be visible in views of designated and local heritage assets, albeit generally at a distance so that while it will have some impact on their settings it is not considered to cause substantial harm either individually or cumulatively. The conclusion therefore is that the harm to assets would be at the level of 'less than substantial' harm.

Having assessed the proposal it is concluded it is not likely to give rise to other than less than substantial harm to the significance of the heritage assets. It is agreed with the GLA conclusion this would be at the lower end of that scale of harm. It has also been concluded that the public benefits of the application outweigh the harm to heritage assets and tip the balance under Framework para.202 in favour of a grant of permission.

Any identified non-compliance with development plan Policies is more than satisfactorily balanced with the cumulative benefits of the development in achieving other Policies of the same Plan as listed above and the LBE Local Plan, to secure full and optimal use of sites like this in a highly sustainable PTAL5/6a location to provide 100% replacement and new, improved affordable homes directed to single women as the applicant WPH has continuously provided on this site for some 90 years and into the long term future.

The presumption in favour of sustainable development means that support can be given to this housing regeneration project that will create an exceptional quality and attractive building in this part of Acton, help to support the community, make an important contribution to the delivery of new homes, whilst respecting amenity and privacy of surrounding residents and in consideration of impacts on the significance of heritage assets and local character.

The application has been assessed on its individual merits. It is concluded that the particular historical circumstances of the applicant as a charitable social housing provider on this site, the specialist nature of and significant need for more single women's housing, coupled with regeneration and other benefits arising from the replacement and increased provision of 100% social rent, affordable housing, the exemplary design quality and absence of significant adverse impacts make unlikely the prospect of an undesirable precedent being set as for other similar, non-allocated, tall building proposals on adjacent sites in the area.

Having established there are clear and substantial public benefits from this affordable housing regeneration project, in consideration of the tilted balance it is demonstrated that, taking the development plan as a whole, the Planning Balance and NPPF sustainability criteria support this application.

Other matters, including amenity impacts, transport and resident cycle and car parking, environmental health, energy, Mayoral CIL and s106 matters have been assessed and found to be acceptable. Objections have been reviewed and addressed however these are considered insufficient to outweigh the recommendation for approval for this positively beneficial regeneration development in accordance with the development plan to all other material considerations.

It is therefore recommended that **Permission be Granted with conditions following completion of a s106 agreement subject to the Stage 2 Mayoral referral.**

22. HUMAN RIGHTS ACT

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

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes with local residents' right to respect

for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

23. 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.

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

2. 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.

3. 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: CONDITIONS AND INFORMATIVES

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APPENDIX 1
224773FUL, Brook House, Gunnersbury Lane, Acton
Conditions and Informatives

1. Time Compliance.

Development shall commence no later than 3 years following the date of grant of this permission.

Reason: To comply with s91 of the Town and Country Planning Act 1990.

2. Approved Plans and Supporting Documents/Reports

Drawings

- BH-GRID-00-XX-DR-A-PL001 P2 Site Location Plan
- BH-GRID-00-XX-DR-A-PL002 P2 Existing Site Context Plan
- BH-GRID-00-XX-DR-A-PL010 P2 Existing Site Plan
- BH-GRID-00-XX-DR-A-PL015 P2 Existing Site Elevation_South-East
- BH-GRID-00-XX-DR-A-PL020 P2 Demolition Site Plan
- BH-GRID-00-XX-DR-A-PL025 P2 Demolition Site Elevation_South-East
- BH-GRID-00-XX-DR-A-PL050 P3 Proposed Site Plan
- BH-GRID-00-XX-DR-A-PL100 P3 GA Ground Floor Level
- BH-GRID-00-XX-DR-A-PL101 P2 GA Typical Floor – Levels 1-10
- BH-GRID-00-XX-DR-A-PL111 P2 GA Level 11
- BH-GRID-00-XX-DR-A-PL112 P2 GA Level 12
- BH-GRID-00-XX-DR-A-PL113 P2 GA Level 13
- BH-GRID-00-XX-DR-A-PL114 P2 GA Level 14
- BH-GRID-00-XX-DR-A-PL115 P1 GA Level 15
- BH-GRID-00-XX-DR-A-PL116 P2 GA Upper Roof Level
- BH-GRID-00-XX-DR-A-PL301 P3 GA South-East Elevation
- BH-GRID-00-XX-DR-A-PL302 P2 GA North East Elevation
- BH-GRID-00-XX-DR-A-PL303 P3 GA North West Elevation
- BH-GRID-00-XX-DR-A-PL304 P2 GA South West Elevation
- LD-PLN-002 P04 Landscape General Arrangement Overall Masterplan

Reports

- Design & Access Statement dated 28 October 2022
- Planning Statement dated October 2022
- Statement of Community Involvement dated October 2022
- Heritage, Townscape and Visual Impact Assessment Statement dated October 2022
- Heritage, Townscape and Visual Impact Assessment – Addendum dated March 2023
- Women’s Pioneer Housing Statement
- Transport Assessment dated October 2022
- Transport Assessment Addendum March 2023
- Outline Travel Plan March 2023
- Draft Delivery and Servicing Plan dated October 2022
- Operational Waste Management Strategy dated October 2022
- Arboricultural Impact Assessment dated October 2022
- Biodiversity Impact Assessment dated October 2022
- Preliminary Ecological Appraisal dated September 2022
- Bat Survey Report dated September 2022
- Bird Hazard Management Plan dated September 2022
- Energy Assessment dated 6 March 2023
- Sustainability Statement dated October 2022
- Circular Economy Statement dated March 2023
- Drainage & SuDS Strategy dated 21 October 2022

Reason: For the avoidance of doubt.

3. Quantum of Development

Unless otherwise agreed in writing, the quantum of development hereby permitted shall not exceed the following:

- a. 102 residential dwellings comprising
- b. 100 x 1 bedroom and 2 x 2 bedroom flats.

Reason: To ensure conformity with the submitted application and safeguard the retention of satisfactory uses on the site.

4. Archaeology

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

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

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

Reason: In order to safeguard the archaeological interest of this site.

5. TfL Infrastructure Protection

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with TfL Infrastructure Protection) have been submitted to and approved in writing by the local planning authority which:

1. Provide demolition details
2. The applicant would need to provide a Ground Movement Impact Assessment for all stages of the development for review and approval by TfL Engineers.
3. Prior to commencement of the development provide details for foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent)
4. Provide details on the use of scaffolding, tall plant, lifting equipment
5. Accommodate the location of the existing London Underground structures
6. Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering their land
7. Demonstrate that there will at no time be any potential security risk to their railway, property or structures
8. Accommodate ground movement arising from the construction thereof
9. Mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied and thereafter shall be permanently retained as such where they do not relate solely to construction of the building.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

6. Materials

Prior to substantial commencement of works on any part of any of the superstructure forming the development:

- a. samples of all external materials, with particular emphasis on high-quality and durable materials,
- b. detail of the articulation of the facades,
- c. detail of the external doors and window detailing,
- d. detail of the articulation of the top of the building,

shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved materials and be retained as such.

