



Notice of Meeting:
**Planning
Committee**

Meeting Location:

The Atrium - Perceval House

Date and Time:

Wednesday, 1 November 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

R Wall (Chair), D Martin (Vice-Chair), K Sahota, S Khan, S Kohli, T Mahmood, A Kelly, M Hamidi, Y Gordon, S Padda, G Shaw, A Steed and F Conti

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 Part 1 of Schedule 12A of the Local Government Act 1972.

5 Minutes

(Pages 5 - 12)

To approve as a correct record the minutes of the meeting held on 19 October 2023.

6 Site Visit Attendance

To share site visit details and note site visit attendance.

7 Planning application - 223545FUL - The Hambrough Tavern, The Broadway, Southall, Middlesex, UB1 1NG (Southall West)

(Pages 13 - 92)

8 Planning application - 223090FUL - Sherwood Close (Former Dean Gardens Estate), West Ealing, London, W13 9YP (Walpole)

(Pages 93 - 160)

9 Planning application - 216215FUL - 13-15 The Green, Southall, UB2 4AH (Norwood Green)

(Pages 161 - 234)

10 Date of the Next Meeting

The next meeting will be held on 13 December 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.

Published: Tuesday, 24 October 2023

Public Document Pack Agenda Item 5

Minutes of the meeting of the Planning Committee

Date: Thursday, 19 October 2023

Venue: The Atrium - Perceval House

Attendees (in person): Councillors

R Wall (Chair), D Martin (Vice-Chair), K Sahota, T Mahmood, A Raza, Y Gordon, M Iqbal, S Padda, L Wall, M Rice, C Summers, G Busutil and A Young

1 Apologies for Absence and Substitutions

There were none.

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

The committee was asked to consider two sets of minutes, the first from the meeting on 7 June 2023 and the second from 19 July 2023.

RESOLVED:

That the minutes of the meetings on 7 June 2023 and 19 July 2023 were agreed as a true and correct record.

6 Site Visit Attendance

The following councillors attended site visits on the weekend prior to the committee meeting:

Councillors R Wall, D Martin, Sahota, Mahmood, Raza, Gordon, Iqbal, Padda L Wall, Rice and Busutil.

Councillors Young and Summers sent their apologies for the site visits.

7 Planning Application - 232800FUL - 1 Stirling Road/1-9 Colville Road and 67-81 Stirling Road , Acton, W3 8DJ (South Acton)

Joel Holland Turner, Planning Officer, introduced the report and explained that the application before the Committee was for the construction of a mixed-use development of two buildings, comprising 20 and 11 storeys respectively.

The development was going to be situated on two separate, unattached plots within an industrial block in South Acton. The first site had frontages to Bollo Lane, Colville Road and Sitrling Road. The second site had frontages onto Stirling Road and Bollo Lane. Both sites were designated as part of a Locally Significant Industrial Site (LSIS), had an Archaeological Interest Area designation and were located within a Local Park Deficiency area. Officers considered the proposals were for well-designed buildings which would uplift the local area.

Mr Holland explained the plans for the two blocks. The proposed 20 storey block was known as block AB and was going to include industrial floor space at ground and first floor, with purpose-built student accommodation on the floors above. Block JK was the 11-storey block, and it was at the ground and first floor levels of this block that the existing industrial uses on the site were going to be reprovisioned. 95 homes were going to be provided above the industrial floors, of which 38% by habitable room were going to be affordable.

Mr Holland noted that it was a material consideration that a scheme on this site had previously been agreed by committee in November 2021. In the view of officers, the proposals for the height fell within the parameters set by the consented scheme. One of the key differences between the consented scheme and the proposed scheme was the provision of student accommodation in block AB. It was noted that a purpose-built student accommodation (PBSA) needs assessment had been undertaken and had found that there was a relative lack of PBSA stock to meet the current and future need of Ealing's student population. In light of the findings of the needs assessment, officers considered the provision of student accommodation on the site could, in principle, be supported.

Overall, Mr Holland explained that officers found the scheme to be well-considered, with the benefits of delivering new homes and industrial space. It was well designed and was likely to uplift what had been an unwelcoming environment. Mr Holland recommended that the committee grant consent for the application, subject to conditions, the completion of a section 106 legal agreement and stage II referral to the Greater London Authority.

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 an amendment to the recommendation which added to the proposed Heads of Terms for the development.

Mr Neil Sheppard, an objector to the development, made a representation to the Committee which included the following key points:

- The buildings were too tall and risked compounding the issues South

Acton was facing as its population density increased. The height appeared to be in contravention of the Acton Gardens Master Plan, which required the height of buildings to be commensurate with local buildings, many of which were around 6 to 8 storeys tall.

- Given the increase in population these proposals were proposed to bring, there was not the necessary uplift in local facilities and infrastructure to support new residents.
- Residents risked being denied the choice of local amenities if new facilities were not brought forward in line with this development. It was a low-car development, which risked restricting the options residents had further, given they would not be able to travel as far to access amenities and community facilities.

Mr Harry De Lotbiniere, on behalf of the applicant, spoke in favour of the application. The representation made the following key points:

- The proposals before the committee were amendments to a scheme which was proposed and consented in 2021. Economic, technical and regulatory changes had rendered the previous scheme undeliverable. The new scheme included a slight decrease in the height of the tallest block, an increase in collective affordable housing on the site, and the provision of purpose-built student accommodation.
- The application was part of the wider context of Hawkins/Brown masterplan for the area, which was a phased mixed-use re-development of the surrounding area, encompassing 10 sites.
- The development was in a prime location to provide accommodation for numerous higher education institutions in West London. The applicant had identified a need for student accommodation in the area with it estimated that, at the time of the application, there were 5 students for every purpose built student room in Ealing.

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

- There was a wider initiative through the developing South Acton estate masterplan to bring forward opportunities for new infrastructure, facilities and green spaces in South Acton.
- The proposals for a car free development were in line with the London plan policy position on access to the use of cars through new developments. One factor offsetting the concerns about the development being car free was the site's proximity to 3 train stations.
- The site was not situated within the Acton Gardens Masterplan area.
- There was £15,000 allocated for children's play space through the proposed Section 106 legal agreement contributions. Work on the South Acton masterplan included considering how the Council could support new developments to propose buildings which left space for the creation of new pocket parks, for which contributions such as those from this development could contribute.

- The development site did not fall within a designated area for tall buildings. However, it was a material consideration that the height of the proposed scheme fell within the parameters of the height of the consented scheme from 2021. Notwithstanding this point, planning officer had undertaken a tall building impact assessment as part of the committee report and had concluded that any impact caused would be acceptable.
- It was planned that couriers to the development would avoid access via Bollo Lane given that this was an already busy road. It was expected that couriers would use the same entrances as would deliveries for the industrial areas of the development. This was considered acceptable given that couriers, particularly for take away food, often delivered at different times to delivery drivers for industry.
- The previously consented scheme had brought forward the affordable housing provision in a separate block from the private rental provision, in a similar way to the proposed scheme.
- The applicant was bound by legal agreement to provide the affordable housing as well as the other units, including student accommodation. Occupation of the student units would not be permitted until the affordable units were finished and ready to be occupied.
- The recommendation set out a number of use classes which would be allowed using the industrial floor space. The impact of the industrial uses on residents was mitigated through conditions such as requirements for sound insulation.

The Committee proceeded to vote on the application.

RESOLVED:

That for the reasons set out in the committee report, planning permission for application REF **232800FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent;
2. Satisfactory completion of a Section 106 Legal Agreement; and
3. A Stage II referral to the Mayor of London.

8 Planning Application - 232010FUL - Blueprint Southall (Former Honey Monster Foods), Bridge Road, Southall, Middlesex, UB2 4AB (Norwood Green)

Chris Maltby, Planning Officer, introduced the report and explained that the application before the Committee was for a hybrid application for the phased redevelopment of the Former Honey Monster Foods site, on Bridge Road, Southall. The development was part of a wider industrial estate in Norwood Green ward and was designated as a locally significant industrial site. It was bordered to North by a railway branch line, to the east by Glade Lane Canalside Park, to the south by a spur of the Grand Union Canal and to the west the Middlesex Business Centre.

The redevelopment, which was going to comprise 3 phases, was for the

creation of a new employment campus comprising office and industrial uses and was going to cover a maximum of 39,628 square meters of floorspace. Mr Maltby explained that the applicant had submitted full details of phases 1 and 2 of the development, with outline permission sought for phase 3.

The proposals were considered to bring significant regeneration benefits, including the provision of a new east-west cycle path through the site, a new bus route connecting the site and neighbouring Middlesex Business Centre to south Southall, the provision of a new retail kiosk at the centre of the site, and the provision of affordable workspace on site. The proposals would also bring a brown field employment site back into use after having laid vacant since 2016.

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 clarifications to the report, additional consultation responses provided since the committee report was published, and amendments and additions to the conditions recommended.

Mr Maltby also updated the committee that since the briefing note was published, he had received confirmation from National Highways that they had no objections to the proposals.

Overall, given the public and regeneration benefits of the scheme, and its compliance with national and local planning regulations and policy, Mr Maltby recommended that the application was granted, subject to conditions, satisfactory completion of a Section 106 Legal Agreement, and a referral to the Mayor of London.

There were no speakers on this item.

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

- Affordable workspace was going to be provisioned by way of condition for a period of no less than 15 years from the date of occupation.
- 68 parking spaces were distributed throughout the site, with 2 nearby to affordable workspace. The affordable workspace was also adjacent to the proposed bus stop.
- The works to Bridge Road were to be completed by the time the development was occupied.
- The development was to be fully managed by the applicant, with it being their responsibility for maintaining the trees on the site. A condition secured the creation of site management plan, which would give details of how the site would be managed.
- The shuttle bus was going to be a temporary measure before the bus service commenced. The commencement of the bus service was dependent on the opening of Healum Avenue, which was being brought forward in coordination with the developer of the previously consented Middlesex Business Centre.

- Officers had secured by condition that the developer was to supply details of the interim shuttle bus service. This was likely to include details of the pick-up and drop off points, times, and the likely start date of the service. Officers could negotiate with the developer to bring the shuttle bus service forward so that it commenced from when construction started.
- Unlike residential schemes, where there was a demonstrable relationship between new residential units and requirements for community infrastructure like schools, this development (as an employment led development) did not have such a close link to require contributions to schools and local community centres. However, there were wider community benefits to the scheme, given its regenerative aims and the employment opportunities which were proposed.
- Concerns about contamination of the neighbouring canal were mitigated by the fact that there were robust procedures in place, including necessary licence applications, which the applicant would need to undertake before commencing work on the site.
- The proposals were going to cause a 10% biodiversity net gain on the site.
- An application for planning permission on this site had been agreed some years ago. The previous application had been submitted by a different developer.
- The developer was aware that there might be demand for film making space on the site. It was hoped that some of the proposed units would be suitable for such uses.
- There was going to be a cycle way through the site, with access to Glade Lane Canalside Park.
- There had been a positive response by the developer to the comments of the community review panel, particularly in relation to place-making on the site.
- The art strategy contribution was to fund local artists to produce work to be displayed around the site.
- The scheme included contributions to improve parking on Bridge Road. There was more work to be done by the Council after the committee meeting to confirm the best way to improve parking on the road, taking into consideration existing issues with parking enforcement on the road.

The Committee proceeded to vote on the application.

RESOLVED:

That for the reasons set out in the committee report, planning permission for application REF **232010FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent;
2. Satisfactory completion of a Section 106 Legal Agreement; and
3. A Stage II referral to the Mayor of London.

9 Date of the Next Meeting

The date of the next meeting was scheduled for 1 November 2023.

Meeting commenced: 7.00 pm

Meeting finished: 7.59 pm

Signed:

Dated: Wednesday, 1 November
2023

R Wall (Chair)

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Ref : 223545FUL

Address: The Hambrough Tavern, The Broadway, Southall, Middlesex UB1 1NG

Ward: Southall West

Proposal: Demolition of the existing buildings and redevelopment of the site for a part 5, part 17 storey building plus basement, comprising 116 build to rent residential units (Use Class C3) , public house (sui generis)), community space (Use Class F2(b), formation of vehicular access, car and cycle parking; hard and soft landscaping; associated amenity space.

Drawing numbers: 20055-SWAP- 00-00-DR-A-MA-0000 (Site Location Plan); 20055-SWAP- E0-00-DR-A-MA-1000 (Existing Block Plan); 20055-SWAP- XX-00-DR-A-MA-0011 (Demolition Plan); 20055-SWAP- E0-00-DR-A-GA-1150 (Existing Ground Floor Plan); 20055-SWAP- E0-01-DR-A-GA-1151 (Existing First Floor Plan); 20055-SWAP- E0-XX-DR-A-GA-1161 (Existing Section A&B); 20055-SWAP- E0-01-DR-A-GA-1171 (Existing Elevation – Broadway); 20055-SWAP- E0-02-DR-A-GA-1172 (Existing Elevation – Bankside)

20055-SWAP- P0-00-DR-A-MA-0100 R4 (Ground Floor Masterplan); 20055-SWAP- P0-01-DR-A-MA-0101 R3 (First Floor Masterplan); 20055-SWAP- P0-05-DR-A-MA-0105 R3 (Fifth Floor Masterplan); 20055-SWAP- P0-21-DR-A-MA-0121 (Roof Level Masterplan);

20055-SWAP- P0-00-DR-A-GA-1200 R9 (Proposed Ground Floor GA Plan); 20055-SWAP- P0-01-DR-A-GA-1201 R9 (Proposed First Floor GA Plan); 20055-SWAP- P0-02-DR-A-GA-1202 R9 (Proposed Second Floor GA Plan); 20055-SWAP- P0-03-DR-A-GA-1203 R9 (Proposed Third Floor GA Plan); 20055-SWAP- P0-04-DR-A-GA-1204 R9 (Proposed Fourth Floor GA Plan); 20055-SWAP- P0-05-DR-A-GA-1205 R9 (Proposed Fifth Floor GA Plan); 20055-SWAP- P0-06-DR-A-GA-1206 R9 (Proposed Sixth Floor GA Plan); 20055-SWAP- P0-07-DR-A-GA-1207 R9 (Proposed Seventh Floor GA Plan); 20055-SWAP- P0-08-DR-A-GA-1208 R9 (Proposed Eighth Floor GA Plan); 20055-SWAP- P0-09-DR-A-GA-1209 R9 (Proposed Ninth Floor GA Plan); 20055-SWAP- P0-10-DR-A-GA-1210 R9 (Proposed Tenth Floor GA Plan); 20055-SWAP- P0-11-DR-A-GA-1211 R9 (Proposed Eleventh Floor GA Plan); 20055-SWAP- P0-12-DR-A-GA-1212 R9 (Proposed Twelfth Floor GA Plan); 20055-SWAP- P0-13-DR-A-GA-1213 R9 (Proposed Thirteenth Floor GA Plan); 20055-SWAP- P0-14-DR-A-GA-1214 R9 (Proposed Fourteenth Floor GA Plan); 20055-SWAP- P0-15-DR-A-GA-1215 R9 (Proposed Fifteenth Floor GA Plan); 20055-SWAP- P0-16-DR-A-GA-1216 R9 (Proposed Sixteenth Floor GA Plan); 20055-SWAP- P0-16-DR-A-GA-1217 R7 (Proposed Roof Terrace); 20055-SWAP- P0-21-DR-A-GA-1221 R1 (Proposed Roof Plan); 20055-SWAP- P0-B1-DR-A-GA-1222 R8 (Proposed Basement GA Plan);

20055-SWAP- P0-01-DR-A-GA-1311 R3 (Proposed North Elevation);
 20055-SWAP- P0-02-DR-A-GA-1312 R2 (Proposed East Elevation);
 20055-SWAP- P0-03-DR-A-GA-1313 R3 (Proposed South Elevation);
 20055-SWAP- P0-04-DR-A-GA-1314 R4 (Proposed West Elevation);
 20055-SWAP- P0-AA-DR-A-GA-1411 R4 (Proposed Section A);
 20055-SWAP- P0-BB-DR-A-GA-1412 R4 (Proposed Section B);
 20055-SWAP- P0-CC-DR-A-GA-1413 R5 (Proposed Section C);
 20055-SWAP- P0-DD-DR-A-GA-1414 R3 (Proposed Section D)

Supporting Documents: Air Quality Assessment (SH Environmental, July 2022); Consultation and Involvement Statement (Nudge Factory, July 2022); Daylight, Sunlight and Overshadowing Report (Point 2 Surveyors, July 2022); Phase 1 Geo-Environmental Desk Study (Walsh, 18 July 2022); Planning Fire Safety Strategy (BB7, 2 March 2023); Bat Emergence Survey (Greengage, June 2022); Built Heritage, Townscape and Visual Impact Assessment (Montagu Evans, October 2023); Economic Impact Statement (Jeremy Leach Research, 21 July 2022); Landscape Statement (Spacehub, July 2022); Planning Gateway One Fire Statement (BB7, 2 March 2023); Transport Statement (Vectos, July 2022); 8371-PL-UGF-105 (Urban Greening Factor); Biodiversity Impact Assessment (Greengage, July 2022) and Biodiversity Net Gain Update (Greengage, 27 February 2023); Circular Economy Statement (MTT, 21 July 2022); Design and Access Statement (SWAP Architects, 27 July 2022) and Addendum 5 (SWAP Architects, 28 September 2023); Preliminary Ecological Appraisal (Greengage, July 2022); Whole Life Carbon Report (MTT, 21 July 2022); Affordable Housing Statement (DS2, July 2022) and Addendum (DS2, February 2022); Energy and Sustainability Statement (MTT, 23 February 2023); Draft Residential Travel Plan Statement (Vectos, July 2022); Wind Microclimate Study (NOVA, 14 July 2022); 8371-PL-GA-101 (Landscape Masterplan); Outline Construction Logistics Plan (Vectos, July 2022); Internal Daylight and Sunlight Report (Point 2 Surveyors, July 2022) and Addendum (Point 2 Surveyors, 27 February 2023); Planning Statement (DP9, July 2022); Environmental Noise Survey and Acoustic Design Statement (Hann Tucker Associates, 8 October 2021); Flood Risk Assessment (Walsh, July 2022).

Type of Application: Major
Application Received: 27/07/2022 **Revised:**

Report by: Joel Holland Turner

Recommendation: Grant Permission, subject to conditions and Legal Agreement and Stage II GLA Referral

Contents

Executive Summary:..... 4

Recommendation:..... 6

 Heads of Terms..... 6

Site Description..... 8

The Proposal 9

Consultation:..... 11

 Preapplication 11

 Public Consultation – Summary 13

 External Consultation 15

 Internal Consultation 16

Relevant Planning Policies: 19

Reasoned Justification:..... 19

 Main Issues 19

Background..... 19

Principle of Development..... 21

 Build-to-Rent (BTR)..... 23

Mix of Residential Units 25

Housing Land Supply..... 25

Affordable Housing 26

Design, Character and Public Realm..... 27

Tall Buildings 35

Impact on Heritage 41

Impacts on Neighbouring Properties..... 44

 Daylight and Sunlight 44

 Overshadowing 46

 Overlooking 46

 Visual Impact..... 47

Quality of Residential Accommodation 49

 Private Amenity Space 50

Amenity Space..... 51

 Communal Open Space..... 51

 Children’s Play Space 52

 Landscaping and Urban Greening 53

Transport & Highways..... 55

Environmental Pollution (Noise, Air Quality and Contaminated Land)	56
Noise	56
Air Quality	57
Contaminated Land	57
Energy/Sustainability	57
Crime Prevention	58
Refuse & Recycling Storage	58
Mayor’s Community Infrastructure Levy (CIL)	59
Conclusion	59
Human Rights Act:	60
Public Sector Equality Duty	60
Fire Safety	61
ANNEXE 1	62
Conditions/Reasons:	62
GENERAL COMPLIANCE CONDITIONS	62
PRIOR TO COMMENCEMENT CONDITIONS	65
PRIOR TO OCCUPATION CONDITIONS	72
ONGOING CONDITIONS	76

Executive Summary:

The proposed development involves the demolition of the existing buildings on the site, and the construction of a building up to 17-storeys, comprising 116 Build-To-Rent residential units. The ground floor of the building would accommodate the re-provision of the public house on the site, as well as a new community space, co-working area and ancillary amenities to the main residential use of the development. Whilst the main part of the building would be 17-storeys, the development would also include two shoulders, one of 5-storeys to The Broadway and the other being 1-storey to Bankside.

The application site is important within the early development of Southall, being a key location along the canal before the commencement of large-scale residential development. Given the site’s history and its location at the entrance to the Borough from Hillingdon, the application site could be considered a gateway site within the Borough that is currently underutilised. This presents an opportunity to fully optimise the potential of the site to deliver additional accommodation within the Borough.

The residential component of the scheme would be considered to be a Build-to-Rent (BTR) scheme, with none of the proposed units being for sale. The principle of this housing product is supported by both the London Plan and the Draft Local Plan. There are inherent benefits of BTR residential products as they provide high quality environments that are managed and provide longer-tenancies with certainty around rent increases, that are at less of a whim to market fluctuations.

Whilst the site does not form part of an allocated site within Council’s current Development Plan, it does form part of a potential allocation within Council’s draft Local Plan. This is due to there being an

existing approval for a hotel scheme up to 15 storeys (184519FUL), which is a material consideration, particularly with relation to the site's suitability to accommodate a tall building. Whilst the applicant has acquired the site after the submission of this application, the applicant advised that no interest was found for a hotel scheme in this location. This is also evidenced by the recent cessation of operations of the Hyatt Place hotel, nearby on Uxbridge Road within Hayes. This has required the developer to revisit the scheme, with BTR projects being an attractive proposition for this site.

The overall design, scale, massing and height of the proposed development has been considered at length between Council Officers and the developer through pre-application discussions. The scheme was also reviewed by Council's Design Review Panel and Community Review Panel. The scheme would deliver an interesting façade design with the use of ceramic panelling of glazed terracotta, which would play a prominent role. The use of this material provides a reference point to the Martin Brothers, who were prolific members of Southall's heritage and worked in pottery and ceramics. The colour scheme of both the main building and the shoulder elements reflect prominent tones and hues that the Martin Brothers used.

The scheme also uses strong horizontal lines that are reflective of the prevailing built form, particularly mixed-use commercial buildings along The Broadway. Thicker horizontal banding within the façade also aids in defining a base, middle and crown to the building that gives the building visual interest. The building takes an elegant form through the vertical pattern of fenestration providing coherency in its design. Curved edges and the chamfering of the external walls of the building provide for an interesting feature that reduces its scale and massing and reduces impacts on neighbouring residential properties.

Whilst the development is not on an allocated site within the current Local Plan, the Draft Local Plan recognises the existing consent over the site for a 15-storey building and notes the potential for a residential-led, mixed use scheme. A full Townscape and Visual Impact Assessment has been carried out over the site and it is considered that the visual impacts within short, medium and long-range views would be acceptable. The GLA have also noted within their Stage I response that the built form of the proposed development does not represent a significant departure from the consented 15-storey hotel. The TVHIA also focused on the impacts that the proposal would have on heritage, which includes the nearby canal, which forms part of the Canalside Conservation Area. It is considered when assessing the development's impact on designated heritage assets, that the proposal would represent 'less than substantial harm' in accordance with the NPPF, with the public benefits of the proposal significantly outweighing any harm caused.

The scheme would deliver a good mix of housing, with the scheme weighed in favour of 2 bedroom homes. The proposal would also deliver good affordable housing provision at 35% by Habitable Room (34% by floorspace and 30% by unit). All of the affordable homes would be within the Discount Market Rent Tenure, which is in accordance with Policy H11 of the London Plan. The most affordable housing rent (70%) would be delivered at 65% of market value, with the remainder (30%) being set at London Living Rent levels. This is in accordance with GLA requirements and is similar to another BTR Scheme within Southall at Park Avenue.

The scheme would also provide good quality living areas for future residents, with high quality homes that have well considered layouts. All of the proposed flats would meet the minimum internal space standards of Policy D6 of the London Plan, and in many cases significantly exceeding the minimum requirement. All homes would be provided with a balcony and would have access to good quality outdoor and children's play space, along with internal amenity areas at ground floor level, which include a large co-working area and gymnasium.

A full assessment of the impacts on nearby residents has been undertaken, particularly with respect to daylight, sunlight, overlooking and overshadowing. With respect to daylight and sunlight, the

development achieves a high level of compliance with BRE Guidance, protecting the living conditions of neighbouring residents. Full compliance with impacts on rear gardens has been achieved. The design of the building, particularly the chamfered edge, directs eyes to non-habitable spaces on adjoining sites and balconies intelligently use vertical fins to prevent overlooking. As the majority of residential properties are located to the south of the application site, the proposed development would have minimal impact on overshadowing.

Significant interventions into the public realm are proposed that will improve the quality of the streetscape, with new paving and street trees proposed. Aspirational proposals are also mooted for the canal area, which would be subject to further discussion with the Canal and Rivers Trust. A s278 agreement will also be required for the works proposed to the highway, including the loading arrangements which are proposed to be located at-grade within the street on Bankside, to allow additional public realm when not in use.

The proposed development incorporates high levels of sustainability, with Council’s Energy Consultant advising that the proposed measures are brilliant and highly supported. Site-wide carbon reductions of 57.89% would be delivered, with this being achieved through lean (15.45%) efficiency measures and green (42.43%) efficiency measures. The scheme also delivers an Urban Greening Factor (UDF) in excess of the Mayor of London’s requirements.

Overall, the development of the site is considered to be well-considered and it is considered that there is no reason that would warrant the refusal of the application. It is therefore recommended that the application be approved, subject to conditions, s106 legal agreement and Stage II referral to the GLA.

Recommendation:

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

The application shall also be subject to Stage II Referral to the GLA.

Heads of Terms

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

Financial Contribution Heading	Proposed Contributions
Education Infrastructure	£160,000
Healthcare provision	£210,000
Town Centre Improvements	£80,000
Canal and Rivers Trust (Southall Wellbeing Way)	£50,000
Bus Service Improvements (TfL)	£243,750
Transport and Public Realm Improvements	£200,000
Travel Plan Monitoring	£3,000
Public Open Space	£50,387
Children’s Play Space	£27,238
Allotment Garden Improvements	£11,000
Active Ealing (Sports Infrastructure)	£35,000
Employment and Training Monitoring	£31,000

Air Quality	£15,135
Subtotal	£1,116,375
Carbon Dioxide Offsetting	£150,038
Post Construction Energy Monitoring	£11,814
Total Contributions	£1,278,227

- 35% of units by habitable rooms in the form of 27 Discount Market Rent units (72HRs) (at 65% of Open Market Rent) and 8 Discount Market Rent Units (32HRs) set at London Living Rent Levels to be developed as Build to Rent (BTR) affordable housing.
- The submission of a Build-To-Rent Management Plan prior to the occupation of any Residential Unit – inclusive of details such as covenants, clawback mechanisms, management, ownership and certainty around tenancy lengths, rent increases and service charges, as per the requirements of Policy H11 of the London Plan.
- The submission of a Discount Market Rent Marketing Plan, 9 months prior to practical completion of the relevant units – details shall outline that the DMR units will be actively marketed to those either living or working in the London Borough of Ealing for an exclusive period of 3 months before being marketed more widely. Details shall also include monitoring information and procedures, including on rents and service charges.
- In the event the Carbon Dioxide Emissions Target has not been met within 3 years from the date of last occupation, the Developer shall pay additional carbon offsetting contribution at £90 per ton for the difference.
- Early-Stage Viability Mechanism for Affordable Housing.
- Payment of the above contributions, which are to be index-linked.
- Restoration of roads and footways damaged by construction and restoration of the kerb where necessary.
- Agreement under s278 of the Highways Act in accordance with a specification to be agreed by the Council (street trees, landscaping and works to the highway).
- Participation in the Apprentice and Placement Scheme – 8 Apprentices and 25% Local Labour Hire. A £49,395 penalty for each obligation that is not met.
- An Employment, skills, and training delivery strategy shall be submitted to the Employment and skills S106 team. The developer will engage directly with the partnerships and procurement manager and will be required to submit quarterly monitoring no later than one week after quarter end.
- Restriction of Parking Permits – all the units and their occupants shall be precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs in the area.
- Implementation of the Travel Plan
- Payment of Council’s reasonable legal and other professional costs incurred in preparing the s106 agreement.
- Administration and professional costs for monitoring the legal agreement.

AND

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

Conditions/Reasons and Informatives: refer to Annexe 1

Site Description

The application site is a generally regular shaped plot that occupies a prominent position at the junction of The Broadway and Bankside in Southall. The site has an area of approximately 1,730sqm, with large frontages to both Bankside (40 metres) and The Broadway (43.5 metres). The existing built form of the site consists predominantly of a two-storey building, orientated towards to the junction, which is currently vacant. This building was previously used as a public house. In the south-eastern corner of the site is a separate three storey building.