Reason: To ensure that the materials harmonise with the surroundings in accordance with the Ealing Development Strategy and the Ealing Development Management Development Plan.

7. Solar Glare

Prior to commencement of works on any part of any of the superstructures forming the permitted development, measures, to include a Glare Assessment, to demonstrate that the design, materials and any coatings selected for the windows and cladding, forming any part of the elevations of the development, would not:

- a. have an adverse effect on the operation of rail services lying to the south of the site,
- b. the amenities of the area and the enjoyment by neighbouring residents of their homes,

shall be submitted to and approved in writing by the LPA. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings in accordance with the Ealing Development Strategy, the London Plan and the Ealing Development Management Development Plan Document.

8. Roof terrace/amenity space/balcony screens

Prior to the fitting out of the 11th floor amenity area details of screening to the perimeters of each roof terrace amenity area and private balconies for each flat shall have been submitted to and approved by the local planning authority.

Reason: To safeguard the visual and residential amenities of neighbouring residents and of the area.

9. Masts and Aerials

No microwave masts, antennae or satellite dishes or any other such plant or equipment shall be installed on the exterior of the building unless otherwise approved in writing by the local planning authority.

Reason: To safeguard the appearance and character of the new buildings in the interests of the amenities of the area.

10. Inclusive Access

A minimum of 10% of all new dwellings shall be constructed meet Building Regulations requirement M4(3) 'wheelchair user dwellings' (designed to be easily adaptable for residents who are wheelchair users). All other new dwellings shall be constructed to meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings' and be permanently retained as such.

Reason: To comply with the London Plan.

11. Existing tree/shrub retention

No trees within the site that are shown to be retained in the Greengage Amended Arboricultural Impact Assessment dated February 2023 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.

Unless the local planning authority has first given written consent to any variation, any tree marked on the Arboricultural Impact Assessment as retained that is removed without consent, is dying or being severely damaged or becoming seriously diseased (i.e. a crown more than 50% sparse) within 5 years from the completion of the development hereby permitted shall be replaced with a tree of similar size and species reflecting the Capital Asset Valuation of Amenity Trees (CAVAT) (updated January 2020 or any subsequent update) value of the tree or, where appropriate, a proportion of its CAVAT value as a financial sum reflecting the removal or damage.

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 amenity value to the area.

12. Arboricultural Method Assessment – Protection of Trees and Hedgerows (Demolition and Construction)

Notwithstanding the submitted details, no operations (including initial site clearance) shall commence in connection with development hereby approved until a satisfactory scheme (Arboricultural Method Assessment) for the protection of existing trees that are proposed to be retained has been submitted to and its installation on site has been approved in writing by the local planning authority.

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

- a. Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals.
- b. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- c. A plan** detailing all trees for retention and removal.
- d. Outline programme and phasing of works.
- e. Site specific demolition and hard surface removal specifications.
- f. Means of construction of any foundations where located within, or adjacent to, the root protection areas of retained trees.
- g. Site specific construction specifications.
- h. 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 and temporary hard surfaces.
- i. The RPAs of all existing trees will be a no dig zone. Within these zones only minor hand digging to 200mm will be permitted, and only with Arboricultural supervision. See Tree Protection Plan: Monitoring and Implementation.

- j. All hard surfaces beneath the existing (or proposed) tree canopies, or within the existing Root Protection Areas (RPAs), must be of permeable construction to ensure water and gaseous exchange with the underlying soils and tree root systems.

*Using the most recent revision of the Standard

** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the local planning authority).

All tree protection methods detailed in the approved Arboricultural Method Assessment 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.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees growing within or adjacent to the site that are of amenity value.

13. Tree Monitoring Plan

The development hereby approved shall be constructed in accordance with a suitable Tree Monitoring Programme comprising:

(a) Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring programme to include:

- Confirmation of who shall be the lead arboriculturalist for the development.
- Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- Details of induction procedures for all personnel in relation to Arboricultural matters.
- A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
 - o Prestart meeting with an Ealing Council Tree Officer
 - o Initial implementation/installation of the tree protection measures
 - o Approved incursions into construction exclusion zones
 - o Final removal of the tree protection measures
- Procedures for dealing with non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.

(b) Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- Results of each site visit by the lead arboriculturist with photos attached.
- Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

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 the London Plan, Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

14. Tree Planting and Soil Rooting Volume

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 the London Plan, Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

15. Tree Protection - Monitoring and Implementation

No operations (including initial site clearance) shall commence (where there are existing trees within or adjoining the development hereby approved) until a suitable programme of monitoring of all approved tree protection measures has been submitted and approved by the local planning authority.

The monitoring programme shall include the following:

- a. Confirmation of who shall be the lead arboriculturist for the development.
- b. Confirmation of the Site Manager, key personnel, their key responsibilities, and contact details.
- c. Details of induction procedures for all personnel in relation to Arboricultural matters.
- d. A programme of events concerning the approved tree protection plans, including initial implementation of the protective measures, the final removal of the protective measures and any incursion/alterations to accommodate site specific construction/demolition procedures as approved in the Arboricultural Method Statement, and the level of supervision required.
- e. Procedures for dealing with variations or non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.
- f. Agreements of when site monitoring will take place with the local Tree Officer either by site meetings or by some other pre-arranged agreement.
- g. Post development assessment of the retained and planted trees relating to construction relating activity and any necessary remedial action.

The programme of Arboricultural monitoring shall be taken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the local planning authority.

Reason: In order to safeguard trees considered to be worthy of retention in the interests of visual amenity.

16. Tree Planting

No development, other than site clearance and/or demolition, shall commence until a detailed scheme of new and replacement tree planting has been submitted to and approved in writing by the local planning authority. The scheme shall include the following comprehensive details of all trees to be planted in accordance with a first approved landscape plan under condition 17 of this permission:

- a. Full planting specification - Tree size, species and the numbers of trees.
- b. Positions of all proposed species.
- c. Comprehensive details of ground preparation.
- d. Staking/tying method(s).
- e. 2 year post planting maintenance schedule with an agreed inspection schedule.

All tree-planting shall be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 31st March inclusive) to the completion of the approved development, unless agreed otherwise in writing by the Local Planning Authority. The quality of all approved landscape works shall be in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees included within the approved scheme shall be healthy, well-formed specimens with single leading shoots and shall be of a minimum quality compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees and Shrubs' and BS8545: 2014 or any subsequent revisions.

Any trees which within a period of 5 years from the completion of all tree planting die, are removed, uprooted or significantly damaged, become diseased or malformed shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the works are carried out as approved in the interests of the visual amenity of the area.