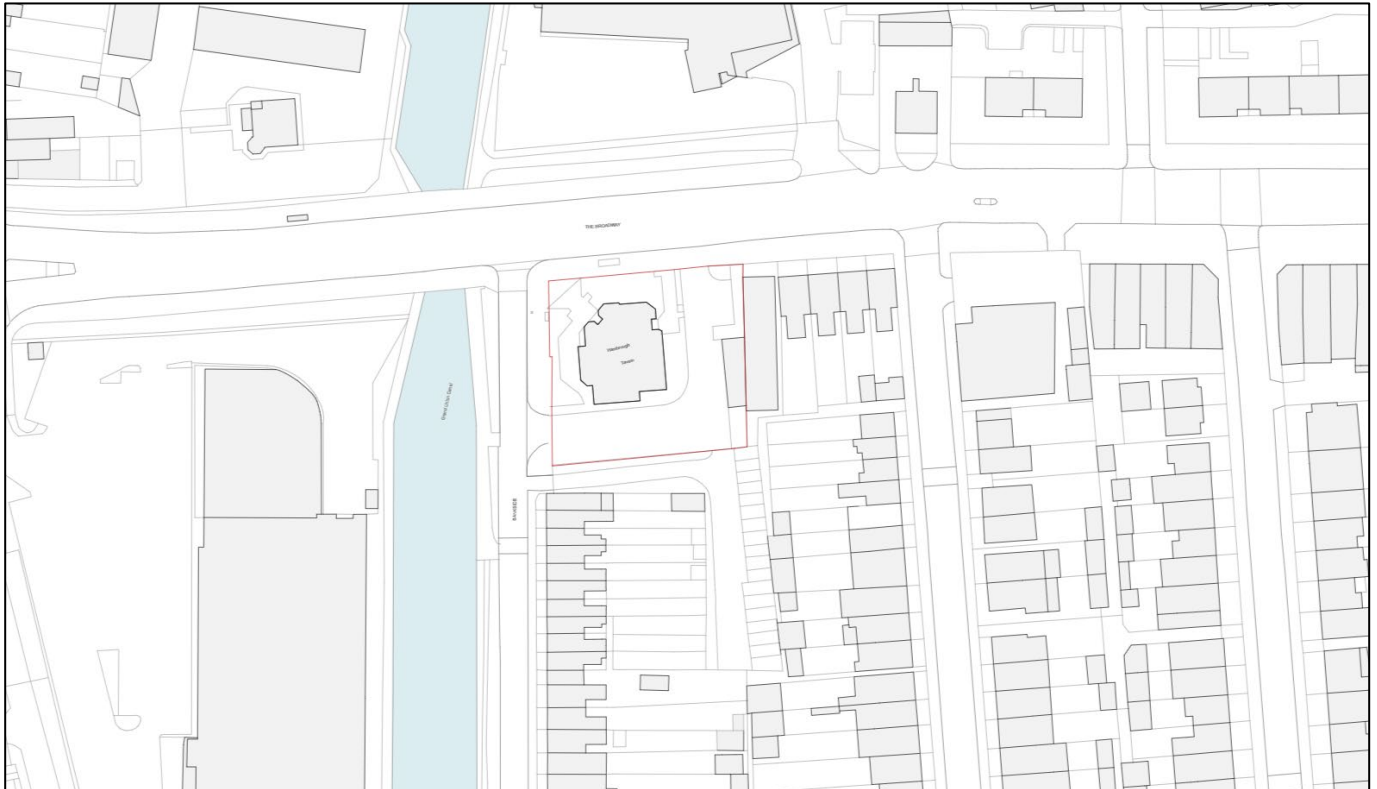


Figure 01: Site Location Plan

The application site acts as a gateway to the Borough, being located at the entrance to the Borough from Hillingdon. The area has a mix of uses, with the predominant use being residential. To the north of the site is the Southall Army Reserve Centre. Directly to the east of the site is an adjoining industrial unit, that trades in scrap metal, which is further flanked by conventional two-storey terrace housing. Stretching to the south of the site is established terrace housing that exhibits strong uniformity, with the external facades being weathered yellow brick with dark slate.

Directly to the west of the site is the Grand Union Canal and towpath, which also forms part of the Canalside Conservation Area. Moving further to the west, in the London Borough of Hillingdon, the character and built form is significantly different, with large retail and industrial parks, as well as the 13-storey Hyatt Place hotel (currently not in operation).

Whilst the site is not located within the Southall Major Centre, it is within reasonable walking distance, being approximately 280 metres from its western edge. Residential uses surrounding the application site are typically arranged in a parallel format, with two-storey residential dwellings, flat conversions and HMOs.

In terms of restrictive planning designations, the site is identified as within an area of Local Park Deficiency. The site is also located within the Southall Opportunity Area. The site also falls within the setting of the Canalside Conservation Area. There are no other significant heritage assets within or surrounding the site.



Figure 02: Application site at junction of The Broadway and Bankside

The Proposal

The proposal involves the demolition of the existing buildings on the site, and the construction of a 17-storey, with basement level building. The building would comprise two shoulders with a single-storey shoulder on Bankside and a 5-storey shoulder on The Broadway.

At ground floor level, the re-provision of the public house on site and would be orientated toward The Broadway frontage. A gym/fitness area would also be proposed for the benefit of residents. A co-working space and community space, which would be able to be used for the benefit of the local community would also be provided.



Figure 03: Proposed Development looking east

On the levels above, a residential scheme is proposed, consisting of Build-To-Rent (BtR) accommodation. A total of 116 units are proposed within the scheme. The housing mix proposed is as follows, which has been amended during the course of the application to take account of change of building regulations to accommodate a second staircase.

Unit Type	No. of Units	Percentage
Studio	16	13.7%
1-bedroom	29	25%
2-bedroom	63	54.4%
3-bedroom	8	6.9%
TOTAL	116	100%

Table 01: Housing Mix



Figure 04: Proposed development looking west

Communal amenity spaces would be provided above the single-storey shoulder along Bankside and would wrap around the building to the south. Further amenity space would also be provided on the top floor of the building in the form of a roof terrace. All flats would be provided with a balcony space.

Consultation:

Preapplication

<p>Design Review Panel (07/12/2021)</p>	<p>The panel recognised the existing permission for a 15-storey hotel but that the case was not strong enough to justify additional height. They noted that a 'landmark' building could be appropriate but would need to be of the highest design quality. The massing strategy proposed wasn't successful and that the building needed to be better considered from a greater range of viewpoints. The tower presented to the panel was bulky and should be amended to create a slenderer profile, which would also simplify the floorplate. The interlocking elements of the scheme were overcomplicated, and the development should be simplified to create an elegant tower that would sit on an enlarged plinth.</p> <p>Officer Response: Since the presentation of the scheme to the Design Review Panel, the scheme has evolved to give the greatest amount of consideration to the Panel's comments. Efforts have been made to give the building a slenderer profile and one of the ways that this has been achieved is to remove a previous interlocking, built element that wrapped around the</p>
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	<p>building to the rear. The building also makes a better effort at more clearly defining the base, middle and top of the building to add more visual interest and reduce its perceived massing when viewed from the public realm. Materiality of the external walls of the building have been refined to present strong horizontal elements that are reflective of mixed used buildings along The Broadway. The external walls of the building would also be covered in ceramic paneling in the form of glazed terracotta.</p>
<p>Community Review Panel (17/05/2022)</p>	<p>The Panel had concerns with respect to the overall height of the development, noting that the design of the proposal appeared more imposing than the hotel consent. The panel did, however, recognise that the existing consent provided some precedent for a tall building on the site. However, the rationale for the increased height needed further justification. There was also a concern that it would give the wrong impression of the Borough at its entrance point, which is known as the “Queen of the Suburbs”. The use of ceramics in the facade, linking the development to Southall’s industrial heritage was welcomed. The Panel also noted that public realm and Canal improvements were outside the site ownership and could not reasonably be delivered.</p> <p>Officer Response:</p> <p>With respect to height, the applicant considered that the height was acceptable and had been revised significantly through the design process. It was also noted the general support from the GLA for the height and its similarities to the extant planning permission. The glazed terracotta façade was amended following the feedback to the panel to provide a more vibrant colour as illustrated in the image above. This has also been further refined within the application process. The affordability of the scheme for local people was also questioned, with the applicant providing detail on the affordable housing offering within the scheme. The public house use was also questioned by the Panel, and the applicant advises that should this not prove viable in this location, that the layout of the pub floorspace could be adapted to provide 4 separate retail units.</p> <p>It is also noted that Council has consulted with the Canal and River Trust, who have recommended a financial contribution toward improvements to the towpath through the Southall Wellbeing Way project.</p>

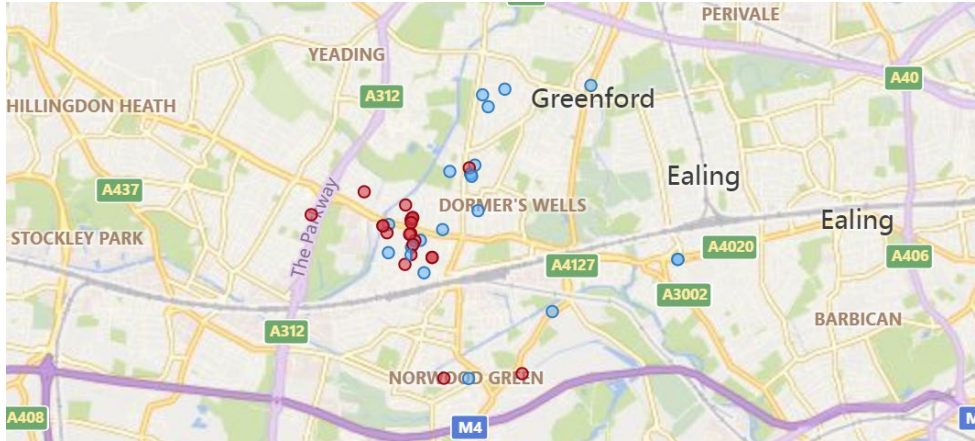
The applicant also undertook consultation prior to the submission of this application, which is detailed within the submitted Consultation and Involvement Statement. In addition to direct consultation with the local authority, Councillors, the GLA and relevant stakeholders, the applicant undertook a series of public consultation measures throughout the design phase of the development. This included the distribution of leaflets and letters, the creation of a webpage and a Workshop with the residents of Bankside. The workshop took place in February 2022 and was attended by 8 residents of Bankside. Concerns raised during the meeting included:

- Height: The scheme should be around the same height as the consented hotel. Concerns regarding overlooking into rear gardens.
- Parking: Concern that the proposal would result in residents parking in Bankside, increasing traffic in the area.
- Noise: Impact during construction.

- Canal: Any improvements to public realm along the canal would encourage Anti-Social Behaviour.
- Amenities: Amenities within the building should be available to the community.

The report provided with the application outlines the applicant’s response to the concerns of residents. The material provided to residents during the consultation process were also provided as an appendix to the report.

Public Consultation – Summary

<p>Neighbour Notification</p>	<p>Public consultation was undertaken by way of site notices around the application site. Consultation commenced on 24/08/2022 and concluded on 14/09/2022. Seventy-one (71) representations were received during the statutory consultation period, with forty-four (44) representations objecting to the proposed development and twenty-six (26) in support of the proposed development. There was also one (1) neutral representation.</p> <p>The image below shows the geographical distribution of representations in objection (red) and support (blue).</p>  <p>Figure 05: Location of Representations</p> <p>Objection A summary of the points of objection is provided below:</p> <ul style="list-style-type: none"> - Development is too high. - Too many flats. - Parking is limited. - Area is out of keeping with the surrounding area and the Canalside Conservation Area. - Worried about overcrowding of Southall. - Traffic on Southall Broadway. - Build a car park or doctors surgery. - Noise Nuisance. - Pressure on existing infrastructure. <p>Whilst the objections are varied, the most recurring point of objection is an increase in traffic and congestion.</p>
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Officer Response: Whilst it is acknowledged the proposed development is higher than the surrounding built form, the existing consent is a material consideration, which has established the principle of a tall building on the site (184519FUL). The site is also at the edge of the Southall Metropolitan Centre and within the Uxbridge Road corridor, which presents the opportunity to optimise the site to deliver housing in accordance with Council’s housing targets as outlined within the London Plan. No parking is proposed within the development (aside from blue badge parking) and residents would be restricted from applying for parking permits. The site is also close to high frequency bus services along the Uxbridge Road corridor.

The assessment below will outline the impact of the proposal on the Canalside Conservation Area. The site would not be appropriate for a car park and any such proposal would be against the policies of the London Plan. There are a number of GP practices in the area as shown in the image below and financial contributions would be secured for upgraded and enhanced primary healthcare facilities.

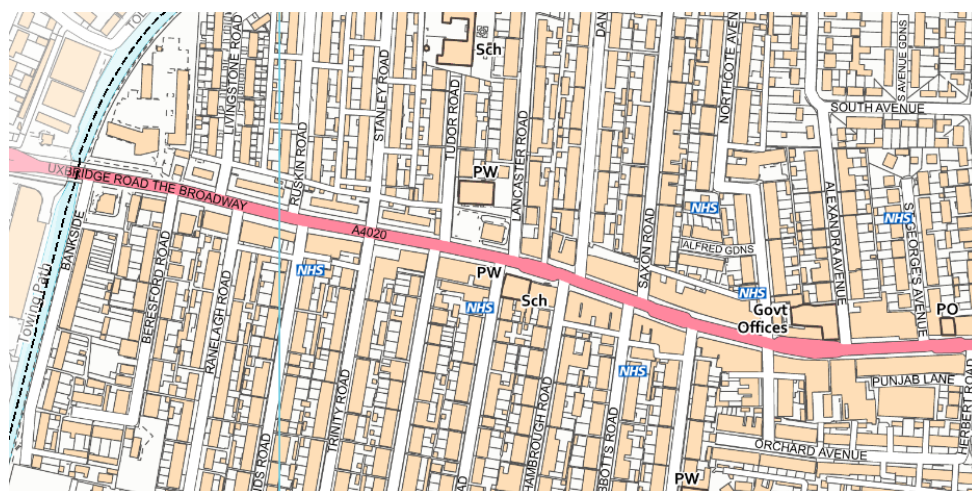


Figure 06: NHS Facilities

Whilst there is an expectation that there may be some noise impacts during construction, any construction activities will need to adhere to strict British standards in relation to noise, vibration, dust and hours of construction. The impact on existing infrastructure will be mitigated through financial contributions.

Support

A summary of the points in support of the application is provided below:

- Will help businesses along the Broadway
- Don’t want the hotel, housing would be better – have good memories in the pub
- Will clean up the area
- Design is great
- Great for young people within the community

Officer Response: Comments are noted.

External Consultation	
Heathrow Airport Safeguarding	No safeguarding objections to the proposed development. Informative has been recommended if the construction involves the use of a crane.
Crossrail Safeguarding	Application site relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction. No further comment.
National Highways	Based on the information presented in the TS, and our own trip generation and distribution / assignment comparisons, we accept that M4 J3, situated 3.5km from the site, would not receive a sizable traffic impact as a result of this development proposal. On this basis, we accept that the proposals would not affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111. No objection.
Historic England (Archaeology)	No archaeological requirement. The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment is therefore necessary.
Metropolitan Police	Condition requested for the development to achieve Secure by Design accreditation.
Thames Water	<p>Application site is within 15 metres of a strategic sewer and accordingly a Piling Method Statement is required.</p> <p>Thames Water would advise that with regard to the waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>
London Borough of Hillingdon	No comment received.
Greater London Authority (GLA)	<ul style="list-style-type: none"> - Proposal seeks the re-provision of the public house on site which is supported by the GLA and complies with Policy HC7. Flexible community use space is also supported - Affordable Housing is secured at 36% and can follow the Fast Track Route - The proposal meets the definition of a tall building and is not on a site designated for tall buildings as defined by Policy D9(B). A visual impact assessment has been carried out in accordance with Policy D9(C) - The proposed built form does not represent a significant departure from the consented 15-storey hotel. The site is a relatively unconstrained corner site that could be described as a 'gateway' site. The chamfered, simple form of the building with bevelled corners is reasonably successful - In immediate, medium and long range views, the proposal is visible – however when considering the visual impacts of the proposal and architectural quality, the visual impacts respond to their surroundings appropriately.

Healthcare (NHS Property)	Financial contribution sought toward healthcare facilities in the local area.
Ministry of Defence	Principal concern is the rooftop terrace creating a new habitat that would attract and support populations of large and flocking birds in close proximity to an aerodrome (RAF Northolt). This could be hazardous to aviation safety. No objection to the proposal subject to a condition requesting a robust Bird Hazard Management Plan (BHMP) which should be assessed in conjunction with the MOD.
Health and Safety Executive	<p>Initial advice provided by the HSE noted some matters relating to fire safety that could have land use planning considerations. Following this advice, amended plans were received and the HSE was re-consulted.</p> <p>HSE noted that “The applicant’s response provides details of a revised design with the addition of a second stair that serves all upper residential levels with only one stair serving the basement. This addresses the concerns raised in the previous substantive response.”</p> <p>Following a review of the revised information provided in the applicant’s response, HSE is satisfied with the fire safety design to the extent that it affects land use planning.</p>
Internal Consultation	
Pollution-Technical (Noise)	<p>Results of noise measurements within Environmental Noise Survey Report are accepted and no further noise measurements are required. However as site is exposed to substantial traffic noise and air pollution, mitigation measures will be required and internal noise levels need to be confirmed.</p> <p>Noise insulation required between flats and pub/restaurant, plant rooms/installations and community and communal uses on ground floor. Different uses between flats would also need enhanced sound insulation.</p> <p>Conditions required</p> <ul style="list-style-type: none"> Transport/commercial/industrial/cultural noise sources Separation of noise sensitive rooms in neighbouring flats Separation of commercial/ community and communal uses and facilities from dwellings Separation from dwellings/ noise sensitive uses Lifts External noise from machinery, equipment, extract/ventilation ducting, mechanical installations Anti- vibration mounts and silencing of machinery etc. Extraction and Odour Control system for non-domestic kitchens External doors and windows to remain shut Permitted hours of commercial use Disposal of bottles and refuse Sound Screen to external amenity spaces Floodlights, Security lights and Decorative External Lighting Demolition Method Statement and Construction Management Plan

<p>Pollution-Technical (Air Quality)</p>	<p>Recommended a Revised Air Quality Management Plan – fails to look at some cumulative impacts of other developments and the officer notes that prior to the adjustment, the modelling was underpredicting by over 25%, the LAQM guidelines does state that to have some confidence in the modelling, the modelled results should be inside the 25% of monitored concentrations.</p> <p>Conditions have been recommended.</p>
<p>Pollution-Technical (Contaminated Land)</p>	<p>The site is to be redeveloped and covered with hardstanding and a basement dug. The risk to future users is deemed low.</p> <p>Condition requested with respect to Unsuspected Contamination</p>
<p>Transport Services (Cycling)</p>	<p>The proposed access to the cycle parking appears to be by lift. Given the sloping site, level access to/from Bankside should be possible. The cycle parking should also be accessible via the ramp to the car parking. The sharp turn in front of the lift may prevent use by larger non-standard bikes, and the lift would also need to be at least 1.8 x 2.6 metres internally to accommodate them.</p> <p>Contribution to local cycling expected, including contribution to upgrade of towpath between Bull’s Bridge and Three Bridges, and funding of pinch-point removal between Southall Centre and the site. Scheme cost estimates £1million and £200,000 respectively.</p>
<p>Waste and Street services</p>	<p>No comment received.</p>
<p>Economic Growth/Regeneration</p>	<p><u>Employment:</u> Extant permission provided for 59 FTE jobs, compared to 30 FT and PT jobs. Therefore, there would be a reduction in the amount of jobs compared to the existing permission.</p> <p><u>Commercial space:</u> Work must be undertaken to illustrate that this space can function effectively and be a good neighbour to adjacent residential dwellings on Bankside.</p> <p><u>Impact on adjacent commercial areas:</u> Principle of providing residential uses in close proximity to Southall Major Centre is supported and will bring additional footfall to support town centre uses. Proposal to activate the frontage with the public house on Broadway elevation and community space on the Bankside Elevation is supported. Additional information should be provided as to how the community space will function.</p> <p><u>Good growth:</u> Concern with locating a high density residential development in this location without accompanying measures to improve active travel options. Site has a PTAL of 2, and is approximately 20min from Southall train station. A residential scheme will lead to an increase in parking and congestion in comparison to the extant hotel permission.</p>

	<p>Bus stop should remain unimpeded during construction and landscaping works. Regen is supportive of the off-street loading bay, however further clarification is required with respect to the basement access from The Broadway. Concern with the width of the footpath on Bankside being wide enough to accommodate car pick ups and servicing and deliveries.</p> <p>S106 contributions should be requested to improve connectivity to the canal to improve wayfinding, access to green spaces and provide safe pedestrian routes.</p>
<p>Education Services</p>	<p>A contribution towards local education provision has been requested.</p>
<p>Energy Consultant</p>	<p>Highly supportive of the Energy Strategy.</p> <p>Site wide emissions would be cut by at least 57.89%, with 15.45% through lean measures and 42.43% through green measures. Shortfall of 1,578 tonnes over 30 years in a zero-carbon environment attracts an offset contribution of £150,038 (£95/tonne). Energy monitoring contribution also required with the London Plan principle of “be seen”. Monitoring of the PV array and communal ASHP loop. Electrical parasitic load of x14 will also be monitored.</p> <p>Energy conditions recommended: Energy and CO₂ Post-construction renewable/low-carbon energy equipment monitoring Post-construction energy use monitoring (“be Seen”) Whole Life-Cycle Carbon Assessment Circular Economy</p>
<p>Landscape Architect (Leisure and Parks)</p>	<p>Proposed development is large with no contributions towards local greenspaces or the canal, which would be required to offset the negative impact of a tall building.</p> <p>Design of podium garden and residential spaces is good and materials and palettes are well thought out. However, these spaces will likely be intensively used and therefore their value to wildlife and biodiversity is questionable, particularly due to proposed lighting and likely intensive use.</p> <p>Development should be providing for 1,740sqm of outdoor amenity space.</p>
<p>Active Ealing</p>	<p>Financial contribution requested towards the protection, enhancement and provision of indoor and outdoor sport facilities, based off Sports England guidance.</p> <p>Leisure is encouraged to see the proposed design includes a ground floor space currently designated as a gym for resident use, albeit a very small space (94 sqm approx.); it’s worth noting at this early stage that all operational processes and procedures relating to its use as a gym would need to comply with industry guidelines to ensure the safety of users. It’s also noted that the use of this space can easily be changed in the future due to gym equipment being easy to move.</p>

Relevant Planning Policies:

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

Reasoned Justification:

Main Issues

The main issues in assessing this proposal are the following:

- The principle of residential development, including Build to Rent, on the application site.
- Background of the site, including the extant planning permission.
- The principle of demolition of the public house and it's re-provision.
- Quantum of development.
- Design of the proposed development and its impact on the character and appearance of the surrounding area.
- Affordable Housing provision.
- Housing mix
- Suitability of the site for a tall building, including visual impacts.
- Impact of the proposal on designated heritage assets.
- Impact on the amenity of surrounding residential properties.
- Quality of the residential accommodation of the site including the internal living environment.
- Transport and Highways impacts
- Refuse and recycling storage
- Quality of open spaces
- Sustainability of the development
- Crime Prevention
- Community Infrastructure Levy

Background

Whilst the site is not an allocated Development Site within the current Local Plan, the Draft Local Plan (Reg18) indicates the potential for the site to be included as a development site. This is due to there being a previous consent (184519FUL) over the site for a hotel scheme (Class C1). The consent permitted 161 rooms within the development with the retention of the public house use and other ancillary hotel functions. The designation within the Draft Local Plan identifies the potential for the site to be a "residential-led, mixed use scheme". The existing approval is still within its 3-year currency period and accordingly forms a material consideration in the assessment of this proposal.

The form and massing of the scheme that was approved by Council on 11/08/2021 is shown in the image below.



Figure 07: Extant Planning Permission

The previously consented scheme was submitted by a different applicant and was in different ownership at the time. The applicant under the current scheme acquired the site in August 2020, following Council’s resolution to grant planning permission, but prior to the final issuance of the Decision Notice following the completion of the legal agreement.

The applicant has had some initial discussions with potential operators of a hotel in this location, however no interest had been received. Given the lack of demand for a hotel on this site from any potential operators, it was considered that the delivery of the extant permission would not be viable. This is also evidenced by the fact that the Hyatt Place hotel in nearby Hayes (further to the west along Uxbridge Road) ceased operations in October 2022.

The opportunity therefore exists now to deliver housing on the site as an alternative use to the hotel. The form and massing of the building would nevertheless need to be changed, particularly as hotel rooms are not required to adhere to minimum internal space standards or communal amenity standards, in which a residential scheme is required to adhere to. There is also the requirement for a residential scheme to provide for an internal floor-to-ceiling height of 2.5 metres in accordance with the London Plan, whereas a hotel scheme would generally only require 2.3 metres.

A summary of the differences between the extant planning permission and the proposed development is shown in the table below:

	Approved Hotel	Proposed Development
Maximum Height	15 storeys	17 storeys
Height of Shoulder (Uxbridge Road)	4 storeys	5 storeys
Height of Shoulder (Bankside)	3 storeys	1 storey
No. of Rooms/Units	161 rooms	116 Build to Rent Units

Affordable Housing	0%	35%
Ground Floor Uses	Hotel Lobby, Public House	Public House, Community Facility, Co-Working Spaces, Gym
Car Parking (Basement)	9 General Spaces	12 Blue Badge Spaces

Table 02: Key Differences between consented and proposed schemes

Principle of Development

The site has a strong historical connection to the early development of Southall, with Uxbridge Road being a key route between London and Oxford. The early development of Southall was initially focussed on the junction of The Broadway and South Road. The creation of the canal in the 1800s brought brick industries to the area and resulted in the development of both Bankside and Hambrough Tavern. Therefore, the application site and its immediate surrounds possess an important historical link to Southall’s past and the historical development of the area. The OS Map below from 1897 shows the application site in the context of its surroundings. Hambrough Tavern is circled in red.



Figure 08: OS Map 1897

Further development within Southall eventually connected the core area of Southall along the Broadway and South Road, with Hambrough Tavern and Bankside. This comprised the early industrial development between the two areas eventually giving way to further residential development. Whilst the site plays an important historical role in Southall’s history, the current condition of the site acts as a blight on the landscape and re-development of the site, in principle, presents the opportunity to bring activity back into the area, in a way that better celebrates the application site’s history as a gateway into Southall along the east-west route.

The site also has a darker history as a centre of racial tensions in July 1981 through the Southall Riots, where the original Hambrough Tavern was burned beyond repair. Whilst the tavern was rebuilt into its current form, and also known as Mary’s Freehouse, it has remained largely underutilised, with the existing buildings currently in a dilapidated condition. The site now remains largely vacant. Nevertheless, Policy HC7 of the London Plan seeks to ensure that Boroughs protect public houses where they have a heritage, economic, social or cultural value to local communities. Given the history of the site, it is considered that this is relevant to this proposal. The proposal would retain a public house use on the application site that provides better interaction with the street. Whilst the proposal

would constitute a “new pub as part of a redevelopment scheme” as noted within the policy, the policy also notes that these can also provide a cultural and social focus for a neighbourhood.



Figure 09: Entrance Lobby

The development would also provide additional community use spaces to complement the function of the public house as a community asset. A conventional community use space of approximately 54sqm would be available to members of the public which would provide a benefit to local residents and community groups. There are no other such facilities within the local area and the proposal would therefore meet an unfulfilled need. A more contemporary form of community use, in the form of a co-working space at ground floor level, would also be provided. This would be an additional benefit to the local community, in the face of changing work patterns, and would foster a level of cohesion between existing local residents and new residents of the proposed building.



Figure 10: Proposed Co-Working Space

The proposal would also offer a Build-to-Rent product, which differs slightly in terms of conventional residential development within the Borough. The London Plan encourages Boroughs to take a positive approach to the BTR sector, which presents an opportunity to contribute to the delivery of homes. The following section of the report outlines additional information on the BTR product and the benefits that this can bring to the local community.



Figure 11: Ground Floor Layout

Build-to-Rent (BTR)

Build to Rent residential schemes are considered to be a good method of delivering new and flexible types of housing that can provide numerous benefits for local residents. Policy H11 of the London Plan outlines some of the benefits that Build to Rent housing products can deliver to meet local housing need and deliver new homes.