17. Landscaping and Management

Prior to the commencement of any landscaping works proposals and a Landscape Management Plan, for a minimum period of 5 years from the implementation of final planting comprising:

1. Soft and hard landscaping including tree planting,
 2. The mitigation and enhancement measures and their management including the installation of new biodiverse habitats, including perennial mixes, native hedges, bug hotels, log piles etc. and as described in the preliminary ecology appraisal and biodiversity impact report
 3. Details of sustainable urban drainage systems to be implemented on site
 4. Details of the biodiverse roof construction and specification, together with a maintenance schedule
 5. Installation of bird and bat boxes
 6. Boundary treatments, including appropriate measures for resident security at the site boundaries in accordance with Secured by Design accreditation,
 7. Exercise equipment for the Activity Area,
 8. Green and Brown roof construction,
- shall first be approved in writing with the local planning authority.

They shall thereafter be laid out, installed and planted prior to the first occupation of any dwelling and thereafter maintained. The completed Plan shall thereafter be maintained and any trees or plants which within 5 years of planting, die, are removed or become seriously damaged or diseased shall be replaced with others of the same size and species and in the same positions within the next planting season.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area and to safeguard the privacy and amenity of residents.

18. Bat Roosts

No demolition works shall take place until safe access has been provided to a licenced ecologist/ bat worker to assess the relevant building's internal spaces for evidence of bats. In the event that evidence is found the local planning authority shall be immediately notified and all work shall cease until measures, including surveys, mitigation and/or licencing, have been submitted to and agreed with the local planning authority to include as appropriate the installation of replacement roosts.

Reason: To safeguard bio-diversity interests and protected species.

19. Ecological Mitigation and Management

Prior to completion of the superstructure to the development hereby approved, an Ecological Mitigation and Management Plan (EMMP), shall be submitted to and approved in writing by the Local Planning Authority showing the details of:

1. a bat emergence survey/mitigation, compensatory planting and a bat sensitive lighting strategy
 2. the mitigation and enhancement measures and their management
 3. tree and shrub planting and
- to support long-term maintenance and habitat creation.

Reason: In the interests of ecological protection and enhancement.

20. Bird Hazard Management

Prior to the first occupation the development shall be carried out in accordance with the Greengage Bird Hazard Management Plan 551696LTSep22DV01_BHMP.docx dated September 2022 and shall thereafter maintained for the life of the development.

Reason: In the interests of aviation and public safety.

21. Renewable/Low Carbon (and CO₂) Energy

- a) Prior to construction completion and occupation, the development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO₂ emissions against SAP10.2 (or any later version) of at least 68.75% (equating to 50.86 tonnes of CO₂ per year) beyond Building Regulations Part L 2021 (or any later version). These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Silcock Dawson in March 2023 (v3) including:
 - i. Lean, passive design measures to achieve an annual reduction of at least 17.75% equating to at least 13.13 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2021.
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of approximately 3.95 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 51%, equating to 37.73 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021.
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the heat pump system (including the heat generation and the electrical parasitic loads of the heat pumps, in line with the Council's energy monitoring requirements.
- b) Prior to Installation, details of the proposed renewable energy equipment, and associated monitoring devices required to identify their performance, shall be submitted to the Council for approval. The details shall include the exact number of heat pumps, the 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 renewable energy installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

- c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) The development shall incorporate the overheating mitigation measures detailed in the dynamic Overheating Analysis by Silcock Dawson in October 2022 (v1.1). Any later stage version shall be compliant with CIBSE guidance TM59 and modelled against the TM49 DSY1 (average summer) weather data files, and the more extreme weather DSY2 (2003) and DYS3 (1976) files for TM59 criteria (a) and (b).
- e) Details of the layout of the energy plant room and equipment and the method of how the facility shall be designed to connect to, or allow for future connection to, an offsite district heating network, if an on-site energy centre is provided;
- f) Within three months of the occupation/first use of the development a two-page summary report prepared by a professionally accredited person comparing the “as built stage” TER to BER/DER figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) shall be submitted to the Council for approval.

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

22. Post-construction energy equipment monitoring

In order to implement Ealing Council DPD policy E5.2.3 (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, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency of the renewable 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 (Emergence 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 energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational. Any repair or maintenance of the energy equipment must be carried out within one month of a performance problem being identified.

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

23. Post-construction energy use monitoring (“Be Seen”)

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.

24. Sustainable Design and Construction

Prior to completion the sustainability measures detailed in the final approved Sustainability Statement submitted by Blewburton Ltd in October 2022 shall be implemented and maintained unless superceded by other relevant consultant statements or reports as agreed by the Local Planning Authority. The measures shall meet the requirements of local and regional planning policies and be in line with the Mayor’s Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures and thereafter be permanently retained.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with the London Plan, Ealing Development Management

DPD, Ealing Development (Core) Strategy and Mayor's Sustainable Design and Construction SPG.

25. Digital Connectivity

Unless an alternative 1GB capable connection is made available to all end users, the block shall be designed to ensure sufficient ducting space is provided for full fibre connectivity infrastructure to all end users within new development.

Reason: To comply with London Plan policy.

26. Floodlights, Security lights and Decorative External Lighting

Prior to installation on any part of the development, details of:

- a. external artificial lighting and
- b. a bat sensitive lighting strategy

shall be submitted to the local planning authority for approval in writing. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations for Environmental Zone 3 of the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'.

Details shall also be submitted for approval of measures to minimise the use/hours of lighting and prevent glare and sky glow by locating, aiming and shielding luminaires. The approved details shall be implemented prior to first occupation/use of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of residents and minimise impacts on adjacent land uses.

27. Water Usage

The development shall be designed to achieve a water use target for individual residential properties of no more than 105 litres per person per day.

Reason: To ensure the sustainable use of water in accordance with the London Plan.

28. Construction Environment Management Plan (CEMP)

Notwithstanding the submitted reports and other information, prior to the commencement of the superstructure of the development details of a Construction Environment Management Plan (CEMP) in accordance with the submitted Preliminary Ecological Appraisal and Bat Survey Report shall have been submitted to and approved by the local planning authority and such agreed measures shall be implemented prior to the first occupation of the approved development and shall be retained thereafter. For the avoidance of doubt, the agreed measures for the CEMP shall include an emergence survey/mitigation, compensatory planting and a bat sensitive lighting strategy also approved in accordance with conditions 18,19 and 26.

Reason: To protect the ecological interests of the area in accordance with the Ealing Development (Core) Strategy and the London Plan.

29. Construction Logistics Plan (CLP) and Residential Travel Plan

Notwithstanding the submitted reports and information, prior to the commencement of the superstructure of the development details of a:

- a. Construction Logistics Plan and a
- b. Residential Travel Plan,

shall have been submitted to and approved by the local planning authority and such agreed measures shall be implemented prior to the first occupation of the approved development and shall be retained thereafter.