- Attract investment into London’s housing market that would otherwise not exist.
- Build-to-Rent products are less impacted by house price downturns, which enables these homes to be delivered more readily across the housing market cycle.
- Offer longer-term tenancies and more certainty over long-term availability.

- Encourages a commitment to and an investment in place-making, due to the building remaining in single-ownership.
- Provide better management services and better-quality homes than much of the private rented sector.

In order to qualify for consideration as a Build-To-Rent scheme, a number of criteria need to be met, with an assessment of this provided below:

Criteria	Officer Comment
The development has at least 50 units	Complies
Homes are held as BTR under a covenant for at least 15 years	Will be secured through legal agreement
Clawback mechanism is in place that ensures that there is no financial incentive to break the covenant	Will be secured through legal agreement
All units are self-contained and let separately	Complies
Unified ownership and management of the private and DMR elements of the scheme	Will be secured through legal agreement
Longer tenancies (3+ years) available to all tenants. Tenancies shall have break clauses	Will be secured through legal agreement
Rent and service charge certainty for period of tenancy. Start of tenancy should include annual increases being formula linked	Will be secured through legal agreement
On-site management (not necessarily full time staff) however prompt resolution of issues should be provided and some daily presence	Will be secured through legal agreement
Complaints procedure in place	Will be secured by condition as part of management plan
No upfront fees are allowed, other than deposits and rent in advance	Will be secured through legal agreement

Table 03: Build to Rent Requirements

Ultimately, this housing product will deliver housing for local residents that will provide more secure and longer tenancies than the private rental sector, that would be at less of a whim to market forces, with rents only able to be increased based on an established formula. A portion of the units will also be Discount Market Rent and London Living Rent, and held so in perpetuity, providing more affordable options for local residents.

Build-To-Rent products are also part of Council’s strategic objectives of delivering ‘Genuinely Affordable Homes’. In addition to the objective of meeting the 10-year housing target of 21,570 homes as outlined in the London Plan, Policy SP4 of the Draft Local Plan says that the delivery of genuinely affordable homes can be delivered through “improving opportunities for higher quality market rented properties, including build-to-rent”. Build-To-Rent is also becoming a popular product within Southall, with the approval and imminent construction of 460 BTR homes at Southall Sidings, Park Avenue (201888FUL).

It should be noted that the GLA has raised no objection to the principle of Build-To-Rent in this location and Council’s Housing Officer is also, in principle, supportive of the principle of BTR in this location.

Mix of Residential Units

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

Unit Type	No. of Units	Percentage
Studio	16	13.7%
1-bedroom	29	25%
2-bedroom	63	54.4%
3-bedroom	8	6.9%
TOTAL	116	100%

Table 03 – No. of Units by Size

Overall, the proposal is generally in favour of larger homes, with the greatest percentage being 2-bedroom homes.

Housing Land Supply

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

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

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

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

Whilst the possibility of a shortfall pertains, the National Planning Policy Framework 2021 (NPPF) presumption in favour of sustainable development – the so-called ‘tilted balance’ – is engaged. NPPF para. 11 (d)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:

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

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

Affordable Housing

Both the Ealing Core Strategy and the Draft Local Plan set out a strategic target of 50% affordable housing across the Borough. The London Plan Policy H11 states that in order for BTR schemes to follow the fast-track route (not requiring viability assessment), schemes must deliver a minimum of 35% Affordable Housing (calculated by Habitable Room). The expectation of the Mayor of London is that 30% of the AH homes should be provided at an equivalent rent to London Living Rent (LLR), with the remaining rent being at a range of genuinely affordable rents.

Of the 116 homes proposed, 81 homes would be set at market rate, with the remaining 35 units set at discount market rent (DMR). This equates to 30% by unit and 35% by HR. The proposal would therefore meet the criteria for consideration under the fast-track route, as outlined in the table below:

Type of Rent	Units	Percentage	Habitable Rooms (HR)	Percentage
Market BTR	81	70%	191	65%
Affordable DMR	35	30%	104	35%
Total	116	100%	295	100%

Table 04 – Affordable Housing by HRs and Units

When expressed on a floorspace basis, a similar percentage to habitable rooms would also be achieved as demonstrated in the table below.

Type of Rent	Floorspace (sqm)	Percentage
Market BTR	4,906	66%
Affordable DMR	2,481	34%
Total	7,387	100%

Table 05 – Affordable Housing by Floorspace

Policy H11 of the London Plan states the expectation of the Mayor of London is that 30% of the AH homes should be 30% provided at an equivalent rent to London Living Rent (LLR), with the remaining rent being at a range of genuinely affordable rents. The proposal would provide for discount market rent, set at 65% of market rent as well as set at London Living Rent. The split is provided within the table below:

Type of Rent	Units	Percentage	Habitable Rooms (HR)	Percentage
DMR – 65% of Market Rent	27	77%	72	69%
DMR – London Living Rent	8	23%	32	31%
Total	35	100%	104	100%

Table 06 – Tenure Split

The Mayor of London would consider both housing products to be genuinely affordable, and accordingly of the proposed affordable housing within the scheme, a 100% genuinely affordable product would be delivered. The tenure split of the DMR units is generally consistent with that as approved under the Build-To-Rent scheme at Southall Sidings that was approved under planning application ref: 201888FUL.

The type of residential accommodation that have been secured within each tenure are provided within the table below. The table demonstrates that the proposal would deliver affordable housing for a wide range of residents and their respective needs.

Unit Type	DMR – 65% of Market Rent	DMR – London Living Rent
Studio	1	0
1-bedroom	7	0
2-bedroom	19	0
3-bedroom	0	8
TOTAL	27	8

Table 07 – Housing Mix by Tenure

The proposal would accordingly deliver a significant contribution to local affordable housing provision, and in conjunction with the ability to secure long tenancies, with certainty on rent increases and service charges, as well as initial marketing to local residents, the scheme would deliver a good level of affordable housing to the benefit of local residents.

Design, Character and Public Realm

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

The NPPF demands that development shall achieve well designed spaces and encourages early engagement with Council’s to develop designs that respond positively to the local area to create “high quality, beautiful and sustainable buildings”. Similarly, Policy D4 of the London Plan states that developments should be given scrutiny at an early stage through the use of Design Review Panels (DRPs), which has occurred in this instance. The applicant has also sought advice from the GLA through their pre-application process prior to submission.

In addition to this, the Draft Local Plan Policy DAA states that new development should constitute high quality design that has a positive visual impact, which is achieved through accessibility and legibility and complements the local context through high quality materiality.

Through the design phase of this proposal, design considerations have been given to the established area surrounding the site. The proposal seeks to replicate elements and design features of the established built form to provide an architectural connection to the prevailing character. Two of the character areas that were studied included Bankside and The Broadway. Key design features on Bankside included detailed headers above windows and doors within the front elevation, with a typical yellow London brick and dark slate roofs. A strong horizontality is present in the built form of buildings along The Broadway, in the form of strong horizontal banding and continuous retail and commercial uses at ground floor. Headers above the windows are also a common, but not consistent feature.



Figure 13: Prevailing Architectural Character of The Broadway

The common horizontal banding architecture feature within the area has been reflected and emphasised within the design of the building, with this being a consistent feature on both street frontages. A thicker area of banding is proposed above the fourth floor of the building to better define the base of the building and provide a design link to the five-storey shoulder that is proposed on the eastern side of the site on The Broadway.



Figure 14: Street Scene Elevation from The Broadway



Figure 15: Street Scene Elevation looking towards Hayes/ Canal Bridge

The materiality of the building seeks to draw a design link to the early development of Southall, which was historically a hub for ceramics and brick manufacturing. Ceramics feature as a strong design

characteristic of the façade, with ceramic panelling being glazed terracotta to be implemented. The design inspiration has developed through an assessment of the important role that the Martin Brothers played in the history of Southall, and indeed the important role that the site itself plays in the early development of the area. The Martin Brothers, although based on Havelock Road, moved to the area due to their relationship with the Southall Brick Company, which was based in many locations around the area.

Two different tones of ceramic panelling are proposed, with the main massing being of a caramel colour. A number of different colours were considered in response to feedback from the Community Review Panel, which included an assessment of a variety of different tones. During the application process, the scheme was revised from a dark green tone to a caramel tone, that is more reflective of the works of the Martin Brothers and is more cohesive with the surrounding built form.

The two shoulders, being the single-storey shoulder on Bankside and the five-storey shoulder on The Broadway have adopted a more muted brown colour that is reflective of the prevailing tones and hues of the properties that adjoin the application site, on each street.

The proposed development, in terms of its materiality, has taken some design inspiration from other projects across England, including St Albans Place in Leeds (19 storeys, student accommodation), as well as 11 Mapleton Crescent in Wandsworth (27 Storeys, Pocket Living). The latter scheme was the winner of the Best Design Award at the National Housing Awards 2019 and the RIBA London Award and National Award 2019. The proposed façade would feature a corrugated appearance of vertical ceramic panels, providing alternating ridges and grooves. These panels would be interspersed with grid-like fenestration and strong and irregular horizontal lines, providing a varying vertical grain and texture, that holds and reflects light. This can be seen in Figure 14 above, whereby the light from the west provides for different tones, textures and hues during sunset hours.

The vertical ceramic panelling would be laid in prefabricated sections as shown in the images below from St Albans Place in Leeds and Mapleton Crescent in Wandsworth.

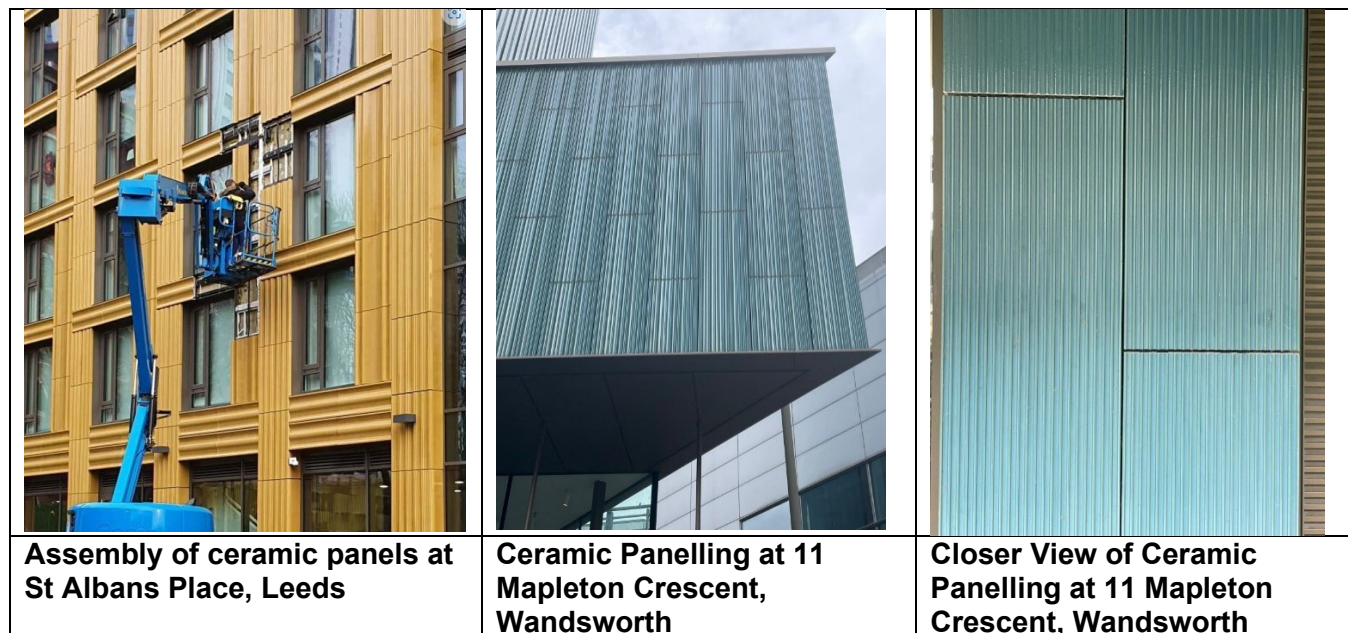


Figure 16: Material examples on other sites

The curved edges and vertical ceramic panelling also improve on the consented scheme by providing more visual interest. The consented scheme provided a largely blank brick wall with some indentation against the site boundary with no. 279A The Broadway and Bankside. This is shown in the image below.



Figure 17: Consented scheme showing walls to Bankside and The Broadway

The public realm surrounding the site is in a poor condition and somewhat inhospitable to pedestrians and footpath users. The development of this site accordingly presents the opportunity to re-engage the site and celebrate its proximity to the Grand Union Canal. Whilst upgrades to the canal and its towpath are not possible due to these existing outside the boundary of the application site, the applicant has agreed to a request from the Canal and Rivers Trust of a contribution of £50,000 towards enhancing the scope of the Southall Wellbeing Way project. This project is being led by the Canal and Rivers Trust, in conjunction with Ealing Council, including the Council's Lets Go Southall program. Projects being delivered around the canal include waterside place making, the creation of new wildlife habitats, improvements to access on the towpath and flood resilience, enabling local people to step away from urban streets and connect with nature.

Whilst active frontages are proposed around both road frontages, the primary active frontage to the site will be on Bankside, allowing better integration with the proposed development and the canal. From the main entrance to the public house at the junction of Bankside and The Broadway, through to the main residential entrance and community space facility, the proposal would create a drawcard for the area, improving the relationship between the canal and the proposed development. Streetscaping works proposed at the junction would improve the public realm and access to the canal, along with the creation of street trees to better link the nature focussed canal with the urban areas of Southall.

It is also considered that the proposal offers an improvement to the public realm over the consented scheme. The consented scheme proposed a colonnade type frontage for a significant portion of the Broadway elevation, as is shown within the image below. This colonnade created a space that was partially opened on the eastern side and formed part of an undercroft to the building on its northern side. The purpose of this colonnade along the frontage was to provide a cover for vehicles that would enter and exit the site along The Broadway frontage. Therefore, the Broadway frontage of the site had

the active frontage set further into the development, with the frontage being dominated by a partially enclosed structure and vehicles. This is demonstrated within the images below.



Figure 18: Consented scheme showing colonnade feature

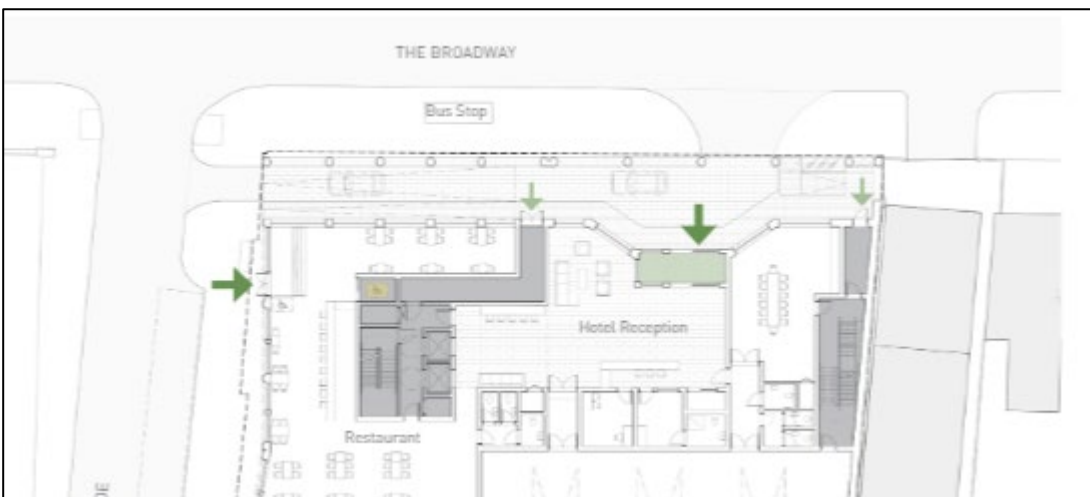


Figure 19: Consented Scheme showing colonnade structure over vehicle movement areas

As is illustrated in the images below, the improvements to the scheme result in the removal of vehicular access on The Broadway frontage and better engagement of the building with the public realm by bringing the active frontage forward. The proposal would also increase the public realm by providing a wider footpath, with opportunities for increased greenery and seating.

Council’s Housing Design Guidance states that factors to consider in terms of public realm should be to encourage active travel, improve permeability through the site, ensure that the width of footways are proportional to their role in the overall movement network and create well designed landscaped spaces. The proposal would improve footpath paving around the site and the road junction, which will aid in legibility of the space by encouraging a visual link between The Broadway and the Canal. The works associated with this would be secured through a s278 agreement. Loading would be undertaken outside the development on Bankside, as was proposed within the consented scheme, with this loading area being at-grade, allowing for a wider footpath and public realm when the loading bay is not in use.



Figure 20: Improved Public Realm at The Broadway/Bankside junction

The existing site offers a poor-quality pedestrian environment, with low level retaining walls, poor quality footpath and road surfaces and a wide existing crossover on The Broadway and Bankside. The flat nature of the site that exists below the level of the existing footpath also acts as a barrier and detaches the site from the public realm. The proposal would overall improve the sites integration with the street by rationalising the site and providing a continuous frontage along the footpath, that exhibits better site integration with the public realm. The building line along The Broadway would be angled allowing the additional height to be orientated toward the junction and integrate with the established building line of 265-279 The Broadway. The additional public space created by this angled building line would create additional public realm and would also present a potential opportunity to establish outside seating for patrons of the public house or the public. Additional street activity in this location would be welcome and create a destination site between the Southall Major Centre and the canal.



Figure 21: Improved Public Realm along The Broadway/Uxbridge Road

Given the poor quality and derelict nature of the existing site and for the reasons given above, it is considered that the proposal would be a “positive intervention for change where there is currently poor environmental quality or weak character” in accordance with Policy DAA of the Draft Local Plan.



Figure 22: Improved Public Realm from Bankside

Overall, the design of the proposed development, including its integration of established design characteristics of Southall and its links to the heritage area, as well as overall significant improvements to public realm and improved links to the Great Union Canal would be positive design intervention within the streetscene and would comply with the objectives of Policies D1 and D4 of the London Plan and Policies 7B and LV7.4 of the Ealing Development Management DPD.

Tall Buildings

Policy D9 of the London Plan, as advised above, addresses requirements for tall buildings, which in conjunction with Policy LV7.7 of the Ealing Development Management DPD defines a tall building as those that are “substantially higher than their neighbours and/or which significantly change the skyline”. Policy D9 also reiterates that a tall building is considered in accordance with its local context rather than a broad definition for the whole of London, however a tall building would generally not be considered as such when it is less than 6 storeys.

The Draft Local Plan Policy D9 goes further in defining what constitutes a tall building in different zones/areas within the Borough. In the context of this policy, the application site would form part of area S1, which defines a tall building as 6 storeys or 21 metres in height. The policy states that tall buildings above this threshold should be located on allocated development sites defined by the development plan. Whilst the application site does not form part of an allocated site, as defined by the current Development Sites DPD, Chapter 4 of the Draft Local Plan designates the site (Site SO26) as having the potential for a residential-led, mixed use scheme, with no indications given on potential heights.

The impetus for the inclusion of the site in the Draft Local Plan is likely due to the permission granted under 184519FUL (dated 11/08/2021). This consent is still valid and therefore remains as a material consideration as to the acceptability of this site for a tall building. Whilst the uses of the consented and proposed scheme are different, in that the existing approval is for a hotel, and the current proposal is for a BTR residential scheme, the principle of a tall building on this site has been established through this previous consent.

There would be an increase in the height of the building between the consented and proposed schemes from 15 to 17 storeys for the main massing of the building. There would also be a reduction to the shoulder of the building on Bankside to a single-storey from three-storeys, which would better integrate with the prevailing two-storey character on Bankside. The massing of the main element of the development would also be increased, however this is considered necessary due to the characteristic differences between a hotel and residential scheme. Hotel rooms do not have minimum space standards, whereas self-contained residential units do. Accordingly, the floorplate needs to be increased to accommodate flats that meet space standards and provide a number of units to make the scheme viable. The changes in massing between the approved scheme is shown in the image below. The proposed massing is shaded in blue, with the consented scheme outlined in a darker blue.

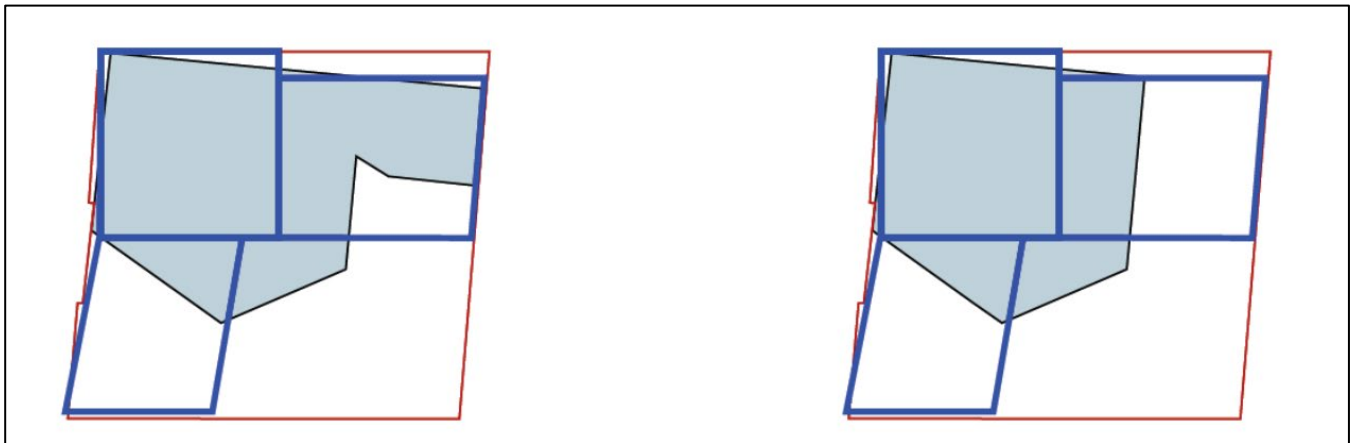


Figure 23: Massing between consented and proposed scheme (lower levels on the left, upper levels on the right)

The massing and height of the building will likely be most visible on its Bankside elevation, being the location where motorists would see the building, on the approach on Uxbridge Road from Hayes (London Borough of Hillingdon). On this elevation, the building has been designed to match the mass of the approved scheme as it meets the street, before a chamfered edge pulls back the mass of the building at an angle. This reduces the perceived mass of the building when seen in key views of the application site. The differences in the consented and proposed schemes are also shown in the elevation plans below.



Figure 24: Elevations of consented and proposed schemes (left side – The Broadway, right side – Bankside)

In terms of an assessment against the London Plan Policy D9, the proposal would not strictly comply with Part B, which requires that tall buildings be developed in locations that are suitable in Development Plans. However, due consideration must be given to the fact that Council has already consented a tall building under planning application ref: 184519FUL. Part C of the policy outlines that development of tall buildings should consider visual impacts, including long-range, mid-range and immediate views.

In response to this requirement, a Townscape and Visual Impact Assessment has been carried out, which provides illustrations of the proposed development within different local urban contexts. The image below illustrates the relative visibility of the proposal and at what distance the proposed development would be visible. This shows that the primary locations of visibility would be from the Uxbridge Road corridor, the Grand Union Canal and the rear gardens of properties on Bankside and Beresford Road. This study also has therefore informed the locations to which the Visual Impact Assessment was carried out.



Figure 25: Zone of Theoretical Visibility

The below images show the consented scheme and proposal from the western side of the Southall Major Centre, taken at the junction of The Broadway and Lancaster Road. Images of the proposal from further east along The Broadway do not show the proposal as being visible. The two images below show both the consented scheme and proposed development at this particular point along The Broadway.



Figure 26: Proposed Development from The Broadway/Lancaster Road (Consented Scheme)



Figure 27: Proposed Development from The Broadway/Lancaster Road (Proposed Scheme)

In this image, the development would frame the edge of Southall by providing a bookend at the western edge of the Borough of Ealing. At this viewpoint, the proposed building would be framed by street trees and the caramel colour of the building would assist in ensuring that the proposal would blend in with the streetscape. Given the regular spacing of substantial street trees along The Broadway whilst travelling in a western direction, this would be a continual experience by a motorist or pedestrian at regular intervals.

It is also noted that the presence of a building in this location may act as a way-finder, encouraging residents or visitors to be drawn down to the western edge of The Broadway. This may have the added effect of encouraging people to be drawn to the canal by making the site more of a destination for residents.

When viewing the site from the junction of Uxbridge Road and Delamere Road (London Borough of Hillingdon), the proposed development appears prominent, however its lower levels are obscured by the slope of the highway as it rises to cross the canal bridge. As a comparison, a Vu City Image of the consented scheme is also provided.



Figure 28: View from Uxbridge Road/Delamere Road (LB Hillingdon) (Consented Scheme)



Figure 29: View from Uxbridge Road/Delamere Road (LB Hillingdon) (Proposed Development)

The prominent view of the proposal from this location is acknowledged, however the experience would be similar to that of the consented scheme on the site. The chamfered edge that was previously referred to is readily visible from this viewpoint, as well as the effect that this has in reducing the massing of the building and giving the building a more slimline and elegant appearance. A slenderer appearance is also emphasised, as within the consented scheme, the three-storey shoulder on Bankside was visible from this point. The proposed development reduces this to a single-storey and accordingly obscuring its view.

The most prominent view of the development will of course be in the immediate views, with the following viewpoint being at the western edge of Garrod House, consisting of 6 residential units on the northern side of The Broadway.



Figure 30: View from the Broadway (Consented Scheme)



Figure 31: View from The Broadway (Proposed Scheme)

This viewpoint shows a transition in building heights from the two-storey maisonettes from 265-279 The Broadway. Whilst the transition from two-storey building to the five-storey shoulder does show a prominent blank wall, the creation of windows or alternative forms of fenestration would not be possible due to the potential overlooking impacts that this could cause. In this instance, however, the high-quality ceramic panelling, curved edges and horizontal banding would provide more interest than a conventional brick wall, that was proposed under the consented scheme. Details on materials, particularly in this location, will be heavily scrutinised by Council Officers through the submission of details required by condition. The transition in building heights may also be supplemented by any potential redevelopment of 279A The Broadway, which is currently a poor-quality building that has limited architectural merit and is occupied by a scrap metal business.

Various other viewpoints were also provided, which show limited to no visual impacts on the Townscape, such as from Minet Country Park (Hillingdon) and Southall Railway Station. Whilst the site would be visible from Brookside Park (Hillingdon), only the top floors would be visible, due to the distance from the site and mature vegetation which provides screening.

Overall, it is considered that whilst the site is not allocated for tall buildings as per the requirements of Policy D9(B) of the London Plan, a visual impact assessment in accordance with Policy D9(C) of the London Plan has been carried out, which demonstrates that the visual, functional, environmental and cumulative impacts are acceptable and not significantly different to the consented 15-storey hotel scheme, approved by Council under reference no: 184519FUL. The height, massing and scale of the building is also broadly supported by the GLA.

Impact on Heritage

Policy HC1 of the London Plan outlines that development proposals affecting heritage assets and their settings should be “sympathetic to the asset’s significance and appreciation within their surroundings”. Development proposals should avoid harm and identify enhancement opportunities. Paragraph 199 of the NPPF states that “great weight should be given to an assets conservation...which is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

In this instance, whilst the site is not in itself a heritage asset, it lies adjacent to the Grand Union Canal, which forms part of the Canalside Conservation Area (South-West Part). The site would therefore be regarded as within the setting of this designated heritage asset. Within the Conservation Area, the site is designated as within Sub-Area 6 (Bankside to Spikes Bridge Park). Characteristics mentioned within this area of the canal are the housing along Bankside, which includes good integration with the surrounding streets, including the pocket park leading up from the towpath to Uxbridge Road. Views across open spaces including sports fields in Hillingdon and Spikes Bridge Road Park. The Conservation Area Appraisal also notes that the surrounding development is predominantly two-storeys, which proposes a consistent and intimate feeling to the spaces and a balance between the scale of the buildings, the width of the open spaces and streets, towpath and canal.

Indeed, the ‘pocket park’ that is referred to within the CA Appraisal is an area of green space between the carriageway of Bankside and the towpath, with some grassed areas that are separated by low-level timber fencing. The area also contains a mooring area for boats and is frequented by water birds. Some historic stone copings are also present along the canal bank. The Appraisal does note that that Bankside is one of the few places along the canal where a positive relationship exists, particularly with the front elevations of existing dwellings overlooking the canal.

It must be, however, acknowledged that the application site itself shares a different relationship with the canal than the existing two-storey terraces fronting the canal. The Hambrough Tavern site occupies a more elevated position than the existing two-storey housing and is positioned at a junction with Uxbridge Road. Whilst the front elevations of the two-storey terrace open out onto more open grassy areas of the towpath, the application site is obscured by more dense vegetation and different site levels and more restrictive barrier fencing. This is demonstrated within the image below.