The Residential Travel Plan shall:

1. include measures to promote resident cycle usage including carrying out counts of resident and visitor cycle usage at least twice per year and reporting to the Council as part of the Travel Plan review process and
2. include measures to minimise car usage and promote alternative modes of transport.

The Travel Plan shall be prepared in accordance with the Transport for London Travel Plan Guidance and Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out strictly in accordance with the approved Travel Plan.

Reason: To protect the amenity of residents and ensure adequate highway and site safety and to promote the use of modes of transport, other than the use of private motor vehicles, in accordance with the Ealing Development (Core) Strategy and the London Plan.

30. Cycles and Mobility Scooter Parking

Prior to the first occupation of the development hereby approved, the ground floor stores and cycle shelter allocated for cycles and mobility scooters parking and storage shown on approved Drawing No. BH-GRID-00-XX-DR-A-PL100P3 shall be laid out, made ready for use and comprise:

1. the installation of all long- and short-stay cycle stands,
2. security measures to prevent unauthorised access to the stores.

At all times provision for a minimum of:

- a. 102 (internal) long-stay cycle storage spaces comprising at least 84 two-tier cycle racks, 16 standard Sheffield stands and 2 large Sheffield stands,
- b. 4 (external) short-stay cycle parking spaces and
- c. 5 mobility scooter spaces and charging points

shall be made available and be permanently maintained in association with the approved residential use of the building.

Reason: To ensure that there is adequate minimum provision for cycle parking within the site in accordance with this authorised use by the applicant Women's Pioneer Housing. The approved level of the cycle parking and storage provision reflects the specific and special circumstances of this application and should not therefore be taken or assumed to accord with the generally applicable residential cycle or standards of the local planning authority, the GLA or TfL.

31. Car Parking

At no time shall the Disabled persons/Blue Badge car parking marked on the approved plans be used for any other purpose, including as parking by able persons or non-Blue Badge parking. The car parking shall be provided and managed in accordance with the approved drawings for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.

Reason: To provide adequate facilities for drivers, in accordance with the London Plan and Ealing Development (Core) Strategy.

32. Delivery and Servicing Plan (DSP)

Prior to first occupation of the development hereby approved, a Delivery and Servicing Plan (DSP) detailing servicing arrangements, times and frequency and operational details, including swept path analysis, shall be submitted to and approved in writing by the Local Planning Authority. The servicing of each shall be operated strictly in accordance with the details approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure a satisfactory standard of residential amenity is provided for future occupiers of the residential units.

33. Refuse Storage

The refuse and recycling storage enclosure hereby approved shall be laid out in accordance with the approved drawings and this area shall not thereafter be obstructed or used for any other purpose.

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.

34. Whole Life-Cycle Carbon Assessment

- a) Prior to the commencement of construction a Whole Life-Cycle Carbon (WLC) Assessment shall be submitted to the Council for approval. The Assessment shall comply with Policy SI2(F) of the London Plan and in line with the GLA (March 2022) guidance. The development shall meet the GLA benchmark targets and seek to achieve the aspirational target.
- 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 owner, if applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon 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.
- c) The Development shall implement the measures identified in the WLC Assessment prepared by Silcock Dawson in the Detailed Planning stage spreadsheet. Modules A1-A5 should aim to achieve 510 KgCO₂e/m², and B1-C4 (excluding B6/B7) 379 KgCO₂e/m², with a total carbon emissions baseline scenario (over 60 years) of 832 KgCO₂e/m² (including module D benefits).

Reason: To assess and implement measures to minimise the carbon life-cycle of the development in accordance with the London Plan.

35. Circular Economy Statement (CES)

- a) Prior to commencement of construction a Circular Economy (CE) statement shall be submitted to the Council for approval in accordance with the GLA CE guidance (March 2022). The Statement should include a CE compliance table that lists the commitments and targets proposed to meet the minimum levels required by London Plan policy SI2.
- b) Prior to completion of construction of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted). This should be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.
- c) Specific commitments detailed in the Circular Economy statement produced by Verte Ltd in October 2022 (vA) or any later approved version, and accompanying Logistic Plans, should be implemented including; diverting 95% of construction waste from landfill, putting 95% of excavation materials to beneficial on-site use, and aim to meet the London Plan target of diverting 65% of Operational Waste from landfill by 2030.

Reason: In the interests of sustainable waste management and in order to maximise the appropriate re-use and recycling of materials in line with London Plan Policy D3 (Optimising site capacity), SI7 (Reducing waste), SI2 (Minimising greenhouse gas emissions).

36. Air Quality and Dust Management Plan (AQDMP)

1. Prior to commencement of any works onsite, an Air Quality and Dust Management Plan (AQDMP) shall be submitted for the approval of the Local Planning Authority. The AQDMP will be based on the findings of Air Quality (Dust) Risk Assessment provided in the Air Quality Assessment report titled "BROOK HOUSE,

GUNNERSBURY LANE, ACTON” dated October 2022. The AQDMP will provide a scheme for air pollution mitigation measures based on the findings of the Air quality report.

The plan shall include:

- a) Dust Management Plan for Demolition Phase
 - b) Dust Management Plan for Construction Phase
2. The applicant shall contact the council's pollution technical team about the installation of air quality monitors on site and always provide direct access to monitoring data for the duration of the project. The monitors shall be installed on site at least 4 weeks prior to any site clearance and demolition to provide baseline data and shall be maintained on site until first occupation of the development hereby approved. Direct access to monitoring data will be always provided. 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 the living conditions of the future occupiers of the site in accordance with the London Plan, the Ealing Development (Core) Strategy, the Ealing Development Management Development Plan Document and Ealing SPG10.

37. Ventilation

Prior to the commencement of the development, a Ventilation Strategy Report shall be submitted to and approved by the Local Planning Authority. The report will contain details for providing fresh air ventilation, the supply should be located away from sources of local pollution.

The Report shall also include the following information:

- a) Details and locations of the ventilation intake locations of all floors
- b) Details and locations of ventilation extracts locations of all floors

The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the first occupation of the development and thereafter permanently retained and maintained.

Reason: To ensure that the development minimises exposure to poor air quality and provides a suitable internal living environment for future occupiers, in accordance with the London Plan the Ealing Development (Core) Strategy and the Ealing Development Management Development Plan Document.

38. Demolition Method Statement and Construction Management Plan

Notwithstanding the submitted reports and documents and references in associated plans, prior to commencement of the development hereby approved, a Demolition and Construction Environmental Management Plan shall be submitted to and approved by the Local Planning Authority. The approved Plan may be amended from time to time to reflect phasing changes to the development, subject to obtaining the prior written approval of the Local Planning Authority.

Details shall include control measures for:

- a. noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- b. dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- c. lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- d. delivery locations,
- e. 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),
- f. neighbour liaison, notifications to interested parties and
- g. public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works

h. continued safe access and usage of parking, servicing and other measures necessary for the day to day access to the adjacent Network Rail land.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site.