Figure 32: View of the proposal from Bankside

As is shown within the Zone of Theoretical Visibility Image above, the proposed development would be most predominantly visible from the southern approaches along the canal, rather than the north. The two images below show a view of the site along the canal from the south. The image below shows the locations of viewpoints 5 and 6, which are both from the Grand Union Canal towpath.



Figure 33: Image showing location of Viewpoints 5 and 6 as part of Heritage and Townscape VIA.

It does appear visible in longer range views (Viewpoint 6), with shorter-range views (Viewpoint 5) showing that established vegetation largely obscures the development from views.



Figure 34: Viewpoint 5



Figure 35: Viewpoint 6

On balance, the impact on the open character and views to, from and within the Conservation Area is considered to be “less than substantial”. In accordance with Paragraph 202 of the NPPF, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, “this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

In this instance, the public benefits of the proposal are demonstrable and would significantly outweigh the limited harm that the proposed development would have to the setting of the Canalside Conservation Area. Some of the demonstrable public benefits include:

- The redevelopment of a significantly underutilised site that has a negative impact on the streetscape, as well as the introduction of a high-quality new build development, with a surrounding public realm that would better integrate with the canal and towpath.
- Better ground floor integration of the application site with the surrounding area through establishing active frontages.
- Re-establishment and retention of the public house.
- Creation of new homes, including affordable housing on a public transport corridor, which includes the SL8, which forms part of the Mayor's new 'Superloop' Network.
- Creation of a flexible community space to serve the needs of local residents.

Impacts on Neighbouring Properties

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

BRE Guidance is the principal method of determining impacts relating to daylight, sunlight and overshadowing on neighbouring properties. BRE guidance should be applied flexibly and are advisory in nature, which essentially means where there are areas of non-compliance with the BRE Guidance, this does not inherently mean that a proposed development would have a detrimental impact on the quality of life of neighbouring properties.

Daylight and Sunlight

In determining the impact of a proposed development on internal areas of neighbouring properties, VSC (Vertical Sky Component) is the most commonly used. This is the measurement of direct skylight reaching a point of a window, with the loss of VSC based at a point at the centre of a window, on the outer plane of the wall. A reduction in skylight would be noticeable to an occupant when the VSC level is both less than 27% and 0.8 times its former value.

NSL (No-Sky Line) is a measurement of the distribution of daylight within a room. This working plane for this assessment is 850mm above the floor and should not be reduced to less than 0.8 times its former value.

In terms of the impact on sunlight, APSH (Annual Probable Sunlight Hours) is used, where the APSH at a window should be 25% of the total available, with 5% in winter. Where the value falls short of these measurements, any more than 0.8 times its former value would be noticeable.

The image below shows the properties tested, and which properties all fully meet BRE Guidance (shaded in blue).



Figure 36: Compliance with BRE Guidance (blue) and Non-Compliance (red)

Within Garrod House, nos. 1, 3 and 5 would experience small deviations from BRE Guidance. However, it should be noted that out of the 15 windows tested, 12 would fully comply with BRE Guidance, with the three affected windows being secondary side-return windows onto balconies. Given the recessed nature of these windows, any impact is exacerbated by the design of the building rather than the development itself. In any case the reduction experienced ranges from 24% to 27%, which is marginally higher than the 20% target.

269-279 The Broadway

A total of 30 windows were tested, with 22 windows experiencing full compliance with VSC, and of those that fail, these are typically side facing secondary windows, which would arguably have a lower expectation of sunlight given their orientation and location, not being along the front or rear facades of the building. All applicable rooms tested would meet APSH requirements.

1-7 Beresford Road

Of the 55 windows tested, 51 would show full compliance with BRE requirements for VSC. Those that fail are located at the ground floor front elevation and have reductions ranging from 29% to 46%. However, the low existing VSC levels to these windows exacerbate the percentage reduction. In any case, all windows tested would meet NSL and APSH requirements.

2-6 Beresford Road

Of the 10 windows tested, 4 would achieve full compliance with BRE Guidelines. For those that don't comply, the reductions would be between 25% and 31%, which is marginally higher than the 20% target. Whilst the impact would be 'noticeable', it is considered to be acceptable in this instance due to minor levels of non-compliance. All relevant windows would comply with APSH requirements.

3, 5, 7 and 9 Bankside

Of the 9 windows tested, 6 windows would comply with VSC requirements. The three affected windows would be side-facing windows at first floor on the northern flank of the rear outriggers. The reductions would range from 21% and 43%, however given that these are side facing windows, the rear and front elevations, facing east-west would be more relevant indicators of daylight to a property. On balance, it is considered that the reductions are marginal and unavoidable for any redevelopment of this site, including the existing permission. No properties contain windows that are relevant for an APSH assessment.

On balance, the proposal would not materially impact the living conditions of any neighbouring properties and would retain internal areas with good amounts of daylight and sunlight.

Overshadowing

The application site is located primarily to the north of residential properties on Bankside and Beresford Road and accordingly, the expectation that the proposed development would result in significant overshadowing of much of these surrounding properties would be minimal. The relevant test under BRE Guidance is that for all amenity spaces surrounding the site, 50% of this area should have a minimum of 2 hours of direct slight on 21 March, being the spring equinox.

The submitted assessment tested 26 external amenity areas surrounding the site, with all areas complying with this assessment. The proposal would therefore not result in a detrimental overshadowing impact on any surrounding properties.

Overlooking

The proposed private amenity spaces that would serve the residential units would be typically provided through balcony spaces, which have been intelligently designed to reduce overlooking impacts on neighbouring properties, particularly those to the south and southeast of the application site on Beresford Road and Bankside. The proposed building, on both its Bankside and The Broadway frontages, would have no reasonable opportunity to cause overlooking impacts on surrounding properties. On the southern side of the building, the edges have been angled, which has the effect of reducing the buildings massing and providing visual interest, in addition to directing views from balconies either over the canal or toward the garages behind the residential properties on Bankside. Vertical fins on a portion of the balcony would also provide screening to direct the view of users of balcony spaces away from amenity areas of surrounding residential development where necessary.

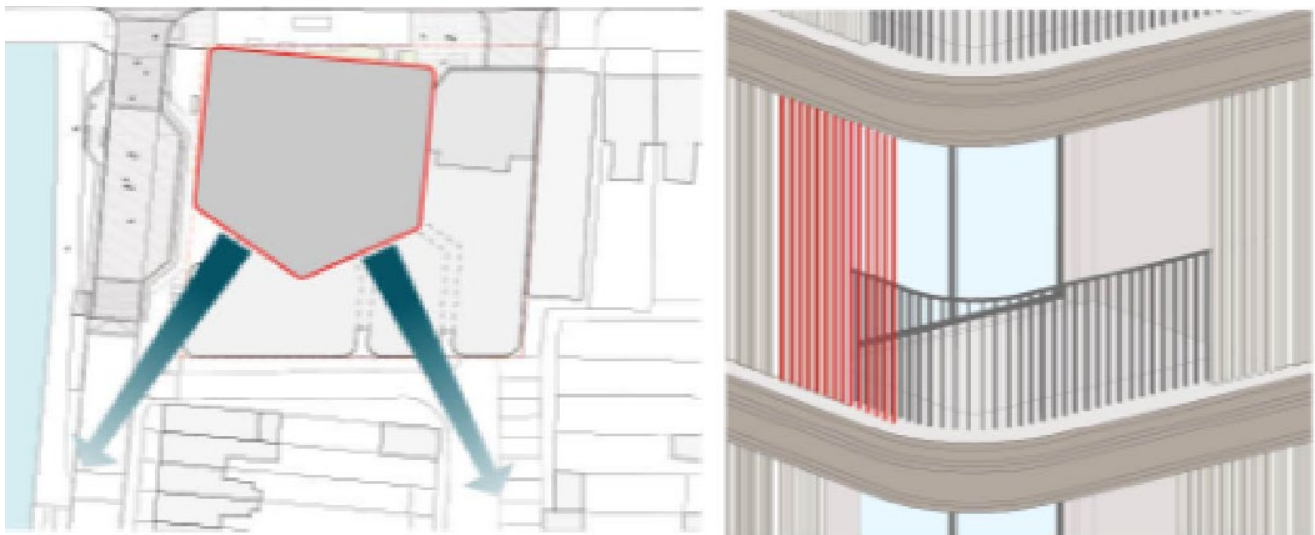


Figure 37: Overlooking Avoidance Strategy

The orientation from balconies can also be seen in Figure 32 above.

Where there are 'potential' opportunities for overlooking of adjoining spaces from windows or balconies proposed within the development, significant setbacks are proposed from the main massing of the development. This is illustrated within the image below.



Figure 38: Separation Distance between Habitable Spaces

As such, the proposal is not considered to give rise to any significant adverse impacts relating to overlooking of adjoining residential properties.

Visual Impact

Given the presence of lower density residential development around the site, it is also important to consider the visual impact that would be experienced by surrounding residents. Whilst obviously the construction of a 17-storey building on the application site would be noticeable to surrounding residents, the visual impact that would be experienced is not dissimilar to what would have been experienced under the consented 15-storey hotel scheme.

The applicant has provided access to the VU City Model, which enables Council Officers to review the development from a number of different angles around the application site. It is considered that the

most impact that would be felt is from rear facing windows and gardens of properties on Beresford Road and Bankside.

The following images show an illustration of views from both Beresford Road and Bankside.



Figure 39: View from Beresford Road (approximate 1st floor level)



Figure 40: View from Bankside rear gardens

In comparing the consented scheme with the proposed scheme, whilst the proposed scheme has slightly more mass than the consented scheme, the visual impact experienced on these properties

remains to be similar. As outlined above, the development would not include any significant additional overshadowing of rear gardens, given that the proposed development is located predominantly to the north. The scheme has also been intelligently designed to respond to potential overlooking impacts on neighbouring properties, as outlined above.

Quality of Residential Accommodation

Policy D6 of the London Plan outlines minimum internal space standards for new residential development. These standards are based on the number of bedrooms within a proposed residential unit as well as its occupancy, which is based on whether a bedroom is classed as single or double based on the Technical Housing Standards.

All of the proposed flats would meet or significantly exceed the minimum internal space standards of new residential development, providing good quality living conditions for future residents. Policy D6 of the London Plan outlines that 10% of all dwellings should meet the M4(3) standard for wheelchair user dwellings. The proposal shows that 12 of the proposed 116 homes would meet this minimum requirement.

The form of the proposed building has been exploited to ensure that a high degree of the proposed flats are dual aspect, with none of the proposed flats being single-aspect north facing. 59% of the flats would be dual aspect, with single-aspect flats facing south, east or west. The submitted Daylight and Sunlight Assessment also shows that 97% of the rooms tested comply with BRE Guidance with respect to internal daylight and sunlight, which is very high for an urban location. The overall layout would provide open plan living that will provide good quality living conditions for future residents.



Figure 41: Proposed 2 Bedroom Flat (Type 07)

Private Amenity Space

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

Most of the proposed flats would be provided private amenity space in the form of a balcony, with each space proposed meeting the space standards set by Policy 7D. There would, however, be some flats that do not meet the standard as outlined within Policy 7D. These include 3b4p (Unit Type 02) homes, which have a balcony space of 3sqm.

In the instance of the 3b4p homes, whilst there is a shortfall of 4sqm for the balcony space, this is offset by a significantly larger internal area. The minimum space standard for a 3b4p flat is 74sqm, whereas these flats would provide 86.3sqm in space, 12.3sqm above the minimum standard. On balance, despite the non-compliance with the amenity space standard in this instance, these proposed flats would provide good quality living accommodation for future residents. It should also be noted that to resolve this matter and provide the additional 4sqm of balcony space, this would unnecessarily squeeze the adjacent bedroom spaces to a point where they would unlikely be able to accommodate basic furniture.

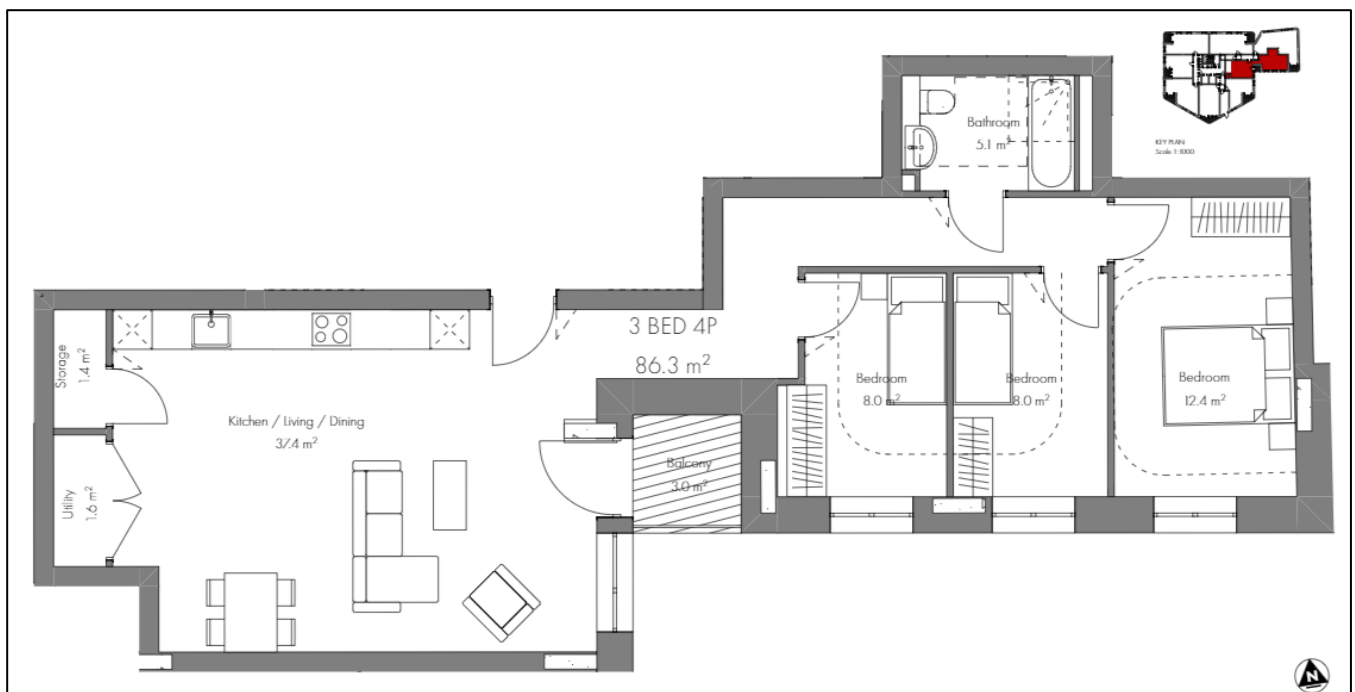


Figure 42: Unit Type 02 – 3b4p flats with balcony

There was some initial concern that due to the unconventional curved building edges to the south that some of the balcony spaces proposed would not be able to be adequately used. However, further information was requested from the applicant, which shows that the balcony spaces provided on the southern side of the building can adequately accommodate basic balcony furniture, as shown in the image below.

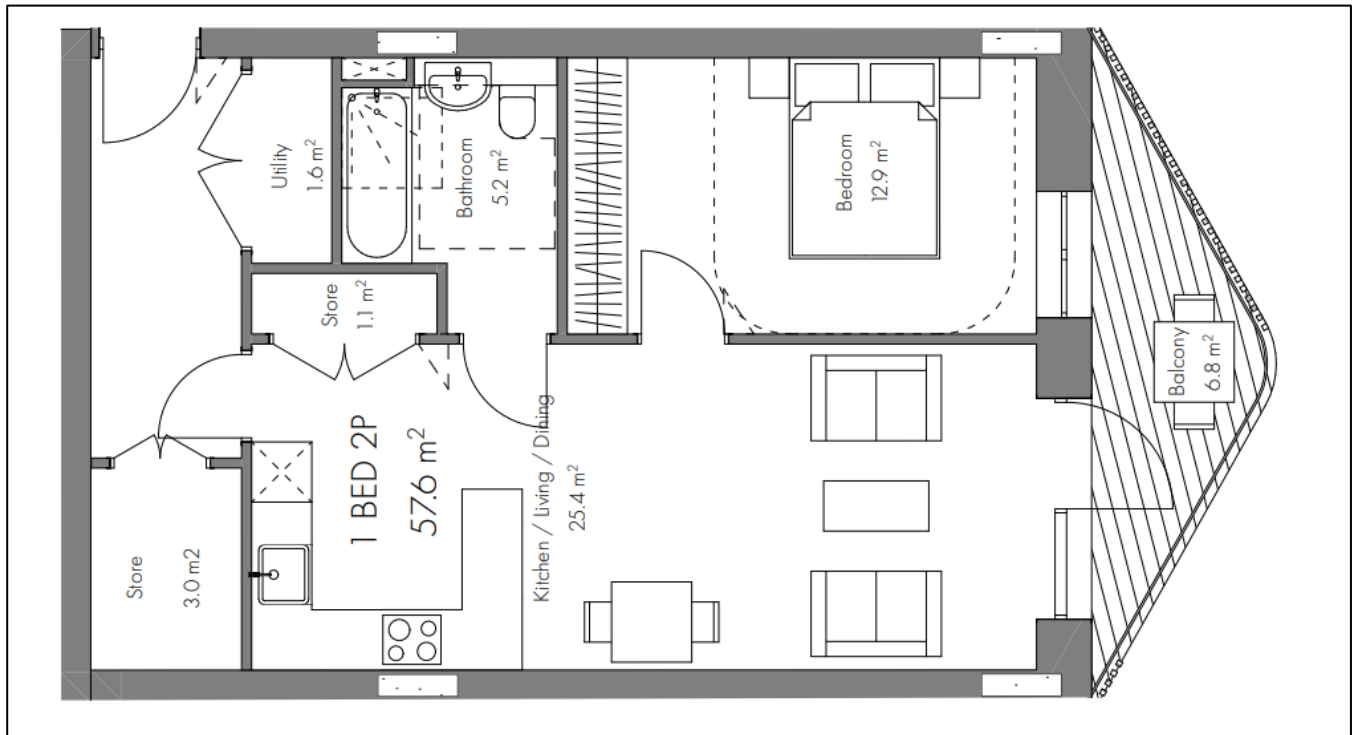


Figure 43: Balcony with Furniture

Amenity Space

Communal Open Space

In accordance with Policy 7D, developments of this size are also required to provide communal garden space, children’s play space and contributions towards allotment provision. In accordance with Policy 7D, each flat should be provided with 15sqm of outdoor amenity space. A 5sqm credit is applied to each flat for the private amenity space. Based on a scheme of 116 residential homes, this would provide a requirement for 1,740sqm of outdoor amenity space. The credit applied for the balcony spaces would be 580sqm, providing a requirement of 1,160sqm of communal amenity space.

Communal amenity space would be delivered at first floor level on top of a podium that wraps around the building from Bankside to the south-eastern corner of the site. An addition, the rooftop of the main tower, would also provide for a roof terrace that would be accessible to all residents. The height of this outdoor amenity space would also afford residents long range sweeping views of the surrounding area. There is also a separate green roof area proposed on top of the fifth floor of the Broadway shoulder of the building. Whilst this is an improvement in terms of providing biodiversity and contributing to urban greening, this does not form part of the outdoor amenity space requirements.

The general layout of the proposed landscaping is shown within the image below:



Figure 44: Amenity Space proposals

The first-floor podium level would deliver shaded seating areas, dense landscaping long the boundaries to prevent overlooking to rear gardens on Bankside and Beresford Road, open lawns and meadows, integrated children’s play space. At the roof top, additional child’s play space, seating and viewing areas, raised planting beds and a dining area under catenary lighting would be provided. Collectively, the two spaces would provide for 800sqm of communal amenity space. This, combined with the private amenity areas, would equate to 1,380sqm of amenity space within the development. There would be a shortfall of approximately 360sqm. To mitigate this shortfall, a s106 financial contribution has been recommended with funds potentially to be used toward improvements to the canal and towpath.

It should also be noted that despite the shortfall, the scheme would deliver a large communal gymnasium and co-working area. The floorspace of these facilities has not been included in this calculation but would nevertheless provide enhanced amenity for future residents.

Children’s Play Space

Based on the GLA Population Yield Calculator, the proposed scheme would provide for a projected child yield of 36. In accordance with the GLA Benchmark figure of 10sqm per child, this would generate a requirement of 360sqm of children’s play space. The scheme intelligently integrates play space for all age groups, including 0-4 years, 5-11 years and 12 -18 years. Different areas of play space are integrated to cater for individual age groups.

The Level 01 podium would include stepping logs, sensory play, indoor play that would primarily cater for the 0-4 year and 5–11-year age groups. These areas are integrated within the general open space provision. At Level 17, older age groups would be catered for with a climbing wall, table tennis table

and hangout area provided. Overall, the total play space provision would amount to approximately 180sqm, with the shortfall to be offset through a recommended s106 financial obligation.

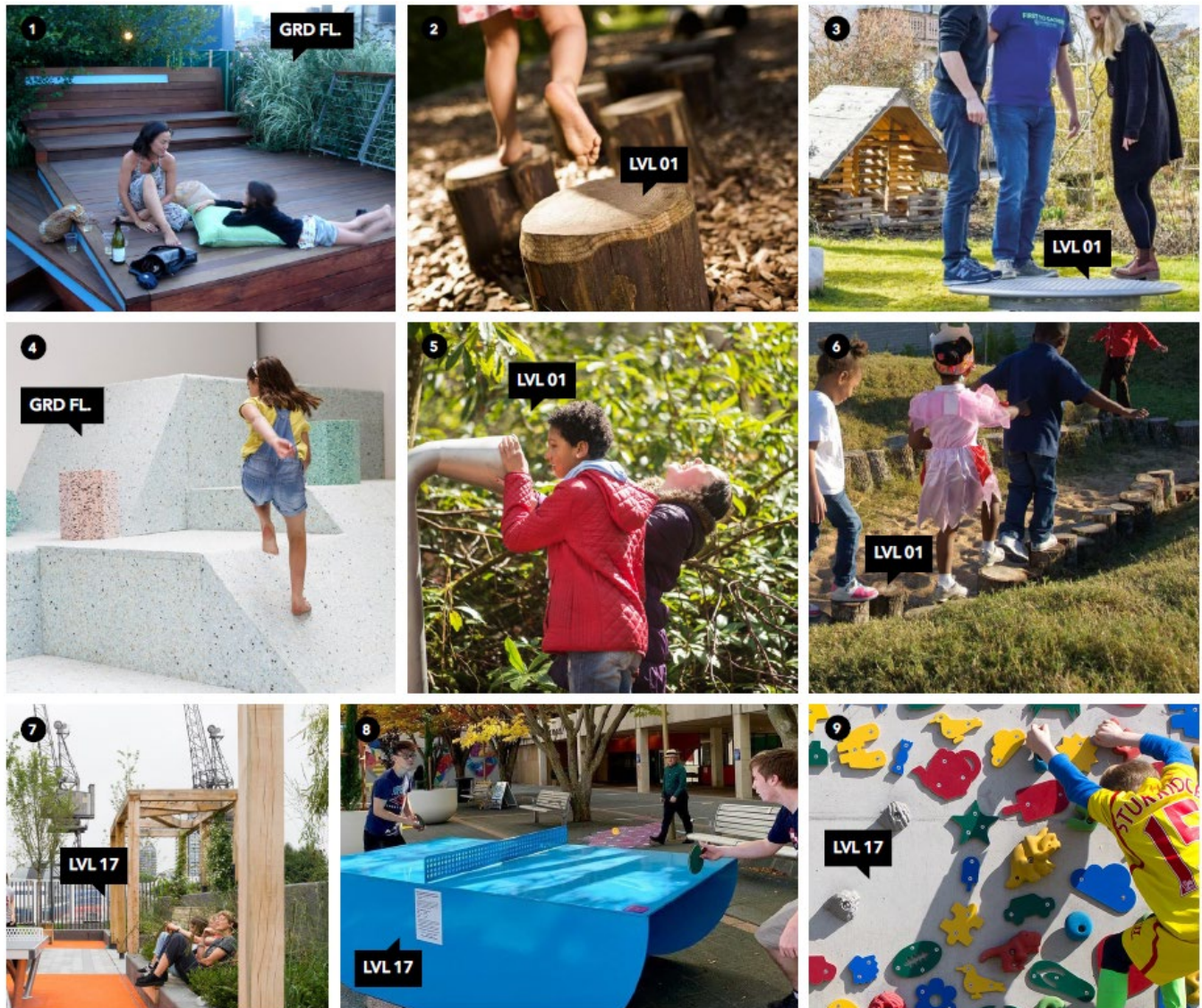


Figure 45: Play Space Strategy

Landscaping and Urban Greening

Policy G5 of the London Plan states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, including incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature based sustainable drainage. The policy encourages local authorities to identify appropriate amounts of urban greening for new developments, however the Mayor has suggested an interim target score of 0.4 for developments that are predominantly residential.

The Draft Local Plan has not identified as specific local target for urban greening and notes the mayor’s recommendation. However, the Draft Local Plan does state that “Council is committed to meeting and exceeding these targets and is developing evidence to support this objective”. As such, the 0.4 recommendation of the Mayor of London remains at this stage the most appropriate metric.

The scheme would deliver a 689sqm contribution in urban greening, with the total site area being 1,700sqm. Accordingly, this produces an UGF of 0.4058, meeting the mayor’s target.

The applicant also proposes some improvements to the public realm outside of the site boundary. It must be noted that at this stage of the process, these improvements are largely aspirational as works outside of the boundary and to the highway are subject to a separate s278 agreement with the Council’s Highways Team. These proposals also include some works to the canal, including better access to the towpath, a potential seating platform, street trees and better-quality road surface. Many such proposals would be subject to further negotiation with the Canal and Rivers Trust.



Figure 46: Potential landscaping works outside of site boundary

It is worthy to note that all of these proposed works are in addition to the financial contribution toward the Canal and Rivers Trust listed within the Heads of Terms. Whilst these proposals are aspirational, they would result in a significant improvement to the streetscape and area surrounding the application site. Any such proposals will be subject to further approvals from the Canal and Rivers Trust and Council’s Highways Team, it must be noted that it is a requirement of BtR developments that they remain in a unified ownership and BtR schemes. They are generally a long-term investment for developers and investors as outlined within Policy H11, and as such, it is within the developer’s interest to secure improvements to the local area for the benefit of future residents, as well as those already living within the locality.

Transport & Highways

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

A condition has been recommended requiring the cycle parking to meet the London Cycle Design Standards, particularly the spacing between individual cycling racks or stands.

The development would be “car-free” with the exception of parking for blue-badge holders, which is in line with the objectives of T6.1 of the London Plan. The site has a PTAL Value of 2, with the maximum parking provision being 0.5 spaces per dwelling. The policy does require that provision be made for disabled persons parking, with a requirement of 3% of all dwellings to be provided from the outset, with a further 7% of dwellings to be demonstrated through a Parking Design and Management Plan. These two figures would be 3.5 (4) spaces (from the outset) and 8 spaces (to be demonstrated). This would equate to 12 spaces in total. All of the proposed disabled parking spaces would be provided within a proposed basement level, with a total of 12 spaces provided, meeting the full 10% requirement. The basement level is shown within the image below.

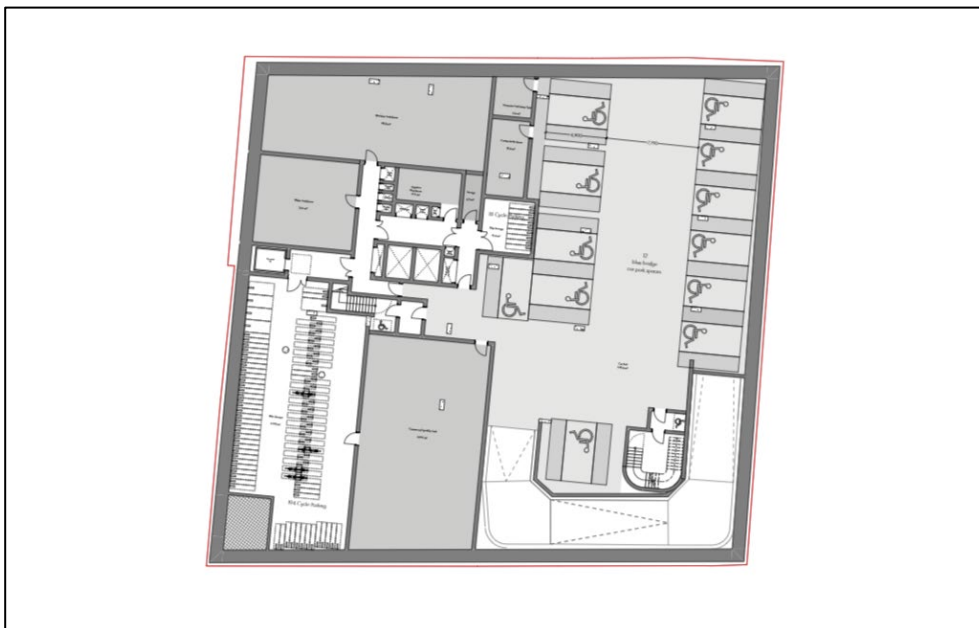


Figure 47: Basement level with disabled parking and cycle parking

The basement level would be provided with access by a ramp from The Broadway/Uxbridge Road. There is already vehicular access to the existing site from The Broadway and the basement access would be provided in a similar location. This is a significant improvement on the consented scheme, whereby access to the basement would have been provided via a car lift.

Policy T7 of the London Plan states that “development proposals should facilitate safe, clean and efficient deliveries and servicing”. In this instance, the proposal would need to provide deliveries and servicing for both the public house use and the residential use. A loading bay is proposed close to the entrance to both the public house and residential lobby on Bankside. It has been designed to be able to accommodate 2 x 7.5T box vans concurrently. The loading bay is designed alongside other highway works to improve the streetscape at the junction of Bankside/Uxbridge Road.

The loading bay would be demarcated by different materials and painted lines rather than it forming part of the highway by establishing kerbing. This would enable the loading bay to form part of the public realm and improve pedestrian access and connectivity, when the loading bay is not in use. It should be noted that the loading bay arrangements are similar to those proposed as part of the previously consented scheme, where a drop off/pick up bay was proposed. It is considered that the anticipated demand for loading, deliveries and servicing would be accommodated by the proposed loading arrangements.

As shown within Figure 45 a number of changes are proposed to the highway to improve the streetscape and create a more welcoming and pedestrian friendly junction. As these proposals, including that of the loading bay, fall outside the application site boundary and within the adopted highway, these works would be the subject of a s278 agreement, which has been included within the recommended Heads of Terms.

Despite the relatively low PTAL value of the site, the scheme is within close proximity of the “Southall Trinity Road” bus stop, with bus services on the SL8 route, which forms part of the Mayor’s recently introduced “Superloop” Network, with high frequency and express bus services between White City and Uxbridge. Although the site is on the western edge of Southall, the application site is approximately 1 mile or 5 minutes bicycle ride to Southall Railway Station. The proposal would therefore present the opportunity for more sustainable forms of transportation to be used, and further details would be required through the submission of a Travel Plan.

TfL have requested, through the GLA’s Stage I Response that in terms of Active Travel, greater consideration should be given to how the site will provide connections to local shops, services, and amenities. Public safety was also raised in terms of the canal towpath and the poorly-lit conditions that certain sections of the towpath would have. Whilst the applicant has limited scope to undertake any works themselves outside of the red-line boundary, Council has requested contributions toward transport and public realm improvements that may be necessary to improve local footpaths and roads. The Canals and Rivers trust have also requested contributions towards the Southall Wellbeing Project, with the funding requested having been agreed to by the applicant.

Proportionate contributions towards bus service improvements as requested by TfL have also been secured.

Environmental Pollution (Noise, Air Quality and Contaminated Land)

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

Noise

Policy D14 of the London Plan states that development should avoid significant adverse noise impacts on health and quality of life, separate new noise-sensitive development from major noise sources through design interventions and insulation and mitigate and minimise the existing and potential

adverse impacts of noise on, from, within, as a result of or in the vicinity of new development. Policy 7A of the Ealing Development Management DPD states that the development of sensitive uses, such as residential should avoid exposure to established concentrations of emissions. In the context of the application site, the most likely noise impact that would be experienced by future residents would be vehicular traffic on Uxbridge Road/The Broadway.

Council's Pollution-Technical Officer has reviewed the submitted information and noted that the results of the noise assessment carried out are accepted, with no further measurements required. However, as the site would likely be exposed to substantial traffic noise, mitigation measures and sound insulation details would be necessary, with resultant noise levels to be confirmed. This is appropriate to secure by condition.

Substantial noise insulation would also be required between the residential uses and the public house at ground floor level, as well as different uses/rooms to prevent sleep disturbance. Accordingly, several conditions have been recommended, which have been accepted as reasonable and relevant.

Air Quality

Policy SI1 of the London Plan states that to tackle poor air quality, protect health and meet legal obligations, development proposals should not lead to further deterioration of existing poor air quality, create new areas that exceed air quality limit or create unacceptable risk of high levels of exposure to poor air quality.

Council's Air Quality Officer has reviewed the proposal and noted that there is some information missing from the submitted Air Quality Assessment. Accordingly, the officer has recommended a Revised Air Quality Assessment as a condition, which is included within the recommendation. The Officer also noted that the site is within an Air Quality Focus Area and accordingly future residents would be exposed to poor air quality. To mitigate this, a condition has been recommended, requiring all homes to be provided with filtered fresh air ventilation. The details of the intake of fresh air shall be on the least exposed elevation of the building, with details to be provided by condition. The Officer is supportive of the proposed development being car-free.

Contaminated Land

Policy LV5.21 of the Ealing Development Management DPD states that contaminated land must be treated in a manner that is appropriate for its proposed use. Evidence of the appropriateness of the measures to be taken must be submitted as part of the planning application. Council's Contaminated Land Officer has reviewed the submitted documents and has no in principle objection to the details submitted, noting that the risk to future users is low.

Accordingly, a condition has been recommended requiring the developer to bring any unsuspected contamination to the attention of the Local Planning Authority.

Energy/Sustainability

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

Policy SI 2 of the London Plan, which relates to minimising greenhouse gas emissions, states that major development proposals should include a detailed Energy Strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy, which is be lean, be clean, be green and be seen. Council's Energy Consultant has reviewed the proposed strategy and is very supportive. The hierarchy has been followed with measures identified within the categories of lean, clean and green.

Council's Energy Consultant has reviewed the submitted energy strategy and is highly supportive of the measures to reduce carbon emissions from the proposed development. The proposal would result in a cut by at least 57.85%, with 15.45% carbon reduction through "lean" efficiency measures and 42.83% carbon reduction through "green" renewable energy. The consultant confirmed that there is no available "Clean" district heat network (DHN) and no further research or design is required on this matter.

The shortfall in CO2 based on a zero-carbon environment is 1,578 tonnes over 30 years, that will need to be mitigated through a carbon offset contribution, which is included in the recommendation above. If, after monitoring, the stated carbon reductions are not delivered within a reasonable margin of error, then the developer will be liable for additional carbon offset contributions to mitigate any such shortfall. Energy monitoring will be carried out on the PV array and communal ASHP (Air Source Heat Pump) over a period of 4 years. Energy monitoring contributions will be secured through the s106 agreement.

Whole Life Carbon and Circular Economy Strategies have also been submitted in support of the application. The WLC strategy produced by mTT/SUSTAIN (July 2022 v1) confirms that the development is compliant with the combined modules (A-C) GLA Benchmark target. The B1-C4 module is just above the benchmark, however, the strategy advises that the project team focus on the individual construction elements with the highest embodied carbon to reduce the figure in future designs.

The Circular Economy statement has been produced by mTT Consultants (July 2022 v1), which confirms that the development will aim to be compliant with the London Plan targets of diverting 95% of demolition/construction waste from landfill, putting 95% of excavation materials to beneficial on-site use, and diverting 65% of Operational Waste from landfill by 2030.

Crime Prevention

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

The Metropolitan Police have been consulted, who have advised that the development should achieve Secure By Design accreditation, which has been recommended as a condition.

Refuse & Recycling Storage

Refuse and recycling requirements for new development are assessed in accordance with Council's Waste Management Guidelines. An established formula is provided to determine the necessary capacity to accommodate the needs of future residents. In accordance with this established formula,

the proposal is required to deliver waste storage capacity at 20,640L. Waste storage in higher density developments would ordinarily be provided within 1,100L eurobins, requiring 9 general refuse bins and 9 recycling bins.

The proposed waste storage would be located at ground floor, in close proximity to the loading bay. However, the proposed development would only accommodate 8 bins within this refuse storage area.

Prior to submission of the application, the applicant consulted Council's Waste and Street Services department as to their strategy for waste collection. The strategy is to provide less waste bins, but increase the frequency of collections each week. The applicant advised the Officer that this is a strategy that has been accepted on another BTR scheme within London.

The Officer noted that whilst this would not be Council's preferred strategy, it could reasonably work. Council would only be responsible for a single collection each week, however the subsequent collection would need to be sourced by a registered waste carrier. The applicant would need to set this out in detail via a Residential and Commercial Deliveries and Servicing Management Plan, which has been secured by condition.

Within this strategy, the applicant will need to outline the carbon and traffic implications of this proposal. However, it is a reasonable assumption that any supplementary collections by a private waste collection service could be coordinated with refuse collection for the public house element of the scheme.

On balance, the waste collection strategy is acceptable in principle, subject to further details secured by condition.

Mayor's Community Infrastructure Levy (CIL)

Ealing is a collection authority on behalf of the Mayor of London. This is charged at £60 per sqm since 1/4/19 subject to Indexation. The exact amount of liability would be calculated by the CIL Officer who can be contacted at cilcollections@ealing.gov.uk.

Conclusion

The principle of the proposed development is considered to be a high-quality design that will result in significant improvements to the public realm and the character and appearance of the surrounding area. The principle of the demolition and re-provision of the public house is supported by Policy HC7 of the London Plan and will be restricted for this use only through planning conditions. This is in accordance with the policy, which states that "Boroughs should consider the replacement of existing pubs in redevelopment schemes, where the loss of an existing pub is considered acceptable". The proposal would also deliver a small community space within the scheme, to the benefit of local residents.

The proposal would establish a Build-to-Rent residential product on the site, delivering 116 homes to the local area. BTR schemes are somewhat different to conventional housing products and provide certainty of tenancy length and rent increases. In order to qualify as a BTR scheme, the provisions of Policy H11 of the London Plan. Compliance with the criteria shall be secured through legal agreement provisions.

The design of the building is considered high quality, with curved edges, horizontal banding, vertical fenestration and chamfered external walls providing a high degree of visual interest. The external walls

of the building would use prefabricated ceramic panels, made of glazed terracotta to provide a reference to the important role that the Martin Brothers played in the early development of Southall. The scheme would constitute a tall building and has accordingly been assessed against Policy D9(C) of the London Plan. Whilst the site is not an allocated development site within the current Local Plan, a previously consented 15-storey hotel scheme on the site provides for a material consideration in the assessment of the scheme. The site also forms part of a potential site allocation within the Draft London Plan, which is seeking a residential-led, mixed use scheme for the site.

A Townscape and Visual Impact Assessment has been carried out, which shows the proposed development within short-, medium- and long-range views. These views have been also compared against the consented scheme. It is the view of Council Officers and the GLA that the proposed development does not present a significant departure from the consented scheme and the proposal would not result in an undue visual impact. This assessment also took into consideration designated heritage assets, including the nearby Canalside Conservation Area, with the development constituting less than substantial harm, with the public benefits significantly outweighing any harm caused.

The proposed residential accommodation is considered to be high quality, with internal areas compliant with or in excess of the minimum standards outlined within Policy D6 of the London Plan. The proposal would deliver good quality amenity spaces within the development, which also include internal amenity areas such as a co-working area and gymnasium. Impacts on neighbouring properties have been scrutinised and it is considered that the design of the building is successful in avoiding opportunities for overlooking, with no substantial impact on daylight and sunlight.

Council Officers are supportive of the proposed scheme and it is considered that the proposal complies with all relevant planning policy. It is accordingly recommended that the application be approved, subject to conditions, s106 legal agreement and Stage II GLA referral.

Human Rights Act:

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

Public Sector Equality Duty

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

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

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the

special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

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

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

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

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

Fire Safety

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

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

The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations (2010). These require minimum standards for any development, although the standards will vary between residential and commercial uses, and in relation to new build and change of use/conversions. The regulations cover a range of areas including structure and fire safety.

Any person or organisation carrying out development can appoint either the Council's Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure that the requirements of the Building Regulations are met. The BCB would carry an examination of drawings for the proposed works, and carry out site inspection during the work to ensure that the works are carried out correctly. On completion of work the BCB will issue a Completion Certificate to confirm that the works comply with the requirements of the Building Regulations. In relation to fire safety in high rise residential developments, some of the key measures include protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

ANNEXE 1

Conditions/Reasons:

GENERAL COMPLIANCE CONDITIONS

1. Time Limit

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

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

2. Approved Plans

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

20055-SWAP- 00-00-DR-A-MA-0000 (Site Location Plan); 20055-SWAP- E0-00-DR-A-MA-1000 (Existing Block Plan); 20055-SWAP- XX-00-DR-A-MA-0011 (Demolition Plan); 20055-SWAP- E0-00-DR-A-GA-1150 (Existing Ground Floor Plan); 20055-SWAP- E0-01-DR-A-GA-1151 (Existing First Floor Plan); 20055-SWAP- E0-XX-DR-A-GA-1161 (Existing Section A&B); 20055-SWAP- E0-01-DR-A-GA-1171 (Existing Elevation – Broadway); 20055-SWAP- E0-02-DR-A-GA-1172 (Existing Elevation – Bankside)

20055-SWAP- P0-00-DR-A-MA-0100 R4 (Ground Floor Masterplan); 20055-SWAP- P0-01-DR-A-MA-0101 R3 (First Floor Masterplan); 20055-SWAP- P0-05-DR-A-MA-0105 R3 (Fifth Floor Masterplan); 20055-SWAP- P0-21-DR-A-MA-0121 (Roof Level Masterplan);

20055-SWAP- P0-00-DR-A-GA-1200 R9 (Proposed Ground Floor GA Plan); 20055-SWAP- P0-01-DR-A-GA-1201 R9 (Proposed First Floor GA Plan); 20055-SWAP- P0-02-DR-A-GA-1202 R9 (Proposed Second Floor GA Plan); 20055-SWAP- P0-03-DR-A-GA-1203 R9 (Proposed Third Floor GA Plan); 20055-SWAP- P0-04-DR-A-GA-1204 R9 (Proposed Fourth Floor GA Plan); 20055-SWAP- P0-05-DR-A-GA-1205 R9 (Proposed Fifth Floor GA Plan); 20055-SWAP- P0-06-DR-A-GA-1206 R9 (Proposed Sixth Floor GA Plan); 20055-SWAP- P0-07-DR-A-GA-1207 R9 (Proposed Seventh Floor GA Plan); 20055-SWAP- P0-08-DR-A-GA-1208 R9 (Proposed Eighth Floor GA Plan); 20055-SWAP- P0-09-DR-A-GA-1209 R9 (Proposed Ninth Floor GA Plan); 20055-SWAP- P0-10-DR-A-GA-1210 R9 (Proposed Tenth Floor GA Plan); 20055-SWAP- P0-11-DR-A-GA-1211 R9 (Proposed Eleventh Floor GA Plan); 20055-SWAP- P0-12-DR-A-GA-1212 R9 (Proposed Twelfth Floor GA Plan); 20055-SWAP- P0-13-DR-A-GA-1213 R9 (Proposed Thirteenth Floor GA Plan); 20055-SWAP- P0-14-DR-A-GA-1214 R9 (Proposed Fourteenth Floor GA Plan); 20055-SWAP- P0-15-DR-A-GA-1215 R9 (Proposed Fifteenth Floor GA Plan); 20055-SWAP- P0-16-DR-A-GA-1216 R9 (Proposed Sixteenth Floor GA Plan); 20055-SWAP- P0-16-DR-A-GA-1217 R7 (Proposed Roof Terrace); 20055-SWAP- P0-21-DR-A-GA-1221 R1 (Proposed Roof Plan); 20055-SWAP- P0-B1-DR-A-GA-1222 R8 (Proposed Basement GA Plan);

20055-SWAP- P0-01-DR-A-GA-1311 R3 (Proposed North Elevation); 20055-SWAP- P0-02-DR-A-GA-1312 R2 (Proposed East Elevation); 20055-SWAP- P0-03-DR-A-GA-1313 R3 (Proposed South Elevation); 20055-SWAP- P0-04-DR-A-GA-1314 R4 (Proposed West Elevation); 20055-SWAP- P0-AA-DR-A-GA-1411 R4 (Proposed Section A); 20055-SWAP- P0-BB-DR-A-GA-1412 R4 (Proposed Section B); 20055-SWAP- P0-CC-DR-A-GA-1413 R5 (Proposed Section C); 20055-SWAP- P0-DD-DR-A-GA-

1414 R3 (Proposed Section D)

Air Quality Assessment (SH Environmental, July 2022); Consultation and Involvement Statement (Nudge Factory, July 2022); Daylight, Sunlight and Overshadowing Report (Point 2 Surveyors, July 2022); Phase 1 Geo-Environmental Desk Study (Walsh, 18 July 2022); Planning Fire Safety Strategy (BB7, 2 March 2023); Bat Emergence Survey (Greengage, June 2022); Built Heritage, Townscape and Visual Impact Assessment (Montagu Evans, October 2023); Economic Impact Statement (Jeremy Leach Research, 21 July 2022); Landscape Statement (Spacehub, July 2022); Planning Gateway One Fire Statement (BB7, 2 March 2023); Transport Statement (Vectos, July 2022); 8371-PL-UGF-105 (Urban Greening Factor); Biodiversity Impact Assessment (Greengage, July 2022) and Biodiversity Net Gain Update (Greengage, 27 February 2023); Circular Economy Statement (MTT, 21 July 2022); Design and Access Statement (SWAP Architects, 27 July 2022) and Addendum 5 (SWAP Architects, 28 September 2023); Preliminary Ecological Appraisal (Greengage, July 2022); Whole Life Carbon Report (MTT, 21 July 2022); Affordable Housing Statement (DS2, July 2022) and Addendum (DS2, February 2022); Energy and Sustainability Statement (MTT, 23 February 2023); Draft Residential Travel Plan Statement (Vectos, July 2022); Wind Microclimate Study (NOVA, 14 July 2022); 8371-PL-GA-101 (Landscape Masterplan); Outline Construction Logistics Plan (Vectos, July 2022); Internal Daylight and Sunlight Report (Point 2 Surveyors, July 2022) and Addendum (Point 2 Surveyors, 27 February 2023); Planning Statement (DP9, July 2022); Environmental Noise Survey and Acoustic Design Statement (Hann Tucker Associates, 8 October 2021); Flood Risk Assessment (Walsh, July 2022);

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

3. Hours of Operation

The use of the public house shall not be permitted outside of the hours of 08:00 to 23:00.

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

4. Secure By Design

The development hereby approved shall achieve Secure by Design Accreditation, in consultation with the Metropolitan Police Crime Prevention Design Advisor.

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 a number of dwellings; and in order that the new buildings incorporate appropriately designed security features, in accordance with policies D11 of the London Plan (2021).

5. Restriction on Uses

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the area shown on the approved plans for a public house shall only be used for a public house (Use Class Sui Generis) hereby approved, and not for any other use. The community space at ground floor level, shown on the approved plans shall only be used for such uses to the benefit of the local community, within use class F2(b).

Reason: To ensure that the Council retains control over the quality and provision of any change of use, to secure the re-provision of the public house and to protect the character of the area and the amenity of neighbouring occupiers, in accordance with policies HC7, D3, D6 and D14 of the London Plan (2021),

policies 7A, 7.4 and 7B of the Ealing Development Management DPD (2013), SPG 10, and the National Planning Policy Framework (2021).

6. 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.

7. Refuse Storage

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

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

8. External Doors and Windows

The use of commercial premises including pub, kitchens, gym, community hall and communal event spaces etc. shall not commence until all external doors to the rooms/areas at the development where noise may be emitted 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.

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 Policy 7A of the Ealing Development Management DPD.

9. Artificial Lighting

External artificial lighting at the development shall not exceed the vertical illumination lux levels at the development site and 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: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policy 7A of the Ealing Development Management DPD.

10. Passenger Lifts

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), policy D6 of The London Plan (2021), and the National Planning Policy Framework (2021).

11. Restriction on 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).

12. Air Quality – 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).

PRIOR TO COMMENCEMENT CONDITIONS

13. Demolition Method Statement and Construction Management Plan

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

- noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- delivery locations,

- hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),
- neighbour liaison, notifications to interested parties and
- public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site, in accordance with Policies 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

14. 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 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. Details of construction hours;
- c. Anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- d. Delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- e. Route and location of site access for construction traffic and associated signage;
- f. Management of consolidated or re-timed trips;
- g. Details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- h. Secure, off-street loading and drop-off facilities;
- i. Wheel washing provisions;
- j. 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;
- k. Details as to the location(s) for storage of building materials, plant and construction debris and contractor's welfare facilities and offices;
- l. Procedures for on-site contractors to deal with complaints from members of the public;
- m. Measures to consult cyclists, disabled people and the local schools about delivery times and necessary diversions;
- n. Details of all pedestrian and cyclist diversions;
- o. A commitment to be part of Considerate Constructors Scheme; and
- p. Confirmation of use of TfL's Fleet Operator Recognition Scheme (FORS) or similar.
- q. The submission of evidence of the condition of the highway prior to-construction and a commitment to make good any damages caused during construction.
- r. Details of parking restrictions which may need to be implemented during construction work

Reason: To ensure that the proposed development is carried out in an acceptable manner to not compromise the surrounding road and pedestrian network and to protect the amenity of surrounding residents, in accordance with Policy 7A of the Ealing Development Management DPD and Policy T7 of the London Plan.

15. Details of Materials

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

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

16. Infrastructure - Piling Method Statement

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

17. Sound Insulation – Building Envelope

- A. Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, having regard to the assessment standards of the Council's SPG10, 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) to achieve internal noise limits specified in SPG10. Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve criteria of BS8233:2014.
- B. A post completion sound assessment shall be carried out to confirm compliance with the noise criteria and details, including any mitigation measures, and be submitted for the Council's approval before the premises are occupied.

The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), Policy D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

18. Sound Insulation – 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, eg. kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall have regard to standards of the Council's SPG10 and noise limits specified in BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

19. Sound Insulation – Commercial/Residential

Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of at least 10/15/20 dB above the Building Regulations value for residential use, as necessary, of the floor/ceiling/walls separating the commercial and other non-residential areas and mechanical installations and ducting from dwellings. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins (octaves) inside habitable rooms. Details of mitigation measures shall include the installation method, materials of separating structures and the resulting sound insulation value and internal sound/rating level. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the residential occupiers, in accordance with Policy D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

20. Sound Insulation - Lifts

Prior to commencement of the superstructure, 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 and Policy 7A of the Ealing Development Management DPD.

21. Sound Insulation – Plant and Machinery

Prior to the commencement of the superstructure, details of the external rating noise level emitted from plant/ machinery/ equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate shall be submitted to the Local Planning Authority for approval in writing. 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/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

22. Odour Control System

Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of an odour risk assessment (according to 2018 EMAQ Guidance) and of odour abatement equipment and extract system, including operational details and maintenance schedule, the height of the extract duct, with vertical discharge outlet, without cowl, at least 1m above the eaves of the main building. Details shall be provided of a reasonable distance of the extract outlet approximately 20.0meters from any openable window unless effective odour control is installed. Approved details shall be implemented prior to use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by smell or steam, in accordance with policy 7A of the Ealing Development Management DPD.

23. Air Quality – Ventilation Report

Prior to the commencement of the superstructure, 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 the installation of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air for all residential dwellings.

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 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).

24. Air Quality – 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 “HAMBROUGH TAVERN Air Quality Assessment” dated July 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 provide direct access to monitoring data at all times 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 at all times will be 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).

25. Air Quality - Revised 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: To minimise the impact of building emissions on local air quality in the interests of health, in accordance with policy SI1 of the London Plan (2021), the Mayor's Sustainable Design and Construction SPG; policies 1.1(e) and (j) of Ealing's Development (or Core) Strategy 2012, and policy 7A of Ealing's Development Management DPD.

26. Acoustic Barrier to External Amenity Space

Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of a noise impact assessment and mitigation provided by a sound barrier along external amenity areas near existing residential boundaries, in accordance with criteria and specifications outlined in the Council’s SPG10. Approved details shall be implemented prior to occupation /use of the development and thereafter be permanently retained.

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

27. Secure By Design

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.

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 a safe and secure environment and reduce the fear of crime in accordance with policy LV7.3 of the Ealing Development Management DPD and policies D3 and D11 of the London Plan (2021).

28. Bird Hazard Management Plan

Prior to commencement of the superstructure, a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority, in conjunction with Heathrow Airport and the Ministry of Defence. The submitted plan shall include details of management of any flat/shallow pitched/green roofs on buildings within the site or amenity spaces which may be attractive to nesting, roosting and “loafing” birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

29. Digital Connectivity

Prior to commencement of the superstructure, details shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London’s global competitiveness in accordance with Policy SI6 of the London Plan (2021).

30. Whole Life-Cycle Carbon Assessment

- a) Prior to the Commencement of Construction a Whole Life Carbon Assessment shall be submitted to the Council for approval. The Assessment shall be compliant 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 (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.

- c) The Development shall implement the measures identified in the WLC Assessment prepared by mTT/SUSTAIN (July 2022 v1), or any later approved version. Modules A1-A5 should achieve 610 KgCO₂e/m², and B1-C4 (excluding B6/B7) aim to achieve 350 KgCO₂e/m², with a total carbon emissions baseline scenario (over 60 years) of approximately 960 KgCO₂e/m² (including module D benefits).

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI2(F) of the London Plan.

PRIOR TO OCCUPATION CONDITIONS

31. Sound Insulation – Gym

Prior to occupation of the room shown as a gym, an acoustic report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the gym from noise sensitive commercial/communal and residential uses;
- 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 L_{max}(fast) from structure borne / impact noise
 - NR20 Leq,5min from general airborne activity noise (including music)

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

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

32. Residential and Commercial Deliveries and Servicing Management Plan

Prior to occupation of the ground floor uses of the development, a Servicing Management Plan shall be submitted to the Council for approval in writing. Details shall include hours of use, times and frequency of activities, servicing details, deliveries and collections, vehicle movements, silent reversing and loading/ unloading methods, location of loading bays, etc. The assessment shall be based on standards of the Council's SPG10. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Details should also be provided as to how the deliveries for the residential component shall be facilitated and how the loading bay would be managed and kept free for its intended purpose. Further information shall be provided on the arrangements for supplementary refuse collections for the residential component of the scheme, to be delivered by a private provider. This shall be reviewed in conjunction with Council's Waste and Street Services Team.

The plan should also detail vehicle tracking for a refuse vehicle and how bins may be stored for collection, in a way that does not impede pedestrian movement.

No deliveries nor collections/ loading nor unloading shall occur at the development other than between the hours of 08:00 to 18:00 on Monday Saturday and at no time on Sundays or Public/Bank Holidays

No removal of refuse nor bottles/ cans from commercial premises to external bins or areas at the development shall be carried out other than between the hours of 08:00 to 20:00.

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

33. Cycle Parking

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

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

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

34. Travel Plan

A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for all residential buildings. The Travel Plan should be in general accordance with the Framework Travel Plan (Evoke Document R-19-0008-02B, dated 6th June 2022). The detailed Travel Plan shall be prepared in accordance with Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out in accordance with the approved Travel Plan.

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

35. Contaminated Land – Unsuspected Contamination

The developer shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during the development.

In the event of contamination to land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial work to include methods of monitoring and certification of such work undertaken has been submitted and approved in writing by the Local Planning Authority.

None of the development shall be occupied until the approved remedial works, monitoring and certification of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no contamination is encountered, the developer shall provide a written statement / photographic evidence to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be occupied. The evidence shall include waste disposal transfer notes proving correct disposal of soil.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

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

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

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

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

37. 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 against SAP10 standards of at least 57.89% (equating to 72.3 tonnes of CO₂ per year) beyond Building Regulations Part L 2013. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by mTT/SUSTAIN in July 2022 (v1) including:

- i. Lean, passive design measures to achieve an annual reduction of at least 16.26% equating to at least 16.5 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2013 for the residential development, and at least 11.97%, equating to at least 2.8 tonnes, over Part L 2013 for the non-residential space.
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a capacity of at least XX kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 42.43%, equating to 53 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2013.
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the communal ASHP distribution loop (including the combined heat generation and the electrical parasitic loads of the heat pumps), and the parasitic electrical load of the dwelling Water Source 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 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 kWp capacity of the PV array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.
 - c) On completion of the installation of the LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
 - d) The development shall incorporate the overheating and cooling measures detailed in the dynamic Overheating Analysis by mTT/SUSTAIN in July 2022 (v1). Any later stage version shall be compliant with CIBSE guidance TM59 and/or TM52, 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) 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.