39. Transport/commercial/industrial/cultural noise sources

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of 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), based on the highest noise levels reported by Ramboll in their report ref. RUK2022N00315-RAM-YA-RP-00001 Revision 3.0, dated 24 October 2022, 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 living conditions of the future occupiers of the site.

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

Prior to the commencement of the development, details shall be submitted to the Local Planning Authority for approval in writing, of plant/ machinery/ equipment/ducting/air in- and outlets/ mechanical installations and their external rating noise level, 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 +A1 2019, with all plant/equipment operating together at maximum capacity. Where required, a post installation sound assessment shall be submitted to the Local Planning Authority for approval in writing. The assessment shall be carried out to confirm compliance with the noise criteria and shall include additional steps to mitigate noise as necessary.

Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise from mechanical installations/ equipment.

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration noise from mechanical installations/ equipment.

42. Ground and airborne building vibration from railways, road traffic, industrial/commercial uses

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of building vibration levels and structure borne noise generated by the adjacent railway and effective mitigation measures where necessary. The criteria to be met and the assessment method shall be as specified in BS 6472:2008. Details shall demonstrate that building vibration will meet a level that has low or no probability of adverse comment and NR20 inside habitable rooms. No part

of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by ground- or airborne vibration or noise.

43. Separation of bedrooms from communal uses and facilities

The sound insulation of the floor/ceiling /wall structures separating communal stairs, plant and facilities from bedrooms shall be enhanced by at least 10dB above the Building Regulations value. Where noise emissions include characteristic features, the Noise Rating level should not exceed NR20 Leq 5mins in habitable rooms. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment.

45. Separation of noise sensitive rooms in neighbouring flats

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

Reason: To ensure that the amenity and living conditions of occupiers of the development site is not adversely affected by noise.

46. Passenger Lift Noise

Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of all, as appropriate, passenger lifts and lift shafts, in accordance with noise limits specified in Table 5 BS8233:2014. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins inside a habitable room. Details shall include mitigation measures and the resulting sound insulation value and internal sound/rating level within dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

47. Emergency Generator and/or Plant

Prior to their first operation:

1. details shall be submitted to the Council for approval in writing, of historical power outages and to confirm that the sound level emitted by standby or emergency generators during power outages or testing does not exceed the lowest daytime ambient noise level LAeq(15min) as assessed according to standards of the Council's SPG10 and BS4142:2014 +A1 2019. Details of proposed times, frequency and duration of testing and mitigation measures shall be submitted for approval. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained and
2. details on all new installed diesel generators demonstrating compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) shall be submitted and approved in writing by the Local Planning Authority.

The details must include the results of NOx emissions testing of the diesel fuelled generator units by an accredited laboratory, emissions concentrations expressed at specific reference conditions for temperature, pressure, oxygen and moisture content under normal operating conditions.

Where any combustion plant does not meet the relevant standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology. Evidence of installation shall be required where secondary abatement is required to meet the NOx Emission standard 150mg/Nm-3 (at 5% O2) and shall be permanently retained as such.

The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment and to ensure the achievement of obligations to deliver air quality objectives for NO2 in accordance with London Local Air Quality Management (LLAQM), and to limit PM2.5 (fine particulates) to safeguard public health and well-being and external amenity of nearby sensitive receptors.

48. Intrusive Land Investigation

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

Reason: To ensure the land contamination issues are addressed in accordance with the Ealing Development Plan (Core Strategy), London Plan and Ealing Local Variations.

49. Contamination Remediation Scheme

Prior to commencement of development, 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, with reference to Curtins report (Ref.080175-CUR-00-XX-T-GE-0002) include all works to be undertaken, including; post demolition additional site investigation of areas of the site not investigated (in accordance BS1075:2011+A1:2013 and LCRM), which will include the identified localised Asbestos area and beneath building footprints; 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 the Ealing Development Plan (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

50. Remediation 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 the Local Development Framework (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

51. Piling Method Statement

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure and piling has the potential to impact on such infrastructure.

52. Waste water infrastructure

- a. Development (with the exception of demolition and site clearance) shall not commence until a detailed drainage strategy for the disposal of foul and surface water that covers the total site area and detailed design drawings detailing any on and/or off-site drainage works (including ground investigations), has been submitted to and approved in writing by the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The approved drainage strategy shall be fully implemented at the time of first occupation of any dwelling and shall be retained thereafter.
- b. Prior to commencement of development (with the exception of demolition and site clearance) of the development hereby approved, details should be submitted to and agreed with the Council which demonstrate that surface water run-off is restricted to greenfield run-off rates for the total site area to promote benefits which include bio-diversity, amenity, water quality and attenuation; surface water attenuation systems designed to accommodate the 1 in 100 years plus 40% climate change storm event, restricted to Q_{bar} in the return period, a detailed maintenance plan of the proposed drainage system for the lifetime of the development confirming owners/adopters of the drainage system to include measures, so far as practicable for surface water drainage attenuation, harvesting and reuse from the roof terraces/amenity areas and 'green' SuDS.

Reason: To ensure that the development does not cause adverse local environmental impact in accordance with the Ealing Development Plan (Core Strategy), the London Plan and Ealing Local Variation and of the Ealing Development Management Development Plan.

53. Fire Safety

Prior to the first occupation of any part of the building:

- a. the approved development shall be carried out and completed to the satisfaction of the Local Planning Authority in accordance with the details set out in the Planning Fire Statement GL8313/me/23ga prepared by Jensen Hughes dated 13/10/22 and
- b. the two lifts shall be designated as either a Fire Fighting Lift or Evacuation Lift in accordance with the Planning Fire Statement.

The development shall thereafter be permanently retained in accordance with a. and b. above.

Reason: To comply with London Plan fire safety policy.

54. Lift Installation

No dwelling shall be first occupied within the development hereby approved until confirmation for approval has been submitted in writing to the local planning authority that all lifts within the building have been commissioned and are ready for use.

Reason: In the interests of the amenities of residents.

55. Sustainable Design and Construction

Prior to completion the sustainability measures detailed in the final approved Sustainability Statement submitted by Blewburton Ltd in October 2022 shall be implemented and maintained unless superseded by other relevant consultants statements and reports as agreed by the Local Planning Authority. The measures shall meet the requirements of local and regional planning policies and be in line with the Mayor's Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures.

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

The following are also brought to the applicant's attention:

INFORMATIVES:

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Ealing Development (Core) Strategy 2012, the Ealing Development Management Development Plan Document 2013, the London Plan 2021, the National Planning Policy Framework 2021 and to all relevant material considerations including Supplementary Planning Guidance and the National Design Guide. The scheme complied with policy and guidance. The Local Planning Authority delivered the decision proactively in accordance with requirements of the National Planning Policy Framework.