38. 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). 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.

- b) Specific commitments detailed in the Circular Economy statement produced by MTT Consultants (July 2022 v1), 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 diverting the London Plan target of 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).

ONGOING CONDITIONS

39. 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 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 (Energence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational. 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 & Construction SPG.

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

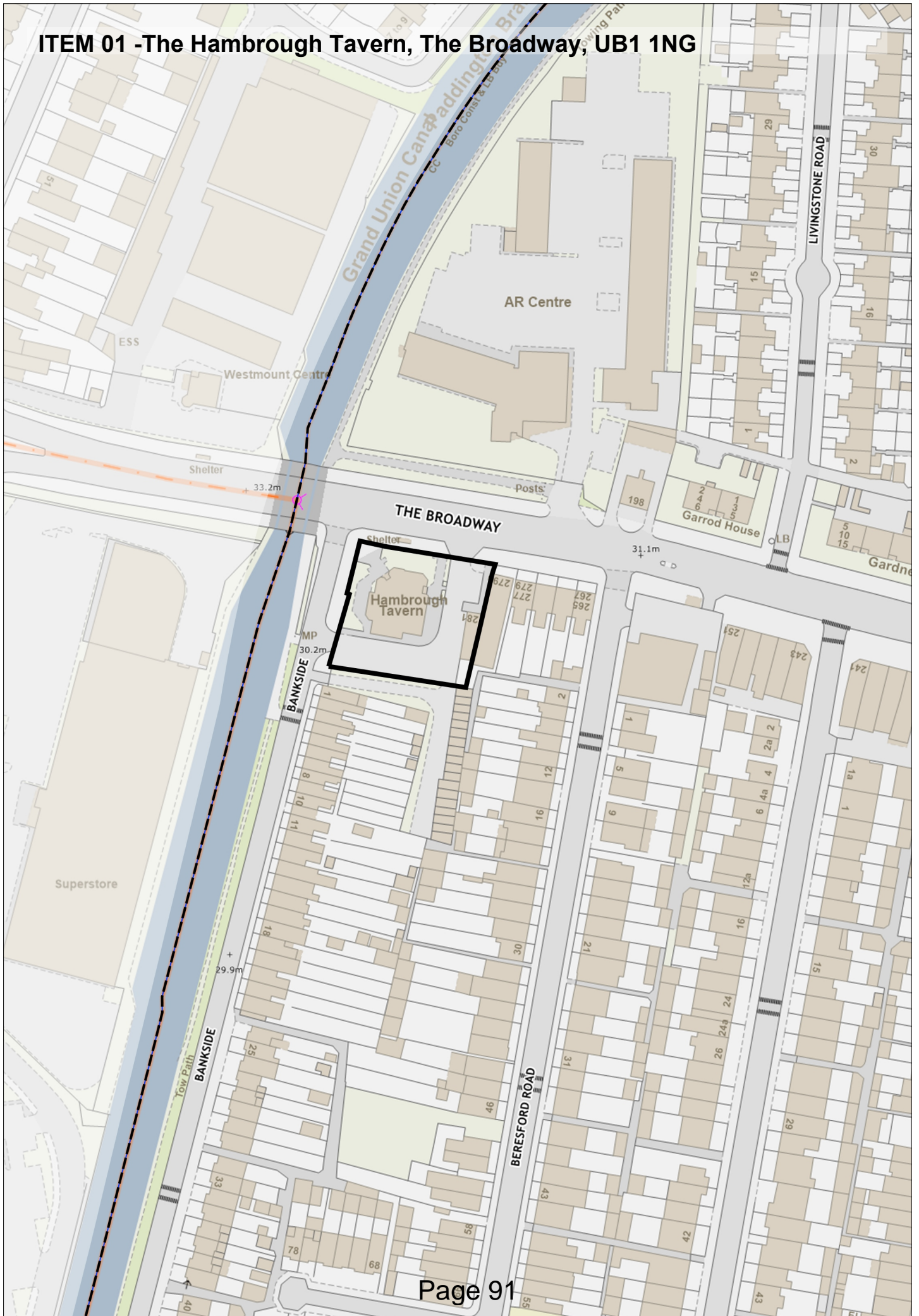
In order to demonstrate compliance with the ‘be seen’ post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance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

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

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ITEM 01 -The Hambrough Tavern, The Broadway, UB1 1NG



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Ref: 223090FUL

Address: Sherwood Close (Former Dean Gardens Estate), West Ealing, London, W13 9YP

Ward: Walpole

Proposal: Redevelopment of the site including the demolition of the existing building and construction of 2 buildings ranging in height from 6 to 14 storeys to provide 185 self-contained residential units (Class C3) together with hard and soft landscaping, car parking, cycle storage and other associated works.

Drawing numbers: DL0120-SRA-EX-RF-DR-A- 02001 P03 (Existing Site Plan); DL0120-SRA-EX-RF-DR-A- 02005 P02 (Existing Site Location Plan); DL0120-SRA-EX-RF-DR-A- 02100 P03 (Demolition Plan); DL0120-SRA-ZZ-RF-DR-A- 02002 P04 (Proposed Site Location Plan); DL0120-SRA-ZZ-RF-DR-A- 02010 P06 (Proposed Site Plan); DL0120-SRA-ZZ-RF-DR-A- 02021 P04 (Proposed Site Wide Block Plan);

DL0120-SRA-C1-ZZ-DR-A- 02231 P04 (General Arrangement North Elevation BB South Elevation CC); DL0120-SRA-C23-ZZ-DR-A- 02232 P03 (General Arrangement North Elevation DD South Elevation EE); DL0120-SRA-ZZ-ZZ-DR-A- 02230 P04 (General Arrangement East Elevation AA); DL0120-SRA-ZZ-ZZ-DR-A- 02233 P05 (General Arrangement West Elevation FF); DL0120-SRA-ZZ-ZZ-DR-A- 02250 P04 (General Arrangement Section AA); DL0120-SRA-ZZ-ZZ-DR-A- 02251 P04 (General Arrangement Section BB, CC, DD);

DL0120-SRA-ZZ-00-DR-A- 02200 P06 (General Arrangement Ground Floor Plan); DL0120-SRA-ZZ-01-DR-A- 02201 P06 (General Arrangement First Floor Plan); DL0120-SRA-ZZ-02-DR-A- 02202 P06 (General Arrangement Second Floor Plan); DL0120-SRA-ZZ-03-DR-A- 02203 P06 (General Arrangement Third Floor Plan); DL0120-SRA-ZZ-04-DR-A- 02204 P06 (General Arrangement Fourth Floor Plan); DL0120-SRA-ZZ-05-DR-A- 02205 P06 (General Arrangement Fifth Floor Plan); DL0120-SRA-ZZ-06-DR-A- 02206 P06 (General Arrangement Sixth Floor Plan); DL0120-SRA-ZZ-07-DR-A- 02207 P06 (General Arrangement Seventh Floor Plan); DL0120-SRA-ZZ-08-DR-A- 02208 P06 (General Arrangement Eighth Floor Plan); DL0120-SRA-ZZ-09-DR-A- 02209 P06 (General Arrangement Ninth Floor Plan); DL0120-SRA-ZZ-10-DR-A- 02210 P06 (General Arrangement Tenth Floor Plan); DL0120-SRA-ZZ-11-DR-A- 02211 P06 (General Arrangement Eleventh Floor Plan); DL0120-SRA-ZZ-12-DR-A- 02212 P06 (General Arrangement Twelfth Floor Plan); DL0120-SRA-ZZ-13-DR-A- 02213 P06 (General Arrangement Thirteenth Floor Plan); DL0120-SRA-ZZ-RF-DR-A- P06 (General Arrangement Roof Plan);

DL0120-IA-ZZ-00-DR-L-00100 P07 (Landscape Plan - Site plan); DL0120-IA-ZZ-00-DR-L-00101 P12 (Landscape Plan - GA plan);

DL0120-IA-ZZ-00-DR-L-00102 P08 (Landscape Boundary Plan);
DL0120-IA-ZZ-00-DR-L-00103 P08 (Landscape Plan – Levels);
DL0120-IA-ZZ-RF-DR-L-00104 P08 (Biodiverse Roof & Habitat Plan); DL0120-IA-ZZ-00-DR-L-00105 P03 (Landscape Site Plan – Existing); DL0120-IA-ZZ-00-DR-L-00106 P07 (Tree Survey Plan);
DL0120-IA-C1-00-DR-L-00201 P04 (Sections C1 Northfield Ave);
DL0120-IA-C3-00-DR-L-00202 P04 (Sections C3 Northfield Ave);
DL0120-IA-C3-00-DR-L-00203 P05 (Sections Community Garden);
DL0120-IA-C1-00-DR-L-00204 P05 (Sections Tawny Close);
DL0120-IA-C1-00-DR-L-00505 P04 (Section C1/C2 Link);

Design and Access Statement prepared by Shepard Robson;
Planning Statement prepared by Barton Willmore now Stantec (with Addendum Rev 4, dated 04/10/2023); Acoustic Assessment prepared by Temple; Air Quality Assessment prepared by Temple (with Addendum); Tree Survey & Arboricultural Implications Report prepared by Wassells (with Addendum, dated 29 September 2023); Wind & Microclimate Assessment prepared by GIA Surveyors (with Addendum, dated 04/09/2023); Townscape & Visual Impact Assessment prepared by Barton Willmore now Stantec & AVR (with Statement of Conformity, dated 11 September 2023); Daylight, Sunlight & Overshadowing Assessment prepared by Point2 (with Addendum, dated 8 September 2023); Transport Statement & Travel Plan prepared by RGP; Delivery & Servicing Management Plan prepared by RGP; Energy & Sustainability Statement prepared by MWL (with Addendum, dated September 2023); Circular Economy Statement prepared by Hodkinson; Ground Investigation Report prepared by Soils Limited; Biodiversity Survey & Report prepared by Greengage; Flood Risk Assessment prepared by OCSC; Utilities Statement prepared by MWL; Fire Strategy prepared by Ashton Fire (with Addendum, dated 29 September 2023); Statement of Community Involvement prepared by Barton Willmore now Stantec; Estate Management Strategy prepared by Clarion; Affordable Housing Statement prepared by Clarion; and Financial Viability Assessment prepared by Quod (with Addendum, dated October 2023); Planning Gateway One Fire Statement Form; Bat Survey by Greengage; Biodiversity Impact Statement by Greengage; UGF Report, by Greengage; Cover Letter (4 October 2023)

Type of Application: Full Planning Application

Application Received: 30 June 2022

Revised: 4 October 2023

Report by: Joel Holland Turner

Recommendation: Grant Permission, subject to conditions, s106 legal agreement and Stage II GLA referral.

Contents

Executive Summary:	4
Recommendation:	6
Site Description:	8
The Proposal:	9
Consultation:	10
Public:	10
Pre-consultation:	11
Internal Consultation:	12
External Consultation	14
Design Review Panel	16
Planning Policies:	17
Background and Principle of Development	17
Local Character and Design	20
Tall Buildings and Impact on Heritage	24
Housing Land Supply	30
Daylight and Sunlight	31
Overshadowing	32
Housing Mix	34
Affordable Housing	34
Quality of Residential Accommodation	36
Environmental Health Impacts (Noise, Vibration and Air Quality)	38
Noise and Vibration	38
Air Quality	39
Energy and Sustainability	39
Landscaping and Children’s Play Space	39
Biodiversity and Urban Greening Factor	42
Transport	43
Refuse	44
Mayor’s Community Infrastructure Levy (CIL)	45
Conclusion:	45
Human Rights Act	46
Public Sector Equality Duty	46
Fire Safety	46
Appendix A	47
COMPLIANCE CONDITIONS	47
PRE-COMMENCEMENT CONDITIONS	50
PRIOR TO OCCUPATION CONDITIONS	56
ONGOING CONDITIONS	60
INFORMATIVES	62

Executive Summary:

The proposed development relates to Phase 3 of the Sherwood Close (Dean Gardens) estate redevelopment, which was consented under planning permission ref: P/2014/6383 on 23/10/2015. A subsequent Minor Material Amendment (s73) was approved under planning permission ref: 178303VAR on 16/03/2018. The proposed development involves an increase in the number of units, mix of housing tenure, an increase in height and a different massing and built form of the proposed development, requiring the submission of a new planning application.

The originally consented redevelopment of the estate consisted of three phases, with all affordable housing to be part of Phases 1 and 2, with Phase 3 to be entirely private market sale. The proposal would increase the number of units within the development, with the majority of the uplift in the number of units being to provide additional affordable housing. The proposal would therefore deliver additional affordable housing within the estate, in a phase where none was previously to be developed.

Members may note that this scheme was due to be considered by the Planning Committee in January 2023. This scheme was withdrawn from the Committee in response to a statement from the GLA in late December requiring all buildings over 30 metres to accommodate a second staircase. This matter proved insurmountable for Block C1 to be resolved prior to the Committee meeting, resulting in its withdrawal from the agenda. In addition, since this time, the Secretary of State for Levelling Up, Housing and Communities advised that the second staircase requirement would apply to buildings above 18 metres in height on 24 July 2023. Therefore, Block C2 was also to be affected by such a change in fire safety regulations. Accordingly, the scheme has been revised to accommodate the second staircase for both Blocks C1 and C2, which forms part of the plans under consideration as part of this application.

The external changes to the building involved increasing the size of the building, by increasing the footprint of Block C1 by 1.35m to the north. The internal layout of the proposed homes were also adjusted and door and window positions were amended to reflect the changed internal layout. Similarly, the footprint of Block C2 has been increased by 2.25 metres to the north, also with resultant minor changes to floor layouts and external fenestration. It is considered that the proposed changes were minor in nature, in the context of the entire scheme. Re-consultation was not considered necessary to take account of these changes, which is detailed within the report below.

The proposed development, whilst higher and resulting in an increased number of residential units, provides significant benefits over and above the consented scheme. The proposal fully optimises the site which is well-connected and close to the Ealing Metropolitan Centre and West Ealing Station (Elizabeth Line). The proposal delivers additional affordable housing across the estate, and the redistribution of massing within the development provides for greater amount of visual interest and articulation within its façade. The consented Phase 3 scheme proposed a predominantly 9 storey block development, with a separate building being 7 storeys. The proposed scheme would retain its 9-storey shoulder to the north, before rising to 14 storeys, which would be separated from a separate 6-9 storey building, consisting of two separate cores.

In acknowledging the increased height of the development in comparison to the consented scheme, this revised design presents significant advantages. The proposed scheme provides more visual relief as the mass created by an elongated 9 storey building within the consented scheme is now refined into two separate buildings.



Figure 1: Consented scheme from Northfield Avenue



Figure 2: Proposed Scheme from Northfield Avenue

The amended massing of the development provides an opportunity to implement two cross block links, as opposed to the single link under the consented scheme. It provides a break in the massing of the development, which has the dual benefit of providing better public realm and pedestrian access within, to and from the site. The application has been scrutinised by an independent Design Review Panel noting that the panel supports the proposed changes to the height and massing and felt that the proposal represented a considerable improvement to the consented scheme.

The proposed scheme also provides for a variety of heights, with the taller element positioned toward the centre of the site. The varied building heights, with the staggered building lines (not present within the consented scheme), along with intricate and alternating brick patterns, which contrast with darker balconies, all provide for a high degree of variation and articulation within its design. There is a clear design link between the proposed scheme and the earlier Phases 1 and 2, but the design approach taken allows the proposal to express its own individuality.

The proposal, standing at 14 storeys high would be classified as a Tall Building under Policy D9 of the London Plan. A Visual Impact Assessment has been carried out, including long-, mid- and short-range views of the development, within a localised context. The proposal is considered make a positive contribution to the character and appearance of the area and would constitute less than substantial harm to all surrounding heritage assets. There are demonstrable public benefits that would outweigh any harm caused.

A Daylight and Sunlight Assessment has been carried out which demonstrates that the proposal would not unduly impact the living conditions of any adjoining properties and all proposed residential accommodation would provide a good standard of natural light to internal living areas. Critically, this assessment also shows that the proposal would not have a harmful impact on the allotment site on the opposite side of Northfield Avenue, in terms of loss of light and overshadowing.

The proposal provides a good housing mix that would provide opportunity for residents within the Borough to secure a good quality home in a desirable location. A welcome part of the proposal is that all 3-bedroom units (10 units in total) would be affordable housing, providing good opportunity for low-income families to secure a home. The proposal would deliver Affordable Housing within this Phase at a rate of 20% by unit (22% by HR). It must be noted that the consented scheme was for Phase 3 to be entirely private market housing. The proposal therefore represents substantial improvement in overall affordable housing provision within the Estate. The viability of the scheme has been tested in accordance with Policy H8 of the London Plan, with the conclusion being that the affordable housing provision constitutes the maximum deliverable within this scheme.

The proposed scheme would provide for good quality residential accommodation, with all internal space standards and private amenity space standards being met. 57% of the proposed residential flats would be dual aspect, with none of the single-aspect flats being north-facing and all flats meeting relevant ADF criteria.

Council's Energy Consultant is supportive of the proposed development and the development would achieve good amounts of carbon dioxide reduction (56.34%), which follows the hierarchy as set out within the London Plan. Carbon Offsetting contributions have been secured for the shortfall and energy monitoring would occur through a financial contribution.

Whilst it is acknowledged that the 14 car parking spaces proposed are in excess of London Plan requirements, the proposal represents a significant reduction in overall carparking when comparing this to the consented scheme. The required 3% of total units for disabled parking would be met and a remaining 7 car parking spaces would be allocated to three-bedroom homes within the development. Cycle parking proposed meets the minimum requirements of the London Plan and this provision, as well as its high PTAL Score and accessibility to good quality public transport options would encourage a modal shift amongst residents to more sustainable forms of transportation. Contributions based on the uplift in residential units for transport improvements have been secured.

Overall, the proposed development constitutes a development that maximises the opportunity for housing on a well-connected site, delivers additional affordable housing and its design would contribute positively to local character. It is considered that the proposal represents a significant improvement to the consented scheme and the application for planning permission is accordingly recommended for approval, subject to conditions and s106 legal agreement.

Recommendation:

That 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:

Healthcare Provision	£74,725
Education Provision	£135,000
Air Quality Mitigation	£18,500
Town Centre Improvements	£25,000
Open Space (Shortfall in Onsite Provision)	£110,000
Children’s Play Space	£35,000
Allotment Improvements	£22,641
Tree Services	TBC
Transport and Highways Improvements	£40,000
SUBTOTAL	£460,866
Carbon Offsetting	£208,986
Energy Monitoring	£13,470
TOTAL	£683,322

* The financial contributions sought are based primarily on the uplift in the number of residential units within the scheme from the existing consent. The existing contributions under the existing scheme will remain payable. These contributions therefore reflect additional contributions to those already secured.

- Provision of 22% by habitable room of affordable housing comprising a total of **37** dwellings all within social rent tenure.
- Early and late-stage Affordable Housing Viability Review mechanisms.
- Participation in an Apprentice and Placement Scheme, providing an additional 2 placements, over and above the 10 placements over Phases 1-3 of the development programme with not less than 3 apprenticeships / phase, that was secured under planning permission ref: P/2014/6383. The Apprentice and Placement Scheme shall endeavour to provide opportunities across the construction, design and post-construction management of the development. Details of the Apprentice and Placement Scheme to be submitted to the Council for written approval.
- In the event the Carbon Dioxide Emissions Target has not been met within 3 years from the date of last occupation, the Developer shall pay additional carbon offsetting contribution at £90 per ton for the difference.
- Payment of the above contributions, which are to be index-linked.
- Restriction of Parking Permits – all the units and their occupants shall be precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs in the area.
- 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
- Restoration of roads and footways damaged by construction and restoration of the kerb where necessary.
- Implementation of the Travel Plan
- Payment of Council’s reasonable legal and other professional costs incurred in preparing the s106 agreement.
- Administration and professional costs for monitoring the legal agreement.

AND

Subject to conditions/informatives that can be found at the end of the report.

Site Description:

The application site forms part of the Sherwood Close Estate regeneration scheme, with the site forming Phase 3 under the original masterplan for the site. Phases 1 and 2 have been completed. The original masterplan was approved by Council under ref: P/2014/6383 on 23/10/2015 and subsequently varied under s73 of the TCPA through ref: 178303VAR on 16/03/2018.

This site has an existing building known as Target House, which was consented to be demolished as part of the original approval for the estate and this continues to be proposed. Target House is an existing 8-storey building. The proposal itself represents the final stage of the development and Phase 3 has its main frontage to Northfield Avenue, with the site also having frontage to Tawny Close and to Sherwood Close.



Figure 3: Site Location (shown in blue)

The site is located within West Ealing, with the site having frontages to Northfield Avenue, as well as Tawny Close and Sherwood Close. Phases 1 and 2 of this regeneration project constitute high density residential development, with other areas to the south, north and west being predominantly lower scale residential development. The site is surrounded by excellent green infrastructure, which includes Dean Gardens, located to the north of the site. Northfield Allotment Gardens are located to the east on the opposite side of Northfield Avenue. Despite this, the site is designated as within an area of Local Park Deficiency.

Whilst the site is not located within a Town Centre, it is clearly within close proximity to the Ealing Metropolitan Centre, located to the north of the site. It is close to high frequency public transport, including bus routes on Uxbridge Road and Northfields Avenue and is within walking distance of the West Ealing Railway Station (Elizabeth Line). The site has a PTAL Score of 5, which also demonstrates its high public transport accessibility.

The site is not located within a Conservation Area, however, the Ealing Green Conservation Area lies approximately 140m from the site. Within the Conservation Area is the St Johns Church, which is a Grade II Listed Building. Aside from significant street trees along Northfield Avenue, there are no other trees within the application site that have any protected status.

The Proposal:

The proposal involves the redevelopment of the site to provide two buildings ranging in height from 6 to 14 storeys. The proposal would provide 185 self-contained residential units, with associated hard and soft landscaping, car parking and cycle storage.

This phase of the estate regeneration was originally approved as entirely private market sale with 142 residential units. This scheme would therefore result in an uplift in the number of units by 43 in comparison to the approved scheme. Whilst the proposal would provide Affordable Housing, in the context of the proposed scheme, at 22% by Habitable Room, this needs to be seen in the context of the original approval, whereby this phase was to deliver 100% private market housing. Affordable Housing has been provided within Phases 1 and 2 of the wider masterplan. Of the uplift in units between the approved and proposed schemes, the development provides for 86% affordable housing, which are all within a social rent tenure.



Figure 4: Proposed Development (viewed from Tawny Close)



Figure 5: Proposed Development (viewed from Northfield Avenue)

Consultation:

Public:

Public consultation was undertaken by way of site notices around the application site. A notification was also placed within the Ealing Gazette. Consultation commenced on 03/08/2022 and concluded on 24/08/2022. Thirteen (13) representations were received during the statutory consultation period, with twelve (12) representations objecting to the proposed development and one (1) in support of the proposed development.

A summary of the points of objection is provided below:

- Height of the proposal is significantly over and above Target House, which is out of character and have a significant impact on visual amenity.
- Green space provision is misleading and insufficient outdoor spaces.
- Impacts on traffic and pressure on car parking.
- Anti-social behaviour
- Access for emergency vehicles during construction and operation
- Pressure on local schools, health services, electricity and water supply.
- Consultation process is inadequate.
- Noise from construction for years has affected the ability for residents to enjoy their homes.
- Height of buildings would restrict light to neighbouring properties.
- Design is generic and does not complement the area.
- More parks and green spaces are needed and not high-density developments.
- Electricity impacts in West London (Hounslow and Ealing) raised by the GLA.

A summary of the points raised in support of the application -

- The first two phases of the development were not ambitious enough and its location could have justified a taller development. The proposed development is not tall enough, which is a missed opportunity for the site.

Officer Response: The comments regarding height are duly noted, however the scheme has undergone extensive pre-application discussions, has been reviewed by a Design Review Panel and has been reviewed by the GLA. It is considered that the height is appropriate for the local area, with a detailed assessment provided within the Committee Report. An assessment of the proposed open spaces is also provided within the report, and the scheme delivers benefits over and above the consented scheme.

Impacts on local infrastructure have been considered and the applicant will make proportionate contributions toward local infrastructure provision. Thames Water have been consulted and raised no objection to the proposal.

Consultation has been carried out in full, giving the opportunity for residents to comment on the proposed scheme. Council has also accepted comments that fell outside the statutory consultation period.

The design of the development has been assessed in full and strikes a successful balance between its relationship with Phases 1 and 2 of the development, whilst expressing its own individuality.

A construction logistics plan showing arrangements during construction has been requested. Any potential illegal parking that may occur after the development has been constructed would be the subject of Parking Enforcement.

The impact of the proposal on daylight and sunlight has been carried out and the impacts are summarised within the Committee Report.

Subsequent Amendments to the Scheme

It is noted that through the course of the application, fire safety regulations have been updated, necessitating the scheme to provide second staircases. As such, revisions to the layout of the buildings have been made to respond to these changes. The revisions to the layout have resulted in a slight expansion of the building by between 1-2 metres to the north, for both Blocks C1 and C2. Given that the changes, in the context of the wider scheme were considered by officers to be minor and marginal, it was not considered in this instance that re-consultation would be necessary.

Paragraph 26 of Government Guidance “Consultation and pre-decision matters” states the following:

Where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary in the interests of fairness. In deciding what further steps may be required local planning authorities should consider whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended.

Given the context of the minor amendments to the scheme, it is not considered that any local residents would have been unduly prejudiced by the changed plans, and re-consultation was not considered to be necessary. A full 21-day period of consultation has been carried out previously and Council Officers would have, in any case, accepted representations beyond the date mentioned on the site notice.

Pre-consultation:

It should be noted that the applicant also undertook their own consultation with neighbours and residents prior to the submission of this application, which is detailed within the submitted Statement of Community Involvement. This is in line with Paragraph 39 of the NPPF and Council's own Statement of Community Involvement, which encourages early engagement with stakeholders in the planning process. Methods of consultation included publicity through leaflet distribution within a defined boundary, social media advertising, public exhibitions and a website.

Dedicated contact emails and phone numbers for the project were established and a project database was maintained to record feedback on the proposal. Online events were set up and the applicant team have engaged with local councillors, groups and organisations. The statement also includes common questions that were received and responses given. It is considered that the applicant has effectively fully satisfied their obligations under the NPPF with respect to early engagement, which has also included engagement with Council Officers through the pre-application process and a Design Review Panel.

Internal Consultation:

<p>Energy and Sustainability</p>	<p>A revised Energy Strategy has been received as part of the most recently submitted documents. The Energy Consultant advises that the energy strategy had been completely changed from individual dwelling ASHPs to a communal ASHP distribution loop. The consultant noted that this was a better approach.</p> <p>Very supportive of the proposed energy strategy Site-wide emissions will be cut by at least 56.34%, achieved through lean measures (12.75%) and green measures (43.6%) There is a shortfall of 2,199 tonnes CO₂ (over 30 years) which will be offset through a s106 contribution of £208,986 (£95/tonne) Energy monitoring contribution of £13,470 requested.</p> <p><u>Conditions requested:</u> Energy and CO2 Post-construction renewable/low-carbon energy equipment monitoring. Post-construction energy use monitoring (“be Seen”) Whole Life-Cycle Carbon Assessment Circular Economy</p>
<p>Pollution-Technical (Noise and Vibration)</p>	<p>Development is facing Northfield Avenue, with habitable rooms facing roadside, exposing residents to noise and air pollution. Site is also under Heathrow flight path and close to West Ealing Town Centre. Noise measurements were taken from 30 July 2021 – 4 August. During this time, COVID restrictions had just been lifted and noise would have been substantially reduced and noise measurement results would not be representative of normal times.</p> <p>A new assessment will need to be provided, using noise levels that occur during working weekends, also including the aircraft noise spectrum and total listed in SPG10 Section 6.</p> <p>Stacking is largely stacked vertically like-for-like, however horizontally bedrooms adjoin LKDs, communal staircases and lifts. Enhanced sound insulation in these areas will be required.</p> <p><u>Conditions recommended:</u> Submission of a revised noise assessment External noise from machinery/equipment/extract/ventilation ducting/mechanical installations Anti- vibration mounts and silencing of machinery etc. Separation of noise sensitive rooms in neighbouring flats Separation of communal uses and facilities from dwellings Lifts</p>

	<p>Demolition Method Statement and Construction Management Plan</p> <p>And relevant Informatives.</p>
<p>Pollution-Technical (Air Quality)</p>	<p>It appears the scenarios listed below (for S2 and S3) only seem to consider emissions from Traffic emissions for Phase 1 and Phase 2 and not emissions from the Energy Centre. Further, it also doesn't include emissions from construction phase including HGV movements.</p> <p>It should also be noted that Northfield Avenue is heavily congested and there is a lot of idling of vehicles on that road, that leads to poor localised AQ.</p> <p>We are also overseeing major development projects in the vicinity of the site and hence it appears the AQ assessment failed to consider cumulative impacts of all nearby developments.</p> <p>It is highly recommended that the development explores other technology in the market and ensure that the use of fossil fuel generators is not used onsite.</p> <p>Recommended conditions:</p> <ul style="list-style-type: none"> - Ventilation Strategy Report - Air Quality and Dust Management Plan - NRMM - Revised Air Quality Assessment <p>Financial contribution recommended for Air Quality Mitigation.</p>
<p>Economic Growth (Regeneration)</p>	<p>Information required on existing ground floor uses to determine if replacement commercial or community space is required. Consideration should be given as to whether shared working space can be accommodated.</p> <p>Lack of active frontages and areas of blank walls. Could be improved.</p> <p>Improvements to Town Centre would be required to mitigate the impacts of 185 new homes. Town Centre contributions were not secured through the previous s106 agreement.</p> <p>More information required on pedestrian desire lines to Town Centre and public transport nodes.</p> <p>Issues around drop-off/pick-up space close to building entrances.</p> <p>Increased building height do not demonstrate a sensitive approach to surrounding urban grain and form.</p> <p>Obligations sought toward Town Centre Improvements.</p>
<p>Transport Services</p>	<p>Requested financial contribution towards active travel, healthy streets and highway safety improvements. Recommended conditions.</p>

Flood Risk Officer	No response received.
Landscape Architect	Recommendation on contributions towards open space
Education	Financial contribution requested.
Housing	Supportive of the Affordable Housing Offer, based off the Financial Viability Assessment carried out.

External Consultation

Metropolitan Police	Requested condition to ensure that the development must achieve Secure by Design Accreditation prior to occupation.
Thames Water	Conditions requested.
Greater London Authority (GLA) Stage I Response	<p>Land Use Principles: Principle of development, including the wider estate regeneration has been established by implemented planning consent and responds well to London Plan objectives.</p> <p>Housing: 37 AH units are proposed (22% by HR) all within Social Rent tenure. Supported by a full viability assessment, which is currently undergoing review to ensure that AH on-site is maximised. Appropriate review mechanisms will need to be secured.</p> <p>Transport: An ATZ Assessment should be carried out and contributions toward public realm, active travel and road safety improvements should be secured. All general parking spaces should be removed to comply with London Plan Policy T6.2.</p> <p>Consented scheme, plus subsequent variation, involved the creation of 319 units within the development. Under the extant planning permission, this phase would have provided 142 units (7-9 storeys, with 40 parking spaces) and is entirely private market sale tenure, with the AH delivery occurring in Phases 1 and 2. The extant planning permission involved the demolition of the existing estate and is therefore a material consideration, with respect to its compliance with Policy H8.</p> <p>Proposed development involves 185 units, of which 37% (22% by HR) are to be social rent tenure, with the remainder being private market sale. Of the uplift in units between the consented scheme and the proposed, social rent units represent 86% of the increase. GLA considers that the proposal for the uplift in AH would benefit the wider estate regeneration scheme.</p> <p>Planning Statement and AH Statement notes that existing tenants have been rehoused during construction works on the estate right to return on an equivalent basis has been offered. Additional AH is welcomed though this needs to be tested further through viability assessment.</p> <p>Play space requirement is 658.5sqm, with the intent to provide 316sqm. Applicant needs to confirm the intended delivery of off-site play space with Council. Shortfall should be secured through creation of new provision within Dean Gardens, improvements to existing play facilities or appropriate financial contribution.</p>

	<p>Development layout raises no strategic issues and shows notable improvements to permeability east-west through the site, with the massing broken into distinct elements.</p> <p>Medium and Long-range views show that the proposal is clearly visible and dominant, however the stepped height on both sides would respond well to immediate local context and read well within long range views. The building is not expected to result in adverse reflected glare or excessive light pollution.</p> <p>Outline Fire Strategy has been submitted and reviewed and is in principle acceptable, however it is expected that further details will be provided as the design progresses. Should consider the proposed green walls and the impact that this could have on fire. Full fire statement should be requested through planning conditions.</p> <p>90% of proposed units would comply with Building Reg M4(2) and 10% for M4(3).</p> <p>With relation to heritage, GLA Officers consider that the proposal would result in less than substantial harm.</p> <p>Proposal should be a car free development, notwithstanding the existing permission.</p>
<p>GLA Housing Viability</p>	<p>Requested additional information from the applicant during the FVA process. Based on the additional information and on balance, it is considered that the scheme is providing the maximum viable amount of affordable housing.</p>
<p>Transport for London (TfL)</p>	<p>Although the development reduces the amount of car parking from the consented scheme from 40 to 14, the development should be car-free (apart from Blue Badge Spaces). This area should be used to provide additional blue badge spaces, resident's amenity space or to improve the quality of cycle parking through a more spacious layout.</p> <p>Car Parking Management Plan should be updated and secured by condition to ensure that it is in line with London Plan parking requirements.</p> <p>Cycle parking would exceed the minimum standards of the London Plan, with 385 provided. It also includes provision for larger, adapted and cargo bikes which is welcomes. Compliance with the London Cycle Design Standards should be secured by condition.</p> <p>Deliveries and Servicing would take place on the street from internal estate roads, however an off-street servicing bay should be provided where possible.</p> <p>Construction Logistics Plan should be secured by planning condition, along with Delivery and Servicing Plan, Parking Management Plan and Travel Plan.</p>

<p>Health and Safety Executive (Fire)</p>	<p>Stage 1 response received. Assessment has been undertaken independent of compliance with the London Plan. Advice has been provided on matters relating to land use implications of the proposed development relating to fire safety.</p> <p>HSE’s final response outlined the following issues related to land use planning.</p> <ul style="list-style-type: none"> • The connection of a single staircase with ancillary accommodation is not permitted by the Fire Safety Standard cited in the Fire Statement, BS9991. This is concerning Block C3 where a single-stair core connects to ancillary accommodation, namely the water tank room. This will have land use planning considerations. <p><u>Officer Response:</u> This final response from the HSE was received on 11/01/2023. Revised plans received within October 2023 took account of the issue raised by HSE. The scheme, as shown on Page 24 of the DAS Addendum removes the door between communal corridor and ancillary accommodation (being plantroom and car park). The plant room is now accessed solely from the carpark and not the communal corridor featuring a single staircase. This resolves this issue, insofar as it relates to land use planning considerations.</p> <p>Revised plans have also been received to implement a second staircase within Blocks C1 and C2, which exceed 30m and 18m in height respectively.</p>
<p>Valuation Office Agency (Housing Viability)</p>	<p>It is my considered conclusion that the proposed development is unable to support additional Affordable Housing from what has already been proposed.</p> <p>Whilst the appraisal shows a negative land value, this does not mean the scheme makes a loss. It means a lower profit level would truly be received than the fixed 17.5% included in the appraisal. The scheme will still be deliverable and the developer is likely to have proceeded with this scheme because of the ongoing income stream that they will benefit from, as they will still retain the Affordable Housing interest in addition to receiving the developer’s profit.</p>
<p>Heathrow Airport</p>	<p>The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition for a Bird Hazard Management Plan.</p>
<p>NHS Property Services</p>	<p>A financial contribution is requested to put towards health projects within the local area. Contribution is based off the HUDU Model.</p>

Design Review Panel

The proposed development was scrutinised by the Design Review Panel on 22 June 2021, with the panel making the following key points:

- The Panel feels that the proposed changes in massing are a significant improvement to the consented scheme. The separation of the blocks and inclusion of pocket parks allowing a way through the development is successful and enhances the quality of public space within the scheme.
- The articulation of the heights is also welcomed and relates positively to the consented scheme and other phases.
- The community garden is welcomed and contributes to the increased permeability of the site
- Exploration of different balcony types should be considered.
- The Panel considers that the comments can be addressed through further discussions with Ealing Council Officers.

Planning Policies:

The relevant policies are listed in the Informatives description section below.

Reasoned Justification:

The main issues in assessing this proposal are the following:

- The principle of residential development, including demolition of existing affordable housing, on the application site.
- Background of the site, including extant planning permissions and masterplan.
- Quantum of development.
- Design of the proposed development and its impact on the character and appearance of the surrounding area.
- Affordable Housing provision.
- Housing mix
- Suitability of the site for a tall building, including visual impacts.
- Impact of the proposal on designated heritage assets.
- Impact on the amenity of surrounding residential properties.
- Quality of the residential accommodation of the site including the internal living environment.
- Transport and Highways impacts
- Refuse and recycling storage
- Quality of open spaces
- Sustainability of the development
- Crime Prevention
- Community Infrastructure Levy

Background and Principle of Development

Council has previously approved the redevelopment of the Sherwood Close (Dean Gardens) Estate under planning application ref: P/2014/6383 on 23/10/2015. This proposal involved the demolition of all buildings within the Estate, which comprised 209 residential units, and the construction of 305 new residential units. This was followed by a s73 application to vary the permission, which included changes to layouts, building footprint, increase in the height of Block C4 and refinements to the landscape design. This also resulted in the uplift in the number of new residential units to 319 (an increase of 14 from the originally consented scheme). This application was approved on 16/03/2018. Subsequent variations under s96a (Non-Material Amendment) were also approved by Council under reference numbers 183149NMA and 190277NMA.

A final s96a application was submitted under ref: 201544NMA. This involved more substantial changes to the previous s96a applications and included changes to the tenure of the blocks and changes to the phasing of the development to delay Block C4 by taking it from Phase 2 to Phase 3. As a result of the original permission and subsequent amendments, all of the Affordable Housing within the estate regeneration has been delivered within Phases 1 and 2 of the development. Phase 3, yet to be delivered and the subject of this planning application, was for private market sale. This phase of the development was to have 142 units across two buildings (four cores) ranging in height from 7 to 9 storeys. This approved phasing plan is shown within Figure 6.

The previous approval for Phase 3 provided 38 units within core C1, 40 units within core C2, 31 units within core C3 and 33 units within core C4. The proposed development being considered under this proposal is for a new full planning permission, effectively overriding the existing permission, as the proposal involves substantial changes to the approved plans, including an increase in the number of units, changes to the overall design and changes in height from 7-9 storeys to 6-14 storeys. This has also resulted in the increase in the number of flats within this stage from 142 units to 185 units. The resultant increase in units on an estate-wide basis would be from 319 units to 356 units.

The principle of the development of the estate and the residential intensification of the site has already been established through the consented scheme over the site. However, it is noted that since the approval of the original permission, the planning policy context has changed through both the London Plan (2016) and London Plan (2021). This includes increased expectations on Ealing Council to deliver a greater number of homes, in appropriate locations. The ten-year housing targets for the London Borough of Ealing between 2019 and 2029 currently stands at 21,570 homes. As a comparison, the previous London Plan (2016) defined the ten-year housing target for Ealing between 2015 and 2025 to be 12,972 homes.

Policy H1 of the London Plan (2021) states that to ensure that housing targets are achieved, Boroughs should optimise the potential for housing delivery on sites with existing or planned PTALs of between 3-6 or are located within 800m of a station or town centre boundary. The proposal would comply with this given the PTAL of 5 and its proximity to the Ealing Metropolitan Centre and West Ealing Railway Station.

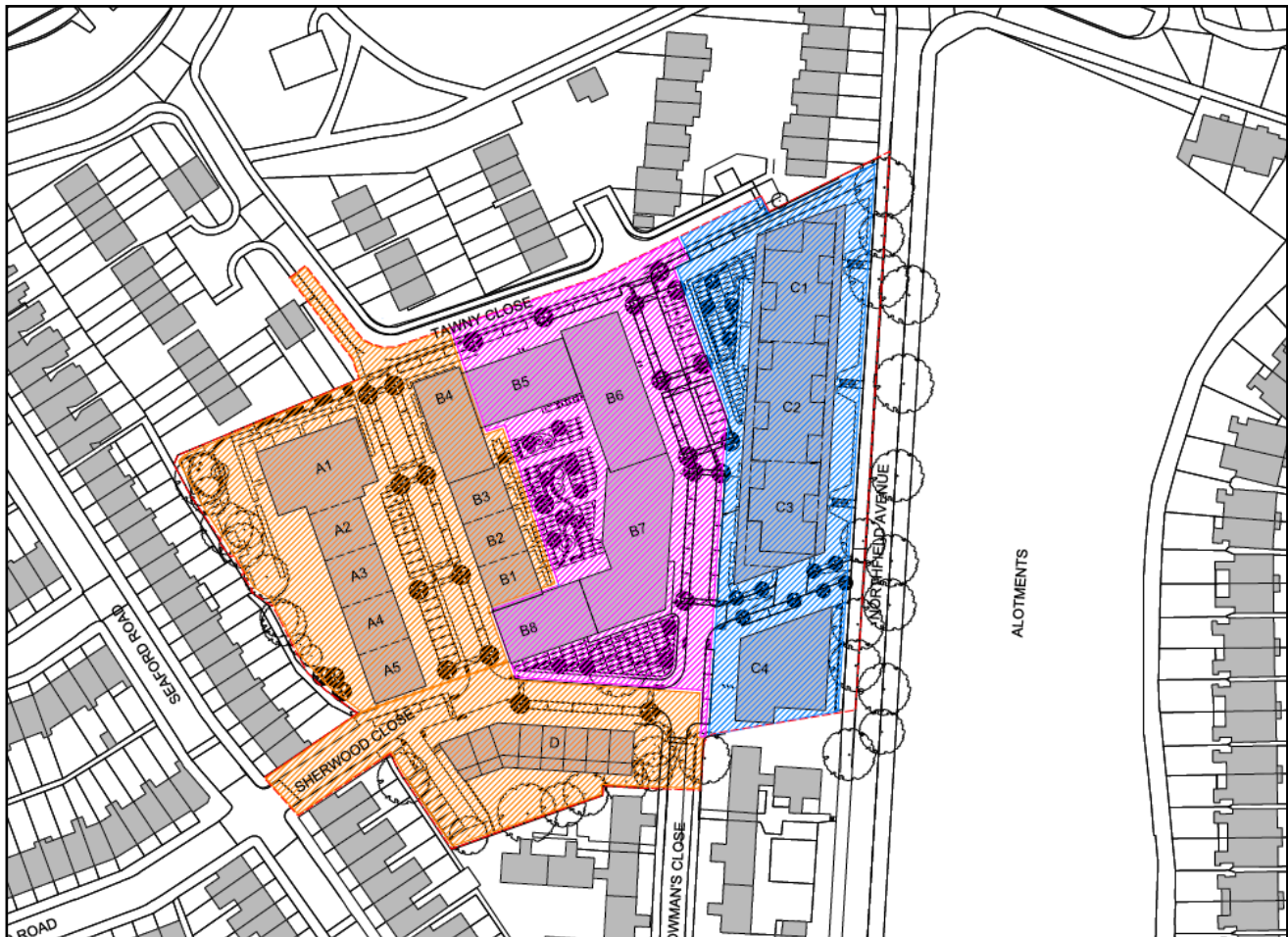


Figure 6: Approved Phasing Plan

This application also needs to be seen in the context of Policy H8 of the London Plan, which is concerned with the loss of existing housing, and estate redevelopment. This policy states that before affordable homes are proposed for demolition, Boroughs should consider all other options first. In this instance, which has been agreed with by the GLA, the existing building has already been consented for demolition through the existing masterplan. As the site forms part of an existing regeneration project, and this application only relates to Phase 3, this matter has been effectively addressed.

In any case, the application site itself would involve the demolition of Target House, which comprises 47 x 1-bedroom units. Policy H8 requires that in such instances:

- Loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace.
- Development of affordable housing within estate regeneration schemes, should only be permitted where it is replaced by the equivalent amount of affordable housing
- All development proposals that include demolition and replacement of affordable housing are required to follow the Viability Tested Route and seek an uplift in affordable housing in addition to the replacement affordable housing floorspace.

In all instances of estate regeneration, the Fast Track Route cannot be followed, and all such applications would be subject to the Viability Tested Route. Accordingly, an independent assessment has been undertaken by both the GLA and Council's Independent Assessor, DVS. This process is

followed in order to ensure that the maximum viable amount of affordable housing is provided within the scheme.

The results of this are detailed within the Affordable Housing section of this report.

In principle, the development is also resulting in an uplift of both housing in general, as well as affordable housing. The scheme would result in the additional provision of Affordable Housing in a building where none previously were to exist. The approved scheme has delivered a mix of social rent and shared ownership flats that have come forward as part of Phases 1 and 2 of the development. The table below intends to illustrate, on an estate-wide basis, the delivery of affordable homes across the estate, comparing the consented scheme with the proposed scheme.

		1-bedroom	2-bedroom	3-bedroom	4-bedroom	Total
Private Market	Consented	51	73	18	0	
	Proposed	49	99	0	0	
	Change (+/-)	-4	+26	-18	N/C	+4
Social Rent (inc. Leasehold)	Consented	28	43	38	8	
	Proposed	39	59	48	8	
	Change (+/-)	+11	+16	+10	N/C	+37
Shared Ownership	Consented	22	36	2	0	
	Proposed	22	36	2	0	
	Change (+/-)	N/C	N/C	N/C	N/C	N/C

Therefore, in assessing the total uplift in the number of flats, on an estate-wide basis, as a result of the proposed development compared to the consented scheme, the below table demonstrates the uplift as being from 319 to 356 residential units.

Tenure Type	Consented	Proposed
Private Market Housing	142	148
Social Rent (inc. Leasehold)	117	154
Shared Ownership	60	60
TOTAL	319 units	362 units

The principle of the development is therefore considered wholly appropriate, taking into account the consented scheme, which forms a material consideration, as well as current London Plan policy with respect to residential intensification and estate redevelopment.

Local Character and Design

Policy D4 of the London Plan (2021) requires that the design of new developments should give regard to the development’s 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.

It is noted that the overall appearance of Phase 3 of the scheme is significantly different to the original masterplan that was previously approved under planning permission reference: P/2014/6383. It should be noted, however, that Phase 3 was, under the approved masterplan, to have the greatest bulk and height, in comparison to Phases 1 and 2. The originally approved masterplan had four separate cores, referred to as C1, C2, C3 and C4. Cores C1-C3 were approved to have a uniform height of 9 storeys, with Core C4 to be located in a separate building to have 7 storeys. The image below shows the general form of the development as approved under the previous consent.

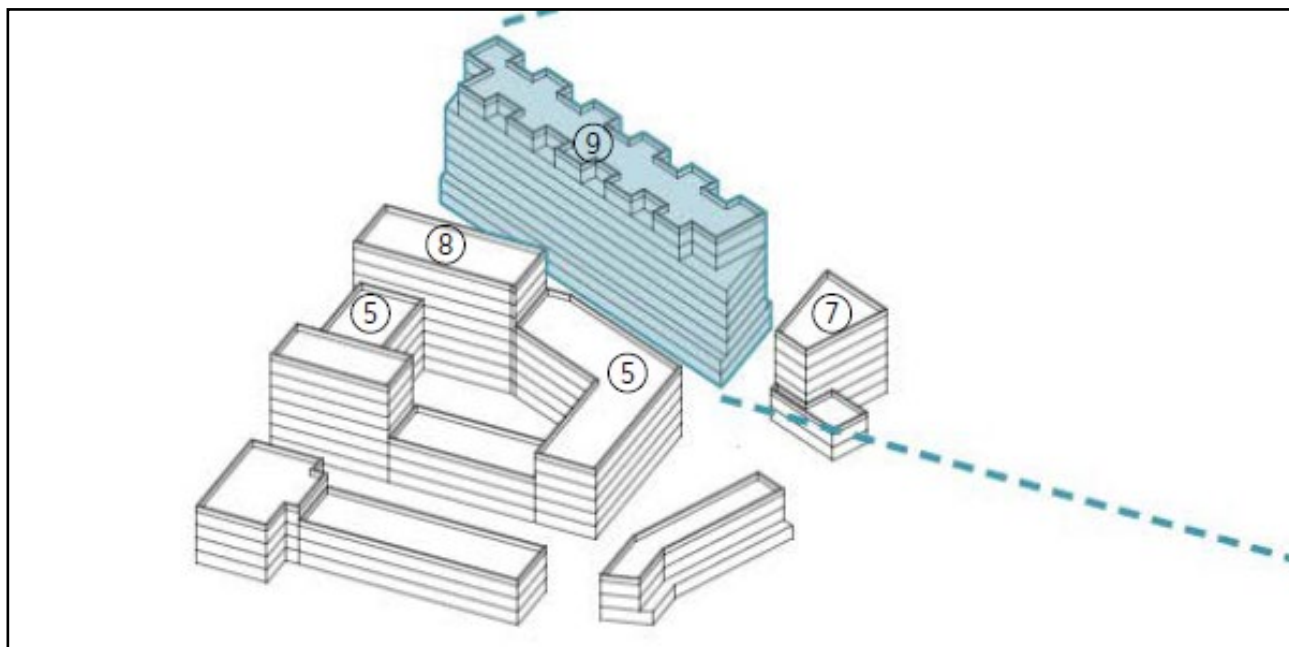


Figure 7: Heights within the original planning consent

Through consideration by the applicant, it was determined that the scheme, as it was originally approved, was inefficient in its design. Aspects referred to include the linear form of the building restricting permeability into the centre of the site, excessive car parking at ground floor level, over-proliferation of single-aspect flats, inefficient floor plates, poor stacking of flats between floors and construction challenges given the proximity of the development to the southern boundary. There is also the obvious opportunity to optimise the site and to respond to the emerging character of the Ealing Metropolitan Centre, which has changed since the approval of the original scheme.

The proposed development involves three separate cores, as opposed to the original four, with the proposed C1 building being separate from the C2/C3. The separation of the development into two separate masses increases permeability into the site and breaks up the massing of the proposed development.

The northern edge of block 1 would retain the consented height of 9 storeys at its corner, but accordingly rise to 14 storeys, as the building progresses south. Focussing the proposed additional height away from the boundary with residential properties to the north is an acceptable solution in reducing amenity impacts on neighbouring properties. The height differential provides more visual and architectural interest than the approved scheme, which consisted of an elongated block, at a generally consistent height. Locating the additional height more away from the northern edge of the site also aids in offering a more sympathetic transition in the built form of the townscape along Northfield Avenue.

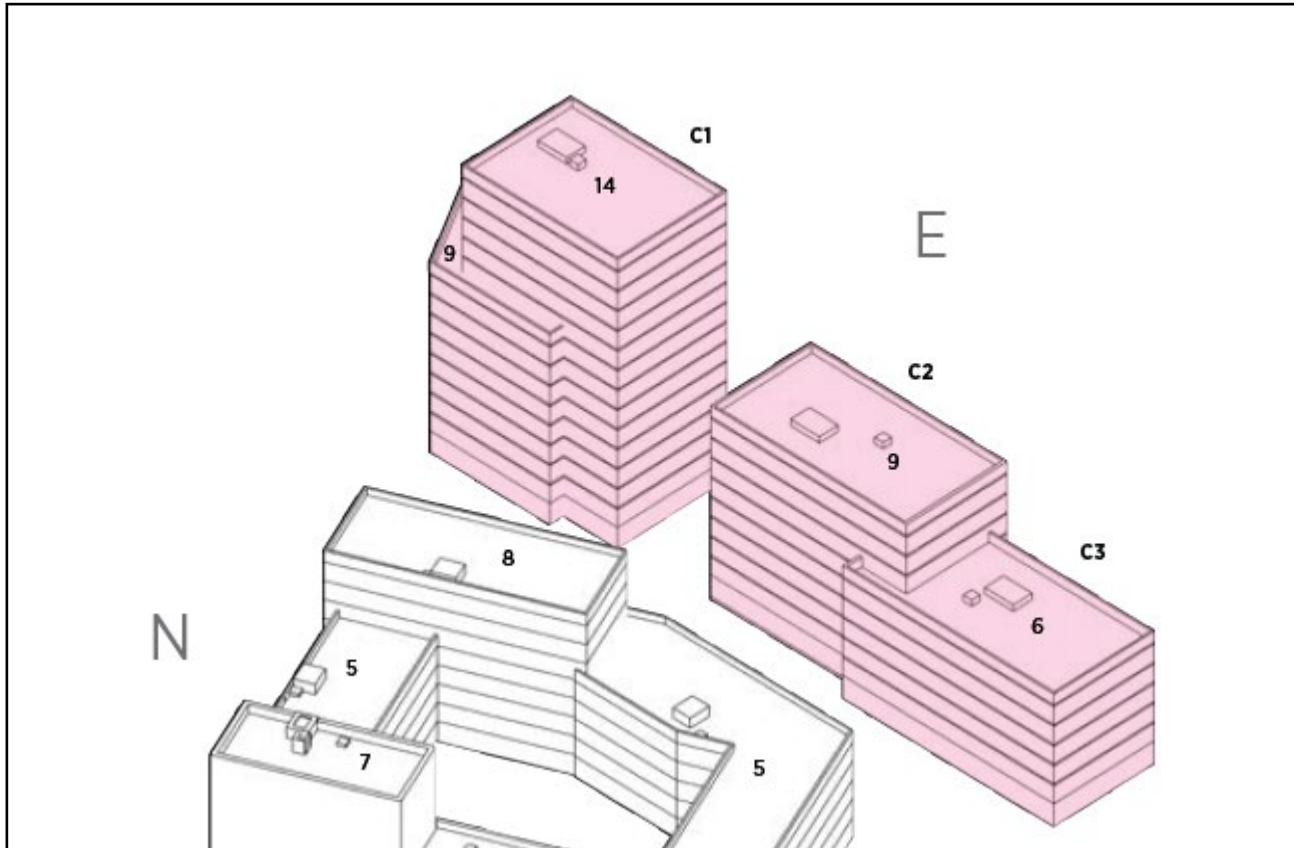


Figure 8: Proposed Massing

Block C2/C3 is generally consistent with the heights approved under the consented scheme, which was predominantly 7- and 9-storeys in height. The gradual stepping down of heights as the development moves south along Northfield Avenue is reflective of the progression of the site away from the Ealing Metropolitan Centre.

Whilst there is additional height within the development, it is considered that the proposed development responds more positively to the emerging character of West Ealing. There are a number of consented schemes within the nearby Metropolitan Centre, which include 104-110 Broadway, known currently as SO Resi Ealing, (ref: PP/2015/6186 - 8-11 storeys), 96-102 Broadway (ref: 182180FUL – part 11, part 15 storeys), Maitland Yard/Dean Gardens Car Park (ref: 203719FUL – 4-8 storeys) and 72-76 Broadway (ref: 193500FUL – 4-10 storeys).

The facade of the proposed development follows a conventional grid-like pattern, however visual interest is embedded into the architectural approach to the development. This includes using different patterns of brick within the façade, incorporating projecting elements, alternating with flat and level brickwork. The pattern of brickwork alternates consistently within each of the blocks, however the two separate blocks contain different patterns of projecting and flat elements. Both blocks are connected architecturally through the use of red and grey/purple tones. The darker tones of the metal balconies proposed provide a successful contrast to the brickwork.

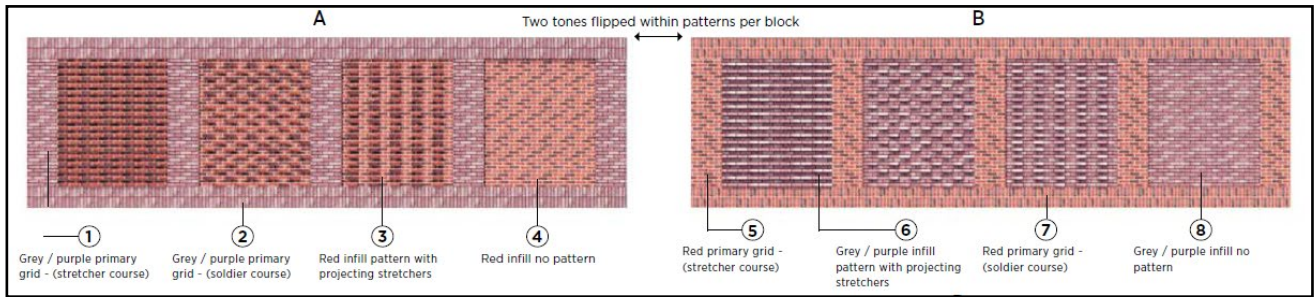


Figure 9: Proposed External Wall Brick Patterns



Figure 10: Block C1 Entrance

Where the development rises up to 14 storeys, this has been designed to be set away from the northern boundary of the site, rationalising the height closer to the centre of the proposed development. The revised design also presents the opportunity to increase permeability through the site with the establishment of a more centralised pedestrian link from Northfield Avenue through to Phases 1 and 2 of the development.