National Planning Policy Framework 2021

National Planning Policy Guidance

National Model Design Code 2021

National Design Guide 2019

Historic England Guidance

Managing Significance in Decision-Taking in the Historic Environment Good Practice Advice in Planning: 2, 2015

The Setting of Heritage Assets Good Practice Advice in Planning: 3, 2017

Making Changes to Heritage Assets Advice Note 2, 2016

London Plan, 2021

GG1 - Strong and inclusive communities

GG2 - Making best use of land

GG3 - Creating a healthy city

GG4- Delivering the homes Londoners need

GG6 - Increasing efficiency and resilience

H1 - Increasing Housing Supply

H4 - Delivering Affordable Housing

H5 - Threshold Approach to Applications

H6 - Affordable Housing Tenure

H8 - Loss of existing housing and estate redevelopment

H10 - Housing Size Mix

H12 - Supported and Specialised Housing

SD1 - Opportunity Areas

D1 - London's Form Character and Capacity for Growth

D2 - Infrastructure Requirements

D3 - Optimising Site Capacity

D4 - Delivering Good Design

D5 - Inclusive Design

D6 - Housing quality and standards

D7 - Accessible Housing

D9 - Tall buildings

D12 - Fire Safety

D13 - Agent of Change

D14 - Noise

HC1 - Heritage Conservation

HC3 – Strategic and Local Views

G1 - Green infrastructure

G5 - Urban Greening

G6 - Biodiversity

G7 – Trees and Woodlands

S1 - Social Infrastructure
S2 - Social Infrastructure
S3 - Social Infrastructure
SI 7 - Reducing Waste and Supporting the Circular Economy
SI1 - Improving Air Quality
SI3 - Energy Infrastructure
SI4- Managing Heat Risk
S15 - Water Infrastructure
SI2 - Minimising CO2 emissions
SI13 - Sustainable Drainage
T2 - Healthy Streets
T4 - Assessing and Mitigating Transport Effects
T5 - Cycling
T6 - Car Parking
T6.1 - Residential Parking
T7 - Deliveries Servicing and Construction
DF1 - Delivery of the Plan and Planning Obligations

London Plan Supplementary Planning Guidance

Affordable Housing and Viability SPG (August 2017)
Housing SPG (November 2016)
Optimising Site Capacity: A design led approach LPG
Accessible London: achieving an inclusive environment
Sustainable Design & Construction
Energy Assessment Guidance (2016)

Ealing Adopted Development (or Core) Strategy (April 2012)

Chapter 1 - Vision for Ealing 2026
1.1 Spatial Vision for Ealing
1.2 Delivery of the Vision for Ealing 2026
2.18 Green Infrastructure
Chapter 2 – Development in the Uxbridge Road/ Crossrail Corridor
5.2 Minimising Carbon Emissions
5.4 Protect the Natural Environment
5.10 Urban Greening
Chapter 6 - Ensuring Sustainable Delivery
6.1 Physical Infrastructure
6.2 Social Infrastructure
6.3 Green Infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing Adopted Development Management Development Plan Document (December 2013):

Ealing Local Variation to London Plan Policy 3.4 Optimising Housing Potential Ealing
Local Variation to London Plan Policy 3.5 Quality and Design of Housing
Developments
Policy 3A Affordable Housing
Ealing Local Variation to London Plan Policy 5.2 Minimising Carbon Dioxide
Emissions & 5.2.3. Post-construction energy equipment monitoring.
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 6.13 Parking
Policy 7A Amenity

Ealing Local Variation to London Plan Policy 7.3 Designing Out Crime
Ealing Local Variation to London Plan Policy 7.4 Local Character
Policy 7B Design Amenity
Policy 7C - Heritage
Ealing Local Variation to London Plan Policy 7.7 Location and design of tall and large buildings
EA Ealing Local Policy Presumption in Favour of Sustainable Development
Development Sites DPD

Draft Ealing Local Plan, 2022:

SP.2 Tackling the Climate Crisis
SP2.2A making the best use of land
SP3 fighting inequality
SP3.1A spatial inequalities
SP3.1B equal and affordable borough
SP3.1C safe and secure environments
SP3.3 I specialist housing
SP4.3 Genuinely affordable homes
D9 Tall buildings (Acton Area A5/A6 = 7/8 storeys)
HOU Affordable Housing
G5 Urban Greening
CO Carbon Offsetting
FLP Funding the Local Plan
A.1 Acton Spatial Strategy
A - significant investment opportunity to increase affordable homes
C - growth focussed around transport interchanges such as Acton Town
I - delivering more genuinely affordable homes
K(ii) - improving living conditions alongside Gunnersbury Lane
L(iii) - ensuring development achieves highest design standards

London Plan Supplementary Planning Guidance

Affordable Housing and Viability SPG
Housing SPG
Optimising site capacity: a design led approach LPG
Housing design standards LPG
Housing Design Guide Consultation Draft
Small Sites Design Codes LPG
Characterisation and Growth Strategy Consultation Draft
Fire Safety draft LPG
Character and Context SPG
Housing SPG
Planning for Equality and Diversity SPG
Play and Informal Recreation SPG
Public London Charter LPG
Optimising site capacity: a design led approach LPG
Housing design standards LPG
Fire Safety LPG
Draft Housing Design Quality and Standards - Module C
The Mayor's Good Practice Guide to Estate Regeneration
Urban Greening Factor draft LPG
Control of dust and emissions during construction and demolition SPG
Air Quality Neutral draft LPG
Air Quality Positive draft LPG
Ealing Urban Realm Strategy
Good Growth - London Plan

Accessible London: achieving an inclusive environmentSPG
Sustainable Design & Construction SPG
Shaping Neighbourhoods: Play and Informal Recreation
Energy Assessment Guidance
Circular Economy Statements draft LPG
Whole-life Carbon Assessments draft LPG
'Be Seen' Energy Monitoring Guidance LPG
Urban Greening Factor draft LPG
London Environment Strategy
Mayor's Sustainable Design & Construction SPG 2.5.36
(Best Practice) post-construction monitoring.
The Mayor's Good Practice Guide to Estate Regeneration

Ealing Supplementary Planning Documents/Interim Guidance

Sustainable Transport for New Development SPD
Planning New Garden Space SPD
Ealing Tree Strategy
Legal Agreements SPD
Interim Guidance (SPG 3): Air Quality
Interim Guidance (SPG 10): Noise and Vibration
Ealing Strategic Housing Market Assessment Update
Ealing Local Planning Policy Guidance (LPPG): Tall Buildings
Ealing Character Study and Design Guide
Highways and Transport Design Guide

2. Demolition and construction works and associated activities, including deliveries, collections and staff arrivals 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 and no waste materials should be burnt on site.

BPM & mitigation measures can be found in the following guidance:

- i. 'Guidance on the Assessment of dust from demolition and construction', IAQM, February 2014
- ii. 'The control of dust and emissions from Construction and Demolition' Draft SPG, GLA, 2013
- iii. BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise

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

4. Prior to the commencement of any site works, all sensitive properties surrounding the site boundary 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. A minimum written period of 1 month would be required.

5 Dark smoke and nuisance

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

6 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 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.

7. 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.

8. The developer will be liable for the cost of any repairs to damage to the footway directly resulting from the construction work. It is recommended that a footway/carriage way condition survey is carried out prior to the start of construction work, in conjunction with the Highways Section.

9. To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, and offers and encourages a comprehensive pre-application advice service, all of which is available on the Council's website and outlined in a 24 hours automated telephone system.

11. Ground Investigation:

- a) Reference should be made at all stages to appropriate current guidance and codes of practice this would include:
 - The report of the findings must include:
 - A timetable of works and site management procedures.
 - a survey of the extent, scale and nature of contamination;
 - an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments
 - Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
 - Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
 - LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
 - BS10175:2011 Investigation of potentially contaminated sites - Code of Practice
 - Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
 - Verification of Remediation of Land Contamination', Report: SC030114/R1, Environment Agency, 2010
 - National Planning Policy Framework;
 - Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008

- b) 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.
- c) 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)
- d) On-site monitoring for ground gases with any relevant laboratory gas analysis; 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases, (C735), CIRIA, August 2014
- e) 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).

12. Noise:

- SPG10 requires that acoustic measurements are carried out and that precise calculations are made for the building envelope insulation. In calculating the minimum sound reductions the following is required:
- A precise sound insulation calculation under the method given at BS EN12354-3: 2000, for the various building envelopes, using 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
- 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.
- Compliance with the internal and external criteria set at SPG10.
- Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-1 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.

13. Ground Water discharge:

9. 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 groundwater. 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.

- 14. A ground water risk management permit from Thames Water will be required for discharging ground water 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. Permit enquiries should be directed to Thames Water's Risk

Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

15. Legal changes under the water Industry (Scheme for the adoption of private sewers) regulations 2011 mean that the sections of pipes you share with neighbours or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend that 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 0800 009 3921 or for more information please visit the Thames Water website at www.thameswater.co.uk
16. The Mayor's Community Infrastructure Levy (CIL) was adopted on 01/04/2012. This has introduced a charging system within Ealing of £60 per sqm of gross internal area to be paid to the GLA.
17. The developer is advised that should any external plant be installed the rating noise level emitted from the proposed external plant and machinery at the proposed development, as assessed under BS4142: 1997, shall be lower than the existing background noise level by at least 5 dBA as measured at 3.5 m from the nearest ground floor sensitive facade and 1m from upper floor noise sensitive facades, during the relevant periods of operation.
18. Network Rail:
The developer must ensure that their proposal, both during construction and after completion does not:
 - encroach onto Network Rail land
 - affect the safety, operation or integrity of the company's railway and its infrastructure
 - undermine its support zone
 - damage the company's infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure
 - over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the futureNetwork Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

Future maintenance

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's

land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. a l l possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged,

undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Vehicle Incursion

Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

Landscaping

Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway.

Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

Existing Rights

The applicant must identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

If you would like to discuss any of the above, please contact your local Network Rail's Asset Protection team:

Anglia: AssetProtectionAnglia@Networkrail.co.uk

Kent and Sussex: AssetProtectionLondonSouthEast@NetworkRail.co.uk

Wessex: AssetProtectionWessex@NetworkRail.co.uk

To identify your route, please use the link: <https://www.networkrail.co.uk/running-the-railway/our-routes>

19. Secured by Design:

The applicant's attention is drawn to the letter of 30th November 2022 from the Metropolitan Police Design Out Crime Office (Met Reference NW6844) requesting that the development must achieve Secured by Design accreditation in compliance with condition 17 of this permission.

20. 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/>.

21. Energy and CO2:

In April 2019 Ealing Council passed a motion declaring a Climate Emergency with a commitment to draw up and implement policies that will achieve a target of net zero emissions by 2030.

The provision of sustainable development is a key principle of the National Planning Policy Framework which requires the planning process to support the transition to a low carbon future. Policies 5.2 and 5.3 of the London Plan require submission of energy and sustainability strategies showing how the heating and cooling requirements of the development have been selected in accordance with the Mayor's energy hierarchy.

In particular, policy 5.2 that requires new major development to meet zero-carbon standards with at least a 35% CO2 reduction beyond Building Regulations Part L 2013 (or any later version) being achieved onsite. Any shortfall will be met through a S106 carbon offset contribution.

22. Policy 5.2 replaced by Policy SI2 in the adopted London Plan, which adds a fourth layer to the energy hierarchy which 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.

Adopted London Plan policy SI3 (Energy Infrastructure) recognises that combined heat and power (CHP) may have negative effects on London's air quality. The policy also recognises that because the carbon intensity of grid electricity is steadily dropping due to the increasing use of marine wind turbines, electric air-source-heat-pumps are a better carbon reduction option than gas fired CHP.

In addition, London Plan policy 5.7 (5.42) states that there is a presumption that all major development proposals will seek to reduce carbon dioxide emissions by at least 20% through the use of on-site renewable energy generation wherever feasible. Section 11.2 of the GLA (2018) 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.

23. EA Drainage:
1. Please note, for any temporary/permanent works, the Technical Approval process applies to the design of all structures located over, under or adjacent to the public highway. The term "design" shall include the assessment, strengthening, alteration or repair of existing structures. The developer shall apply for approval before commencement of project by making an initial application in advance of starting on site - submit Approval in Principle form for review and approval. This is followed by submission of Design and Check Certificates for acceptance at detailed design stage.
 2. All risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Reports and Risk Assessments should be prepared in line with The Environment Agency's approach to groundwater protection February 2018 Version 1.2 (previously GP3) and the Land Contamination: Risk Management guidance provided on .GOV that has been developed based on the principals defined in the CLR11 (Model Procedures for the Management of Land Contamination).
 3. Site Specific Ground Investigations must be clearly presented with accompanying engineering drawings and borehole scan results.

Borehole Investigation - A site specific intrusive investigation entailing a ground investigation undertaken by a chartered engineer/geologist to establish the ground conditions, groundwater levels, surface and groundwater flow, infiltration/soakage tests to BRE365. Variations in ground conditions can occur within relative close proximity therefore the borehole investigation should be undertaken at various locations spread across the site (larger site).

24. Thames Water:
- There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade_effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water Water Efficiency Informative

Developers are encouraged to maximise the water efficiency of the development. Thames Water offer environmental discounts for water efficient development which reduce the connection charges for new residential properties. Further information on these discounts can be found at:

<https://www.thameswater.co.uk/developers/charges>

Affinity Water Comments

With regard to water supply, if this site comes within the area covered by the Affinity Water Company, the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

Waste water: The applicant should refer to the London Plan Policy SI 13 Sustainable drainage, subsection C (avoiding impermeable surfaces) and consider alternatives to hard surfacing, such as permeable pavement. Opportunities for water reuse, such as water butts or storage tanks for surface water to later be used for landscaping should be fully considered.

25. Heathrow Airport

Although it isn't anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or Radar, Heathrow Airport Ltd. draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/> and CAA [CAP1096: Guidance to crane users on the crane notification process and obstacle lighting and marking \(caa.co.uk\)](#)).

All crane applications should be sent to Heathrow's Works Approval Team via the following address: Airside_Works_Approvals@heathrow.com

Advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.

<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>

CAA Crane Notification

where a crane is 100m or higher, crane operators are advised to notify the CAA (arops@caa.co.uk) and Defence Geographic Centre (dvof@mod.gov.uk) .

The following details should be provided before the crane is erected:

- the crane's precise location
- an accurate maximum height
- start and completion dates

26. Electric Vehicle Charge Points (EVCP)

The London Plan parking standard is for 20% of parking spaces in new developments be fitted with operational EVCPs.

For developments and/or streets remain under private ownership then the developer is advised to enter into contracts with an identified EVCP operator to cover equipment supply, installation, operation (customer service), data provision, customer service and maintenance of equipment (especially funding/resourcing of these functions), full operator public liability insurance and exit provisions. These contracts should be for

several years (ideally over 7 years long). The Council cannot be responsible for EVCPs on private land.

It is essential to involve the EVCP operators early in scheme designs as there are several critical constraints (e.g. distance from other electrical equipment etc) where the infrastructure can be installed.

Where applicable:

For adopted highway/council property site the Council has existing contracts with Source London and Liberty Charge EV charge point (EVCP) operators which cover equipment supply, installation, operation (customer service), data provision, customer service and maintenance of equipment (especially funding/resourcing of these functions. See contacts:

Paula STRATFORD paula.stratford@totalenergies.com

Fred LEBALLOIS fred.leballois@totalenergies.com

[Source London: EV charging network in London](#)

Edward Faldo Edward.Faldo@libertycharge.co.uk

Gail Rowe gail.rowe@libertycharge.co.uk

[Homepage - Liberty Charge](#)

Any proposed EVCPs provided by developments on public highway or Council car parks would have to be provided by one of these operators.

[Electric vehicles and charging points | Electric vehicles and charging points | Ealing Council](#)

27. Archaeology

In connection with condition 4 of this permission, written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. The condition attached to this permission is exempt from deemed discharge under Schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

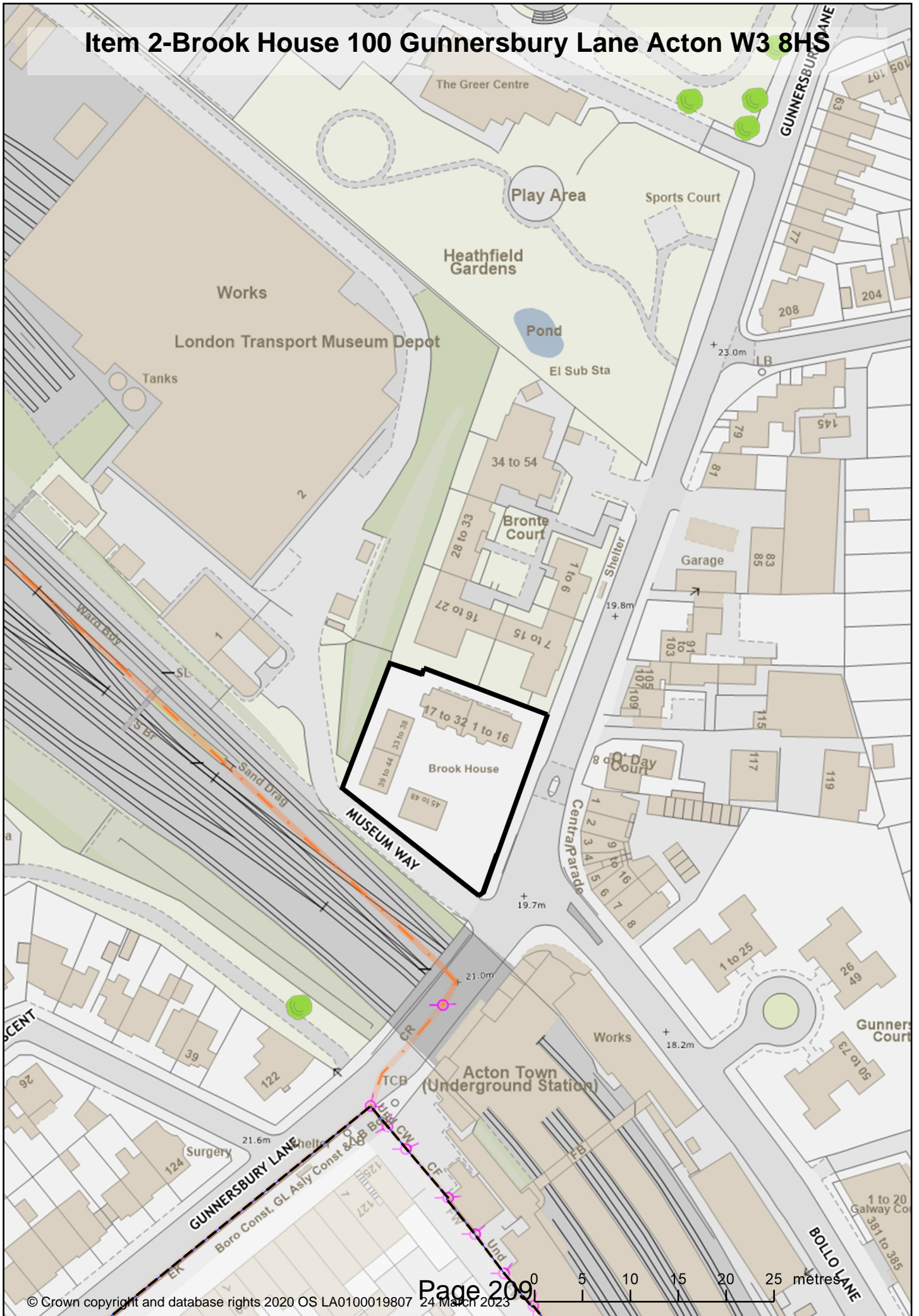
28. TfL Infrastructure

In connection with condition 5 of this permission, the applicant is advised to contact TfL Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.

29. Virginia Creeper

Virginia Creeper, an invasive species, is present on site and will need to be removed in accordance with best practice.

Item 2-Brook House 100 Gunnersbury Lane Acton W3 8HS



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