Figure 11: New Cross-Block Link

The interlocking elements of the building create an interesting design feature that adds visual interest to the development. The use of staggered building lines coincide with the differing heights proposed throughout the development. This represents a significant improvement over the original scheme which created an elongated 9-storey mass along Northfield Avenue. The design has been scrutinised by both Council Officers, the GLA and the independent Design Review Panel, who are all supportive of the scheme as it has been revised.

Overall, the design of the development represents a form of development that would have a positive impact on the character and appearance of the area, in the context of the wider estate regeneration and would accordingly comply with the objectives of Policies D1 and D4 of the London Plan and Policies 7B and LV7.4 of the Ealing Development Management DPD.

Tall Buildings and Impact on Heritage

Policy D9 of the London Plan, as advised above, addresses requirements for tall buildings, which in conjunction with Policy LV7.7 of the Ealing Development Management DPD defines a tall building as those that are “substantially higher than their neighbours and/or which significantly change the skyline”. Policy D9 also reiterates that a tall building is considered in accordance with its local context rather than a broad definition for the whole of London, however a tall building would generally not be considered as such when it is less than 6 storeys.

It is noted that the proposed development is not strictly in accordance with the Draft Local Plan, which states that, within the defined Local Area (E10), the threshold set for a tall building would be 7 storeys. Development higher than this under this policy should be located on allocated development sites defined in the Draft Local Plan. However, in accordance with Policy D9(C) of the London Plan, a Visual Impact Assessment has been carried out, which assesses the development within short-, medium- and long-range views.

Tall buildings can also have an impact on designated heritage assets within the vicinity of the site, which reinforces the importance of the Townscape and Visual Impact Assessment outlined within Policy D9 of the London Plan.

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for managing designated heritage assets in planning decisions. In relation to conservation areas, a local planning authority must pay special attention to “the desirability of preserving or enhancing the character or appearance of that area”. Government guidance on how to carry out those duties is found in the National Planning Policy Framework (NPPF). At the heart of the framework is a presumption in favour of ‘sustainable development’ of which protecting and enhancing the historic environment in a manner appropriate to its significance is established as an environmental objective.

Section 16 of the NPPF sets out how the historic environment should be conserved and enhanced and makes it clear at Para 193 that when considering the impact of a proposed development on a heritage asset, local planning authorities should give ‘great weight’ to preserving the asset’s significance, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 202 states that where there is less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HC1 of the London Plan (2021), states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Policy 7C of the Ealing Development Management DPD also states that development within of affecting the setting Conservation Areas should retain and enhance characteristic features and avoid undermining the significance of the Conservation Area. In addition, as stated within Policy LV7.7 of the DPD, tall buildings can have a greater impact on their surroundings and the Borough, including the heritage context and local heritage assets and must be held to higher standards.



Figure 12: Proposed Development (Block C3 in foreground)

It should be noted that the GLA, within their Stage 1 response, have advised that whilst the proposed development would clearly be visible and dominant in some views, it would “respond well to the

immediate local context and read well in long-range views”. The GLA also notes that the variation in building height proposed alleviates the overall massing of the built form and allows visual connection through the site. The GLA had advised that they would welcome the Council’s view on how the proposed development would respond to the local context.

The applicant has included a Townscape and Visual Impact Assessment of the proposed development, which shows the proposed development in the context of short-, medium- and long-range views. A number of heritage assets have been identified, which include the Ealing Green Conservation Area to the east (which includes the Grade II Listed Church of St John). To the south of the site at the junction of Leighton Road and Seaford Road lies The Forester Public House, which is a Grade II Listed Building.

The view of the site from the junction of Mattock Lane and Broomfield Place (where the Church of St John is located) shows the proposed development in clear view, which is symptomatic of the undeveloped allotment gardens to the east of the application site providing an unobstructed view. However, within its immediate setting, the Church plays a stronger role and the spatial separation of the application site from this Grade II Listed Building, partially created by Northfield Avenue, ensures that there would be less than substantial harm to this designated heritage asset. The most prominent views of the application site within the Ealing Green Conservation Area are from areas surrounding the Church, which are demonstrated in the images below.



Figure 13: Existing View from Mattock Lane



Figure 14: Proposed View from Mattock Lane



Figure 15: Proposed View from St Johns Church

From the Foresters Public House, the proposal would not be visible and would therefore have no impact on this heritage asset.

Short range views assessed include from Loveday Road, Dean Gardens and Tawny Close. The existing dwellings obscure the proposed development from view when viewed from Loveday Road, with the most obvious views available across Dean Gardens and from Tawny Close. The image below shows the view of the proposed development across Dean Gardens from Broadway.



Figure 16: Existing View Across Dean Gardens



Figure 17: View Across Dean Gardens

Across Dean Gardens, the proposed development is obviously visible but concurrently, can be seen in the context of the wider Sherwood Close redevelopment. This view is considered to have some local importance by virtue of Dean Gardens being a well-known and popular community recreational facility. Whilst the proposed development would become part of a well-established view across the Park, this needs to be seen in the context of the wider masterplan, where the lower elements, including the 9-storey parts of Block C1 and C2 retain the same heights as that of the consented scheme. The taller element introduces additional height to this view; however, Dean Gardens still retains its open and green character as a result of the scheme.

It should be also noted that the existing Target House, which will be demolished as part of this proposed development, is currently seen within this view. It is considered that the establishment of a higher quality and more contemporary form of development would provide an improvement to this view, despite its additional height.

The view within Tawny Close is acceptable particularly as this is a view that is seen within the context of the existing masterplan and the already constructed elements of the scheme. Heights progressively increase as the regeneration of the estate moves in an easterly direction towards Northfield Avenue.



Figure 18: View from Tawny Close

Despite the proposed development being clearly visible in many short and medium range views, the proposed development is considered to constitute less than substantial harm to any designated heritage assets. The noted public benefits of an increase in affordable housing provision within the Estate significantly outweigh any harm that is caused.

Although the site is not designated for tall buildings within Ealing’s Development Sites DPD and accordingly, not compliant with Part B of Policy D9 of the London Plan, the development would not have a detrimental visual impact within key local and wider views. It would be of a high design quality that would deliver additional affordable homes, over and above the consented redevelopment of the Sherwood Close Estate. The proposal is therefore considered to comply with Part C of Policy D9 of the London Plan.

Housing Land Supply

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

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

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

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

Whilst the possibility of a shortfall pertains, the National Planning Policy Framework 2021 (NPPF) presumption in favour of sustainable development – the so-called 'tilted balance' – is engaged. NPPF para. 11 (d)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:

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

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

Daylight and Sunlight

Policy 7B of the Ealing Development Management DPD seeks to ensure that new development does not give rise to significant adverse impacts on neighbouring properties, with respect to overlooking, loss of light, privacy, noise and a sense of enclosure.

There are a number of established residential properties in the vicinity of the application site, which include nos. 49 to 64 Tawny Close, which are sited to the north of the application site and Dean Court to the south of the development. The applicant has prepared a Daylight/Sunlight Assessment to demonstrate the impacts of the proposed development on neighbouring properties, however it should be noted that the heights proposed closest to these adjacent properties are generally in accordance with consented Masterplan. The Daylight, Sunlight and Overshadowing Assessment provided with the application has made an assessment on the properties that are considered to be most impacted by the development. These have been identified as 26, 33-36 Tawny Close, 63, 63A and 64 Tawny

Close, Dean Court, 13 and 15 Sherwood Close and Phase 2 of the Sherwood Close development (also known as Block B6 and B7).

The methodology for the assessment provided uses VSC (Vertical Sky Component) and NSL (No Sky-Line) for impacts on daylight and APSH (Annual Probable Sunlight Hours) for sunlight. VSC measurements state that where VSC at the centre of a window is less than 27% AND is less than 80% of its former value, then a reduction in daylight will be noticeable. NSL is a measurement of the distribution of daylight within a room, mapping out the areas of a room where light can penetrate directly from the sky. A reduction of 80% of NSL will be noticeable its former value. Average Daylight Factor is a measurement of the overall diffuse daylight within a room. The measurements that are deemed acceptable are 1% for a bedroom, 1.5% for a living room and 2% for a kitchen.

APSH (Annual Probable Sunlight Hours) is another measurement that is used to determine the impact of a development on sunlight. BRE Guidance recommends that the APSH at any given window should be at least 25% of the total available, including 5% in winter months. This measurement is only relevant to windows within 90 degrees of due south. Whilst all of the mentioned measurements are outlined above, it should be noted that the Mayor's Housing SPG states that "an appropriate degree of flexibility needs to be applied when using BRE Guidelines" and "should take into account local circumstances, the need to optimise housing capacity and scope for the character and form of an area to change over time".

With this in mind, the proposed development is considered to provide good levels of retained daylight and sunlight to neighbouring properties. Whilst there is some minor non-compliance with windows on tested properties on Tawny Close, the areas of non-compliance are considered to be minor infractions of BRE Guidance and are on the whole, acceptable. There is no material difference on all tests between the consented scheme and the proposed scheme.

In assessing the impacts of the proposed development on Dean Court, there would be noticeable reductions in daylight when compared to the existing baseline (where no development currently exists). It should, however, be noted that there will be improvements based on the previously consented scheme as there would be a greater separation distance between Dean Court and the proposed development in comparison to the consented scheme. Sunlight is not a relevant factor for Dean Court, as the application site is located to the north of the existing properties in Dean Court.

Phase 2 of the development is currently under construction and there would be some significant impacts on daylight and sunlight to these properties when comparing this against the existing baseline. However, Phase 2 formed part of a wider masterplan that included Phase 3 and accordingly, a more relevant assessment is the differences between the consented and proposed schemes. The assessment notes that the proposal would actually result in improvements to daylight and sunlight measurements between the consented and proposed schemes. The most noticeable improvements will be at ground floor levels. Despite this, any reductions as a result of the increased height of the development will not be less than 20% when comparing the consented to proposed schemes and is therefore considered to be acceptable.

Overshadowing

In terms of overshadowing, three areas have been considered, which are amenity spaces of Tawny Close, the allotment area to the east of the site and the SINC (Site of Importance for Nature Conservation) also to the east of the site. The SINC occupies a long stretch of land along the western side of Northfield Avenue, running from Dean Gardens down to Leighton Road. Assessments have been carried out against the existing baseline, the consented scheme and the proposed scheme, using a test of the potential duration of sunlight on March 21 and June 21.

It is noted that the pattern of sunlight distribution will change between the consented scheme and proposed scheme, which is a natural effect of the different massing between the two schemes. Nevertheless, all areas tested would receive more than 2 hours of directly sunlight on March 21 and therefore the proposal is in accordance with BRE Guidance.

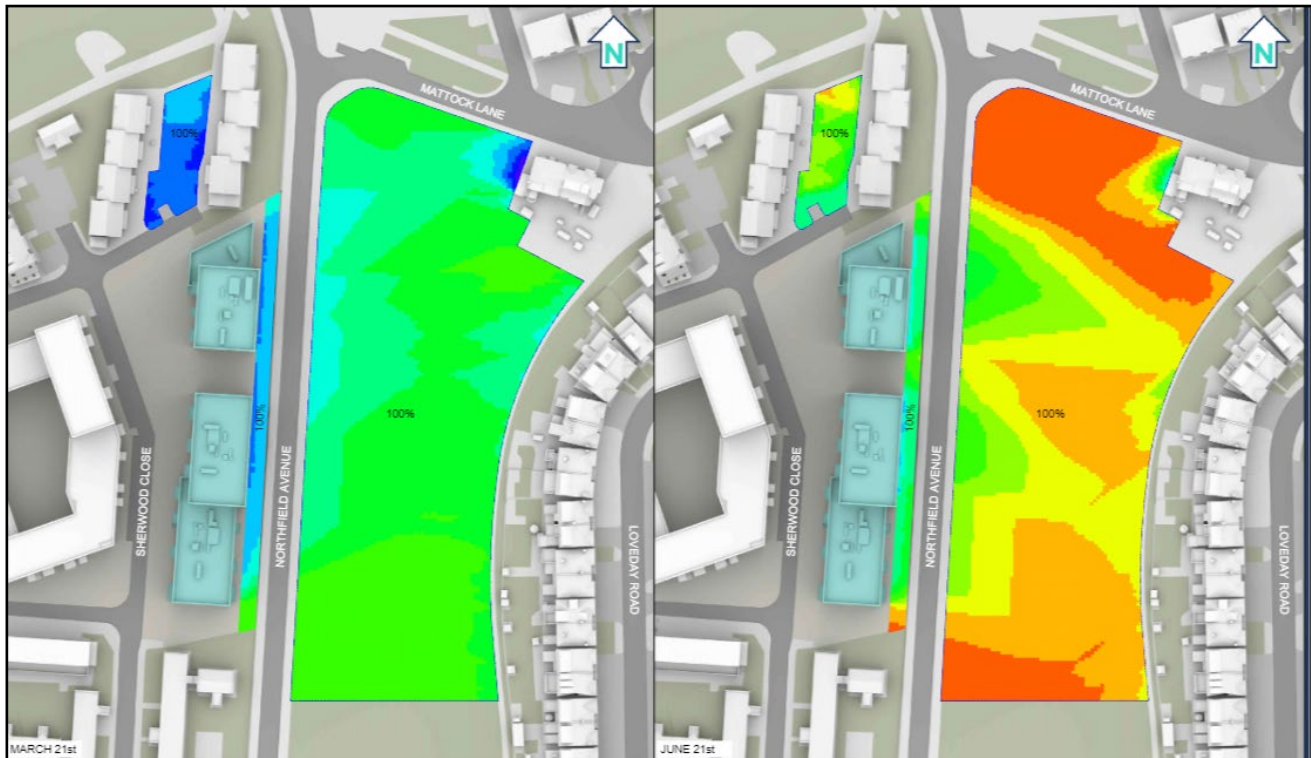


Figure 19: Overshadowing Assessment

Also, it is noted the sensitive nature that direct sunlight has to the allotment gardens and therefore the applicant has carried out an assessment against the Royal Horticultural Society’s growing guidelines. The advice states that the majority of crops require ‘full sun’ or ‘partial or semi-shade’ with ‘full sun’ meaning more than 6 hours of direct sun in mid-summer and ‘partial or semi-shade’ means 3-6 hours per day of direct sun at midsummer. Tests, as shown in the image above, show that the proposal significantly exceeds this criterion, with green, yellow, orange and red colours above meaning anything in excess of 6 hours. The proposal would therefore not significantly overshadow the neighbouring allotments to a degree where they would become not fit for purpose.



Figure 20: View of Development from Allotment Gardens

Based on the assessment above the daylight, sunlight and overshadowing impacts of the proposed development have been fully scrutinised and would be acceptable, in accordance with BRE Guidance and Policy 7B of the Ealing Development Management DPD.

Housing Mix

Policy H10 of the London Plan states that residential schemes should generally consist of a range of unit sizes, which should be based on a variety of factors. Phase 3 of the Sherwood Close estate regeneration would include a healthy mix of housing types consisting of a variety of different housing types across different tenures. This is detailed within the table below:

Configuration	No. of Units	Percentage of Total
1b2p	60	32.4%
2b3p	53	28.6%
2b4p	62	33.6%
3b5p	10	5.4%

This would also mean that 73 out of the total 185 units (39.5%) would be larger units able to accommodate families (2b4p, 3b5p), with a further 29.2% being able to accommodate smaller families (2b3p). The GLA is supportive of the proposed housing mix from a strategic perspective.

Affordable Housing

As is noted earlier within this report, this scheme is part of a wider redevelopment of the Sherwood Close Estate and has previous consents associated with its redevelopment. The original permission was granted consent under planning application ref: P/2014/6383 on 23/10/2015. This original

development was for the phased redevelopment of the estate, including the demolition of 209 residential units and the construction of 305 residential units. A subsequent variation to this scheme was submitted to Council under planning application ref: 178303VAR, which was approved on 16/03/2019. Amendments under this scheme included increasing the number of units from 305 to 319 units, increased the height of Block C4 from 6 to 7 storeys and amendments to its footprint. Subsequent Non-Material Amendment (s96a) applications were approved which included minor changes to internal layouts, façade treatments and moved Block C4 from Phase 2 into Phase 3.

Under this previous application, Phase 3, which is the subject of this application, was to be all private market housing, with all affordable housing provision to delivered through Phases 1 and 2. Whilst this application results in an uplift in the amount of homes within this phase from 142 units (consented) to 185 (proposed), the majority of the uplift is to provide additional affordable housing across the Estate as a whole, where none previously was to exist within this phase of the development.

The total affordable housing (social rent) provision to be brought forward under this proposed scheme is detailed within the table below.

Flat Type	No. of units
1-bedroom	11
2-bedroom	16
3-bedroom	10
Total	37 units

The split between the tenure types as a result of this proposed development delivers 80% Private Market Housing (78% by HR) to 20% Affordable Housing (22% by HR), keeping in mind that the original scheme delivered this phase as 100% Private Market Housing. This is a net benefit of the scheme, improving on the consented scheme and delivering more Affordable Housing in a well-located and central location, close to the Ealing Metropolitan Centre.

As the proposed development involves the demolition of existing affordable housing, as was to occur through the consented scheme, such applications are not eligible for the fast-track route and are required to follow the Viability Tested Route. Such development is required to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace. The principle of the demolition of existing affordable housing has already been accepted under the previous consents and this application would deliver an additional 37 homes within the social rent tenure that would not have been delivered under the scheme as consented.

This relevant phase, Phase 3, would involve the demolition of the last remaining block within the former estate, being Target House, which comprises 47 residential units over 8 storeys. This has already been consented under the extant planning permission. The GLA has agreed with the principle of development of the estate, noting the previous consent for demolition and Council’s own estate review from 2008, which states that “Sherwood Close needs a lot of work to address the improvements needed to bring it up to the Government’s Decent Homes Standard”.

Policy H8, with respect to loss of existing housing and estate redevelopment, requires the Viability Tested Route to “demonstrate they have maximised the delivery of any additional affordable housing”. To this end, the applicant’s Financial Viability Assessment has been fully scrutinised by a third-party assessor (DVS, a specialist property arm of the Valuation Office Agency), who has concluded that the Affordable Housing proposed as part of this scheme represents the maximum viably possible and the scheme would be unable to support additional housing from what has been proposed.

The affordable (social rent) homes within the scheme would be provided within Block C3, with Block C2 and C1 being private market homes. This is illustrated in the image below.

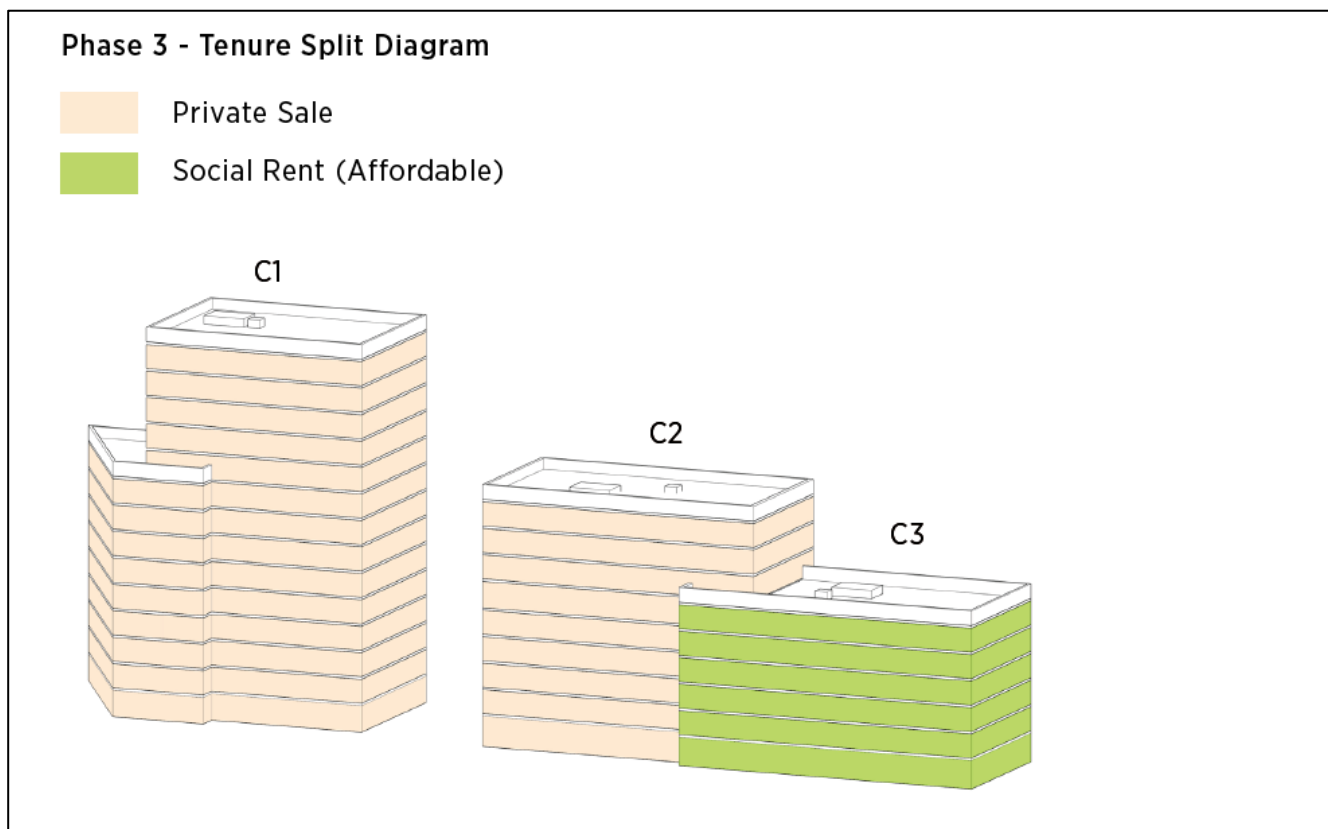


Figure 21: Tenure Split Diagram

Whilst it is acknowledged that the affordable homes would be provided within a separate core to the private market housing, the development is wholly integrated, with no discernible design difference between the different cores and residents of the affordable housing having the same access to public amenities proposed within the development, such as landscaping, open space and children’s play space. This is highlighted further in Figure 12, which shows Block C3 in the foreground, with Blocks C1 and C2 behind.

Quality of Residential Accommodation

Policy D6 of the London Plan outlines minimum internal space standards for new residential development. These standards are based on the number of bedrooms within a proposed residential unit as well as its occupancy, which is based on whether a bedroom is classed as single or double, based on the Technical Housing Standards. The proposed development provides a wide variety of accommodation, and all flats would meet the standards set out within Policy D6 of the London Plan.

All bedrooms would comply with their corresponding requirements, depending on whether they are classified as a double or single room as outlined within the Technical Housing Standards. Standard floor layouts provided within the submitted Design and Access Statement also show that each flat would be provided with adequate storage areas that meet or exceed the minimum requirements. Section Plans submitted with the application also show that each flat would have floor to ceiling heights that exceed the 2.5m requirement as outlined within Policy D6.

19 of the proposed flats would meet M4(3) criteria for flats providing wheelchair access and would provide suitable internal circulation areas for potential occupants that are wheelchair users. This meets the minimum 10% requirement of all dwellings to meet Building Regulation requirement M4(3) in accordance with the requirement of Policy D7 of the London Plan. All other flats would meet M4(2)

criteria. A typical floor plan of an M4(3) unit is provided below. A good mix of wheelchair accessible unit typologies will also be provided, with 1 x 1b2p flat, 8 x 2b3p flats and 10 x 2b4p flats.



Figure 22: Typical Floor Layout



Figure 23: Layout of Wheelchair Accessible Flat

The internal living environment of each flat would also meet good standards of internal daylight and sunlight and the building layout has been designed to maximise as far as possible the number of dual-aspect flats. Of the 185 units, 105 of these would be dual aspect, representing 57%. Of the remaining single-aspect flats, none of these would be north-facing. The good standard of amenity afforded to future residents is also supported by the Technical Assessment provided with respect to daylight and sunlight. The relevant test used is ADF which is tested on each habitable room. The tests show that within Block C1, 96.8% of rooms would meet their appropriate ADF target value. Within Blocks C2/C3, this figure is 98.1%, giving an average of 97.4% across Phase 3.

The report notes that 13 rooms out of 507 tested do not meet the requirement, and all are LKDs. The non-compliance is due to the restriction of light caused by balconies above. If all balconies within the scheme were removed, then all rooms tested would comply. Therefore, a planning judgment needs to be made and the increased amenity provided to future occupants by each flat having a balcony space would outweigh the harm caused by small areas of non-compliance across the scheme. In any case, ADF/BRE Guidance should not be applied in a mechanicalistic manner and given the site's urban setting and proposed density, the proposal is acceptable on these grounds and all flats would have a good standard of internal amenity.

All flats would accordingly be provided with a balcony space for those on upper floors and for those on the ground floor, these would be provided with an outdoor terrace. All private amenity space areas would comply with the minimum requirements of Policy 7D of the Ealing Development Management DPD and Policy D6 of the London Plan.

The GLA is supportive of the proposed residential accommodation in general, subject to appropriate mitigation measures with respect to noise and air quality, and mitigation measures should be secured through conditions. This will be detailed within the following section of this report.

Environmental Health Impacts (Noise, Vibration and Air Quality)

Noise and Vibration

Policy D14 of the London Plan recognises the impact that noise can have on quality of life and the suitability of spaces for residential use should take account of the surrounding acoustic environment to ensure that mitigation measures are implemented to protect future residents from external noise and vibration within the environment. Policy 7A of the Ealing Development Management DPD seeks to ensure that sensitive uses achieve acceptable levels of amenity "development of sensitive uses should avoid exposure to established concentrations of emissions".

The site is located in close proximity to the Ealing Metropolitan Centre and a surrounding busy road network, which includes Uxbridge Road and Northfield Avenue. The site therefore heavily exposed to road traffic noise and is also beneath the Heathrow flight path. The applicant has submitted a Noise Assessment (ref: DL0120-TEM-XX-XX-RP-AC-00001) which confirms that noise assessments were carried out between Friday 30/07/2021 and Wednesday 04/08/2021. The submitted report has been fully scrutinised by Council's Pollution-Technical Officer who has advised that during the time of the survey, COVID-19 restrictions had only recently been lifted and therefore it is likely that measurements taken at this time would likely not have been reflective of the true acoustic environment outside of an unprecedented curtailment on movement. The survey was also undertaken during a school holiday period. As such, the applicant will be requested to provide a new Noise Assessment, which is recommended to be secured by condition, with noise levels to be undertaken during working weekdays outside of school holiday periods and including the aircraft noise spectrum, giving reference to SPG10.

In terms of the layout of the residential flats, the stacking of flats is generally like-for-like, which will minimise vertical noise transference between levels. However, there are instances, horizontally where bedrooms of one flat adjoin LKDs within another flat. Enhanced Noise Insulation will therefore be required in such instances, as well as between sensitive uses and lifts, plant rooms and communal areas. These can be effectively mitigated through additional information on enhanced sound insulation, which have been recommended to be secured by condition.

Air Quality

The applicant has produced an Air Quality Assessment, which has been reviewed by Council's Pollution-Technical Officer. Whilst the assessment provided is broadly acceptable, it is also considered to be deficient in a number of areas. Northfield Avenue, to which the proposed development would front, experiences a high degree of traffic idling due to congestion, which leads to poor localised air quality. West Ealing is also experiencing a high degree of major developments, which the Air Quality Assessment fails to assess the cumulative impacts of. The assessment also fails to give regard to emissions during construction phase, including HGV movements associated with the development.

It is therefore recommended that the applicant submit a revised Air Quality Assessment, taking account of the comments of the officer, which has been secured by recommended planning condition. Other conditions also recommended relate to the requirement for an Air Quality and Dust Management Plan and a ventilation strategy, advising details of providing fresh air ventilation to habitable rooms facing Northfield Avenue, to be supplied from the rear of the building at a high level.

Based on these recommended conditions, and subject to their successful discharge, the proposal would not have a detrimental impact on local air quality and would provide good living conditions for neighbouring residents, as well as future residents of the proposed development.

Energy and Sustainability

Council's Energy Consultant has reviewed the submitted Energy Strategy and is supportive of the proposed scheme. The Energy Strategy follows the "lean, clean and green" hierarchy of Policy SI2 and SI3 of the London Plan and Policy LV5.2 of the Ealing Development Management DPD. The overall site-wide emissions CO2 emissions reductions would be in the order of 56.34%, with 12.75% achieved through "Lean" efficiency measures and 43.6% would be achieved through "Green" renewable energy measures.

The resultant shortfall of 2,199 tonnes over 30 years would be mitigated through a s106 obligation, calculated at a rate of £95 per tonne. This equates to £208,896. To also comply with Policy SI2 of the London Plan, the proposal will require energy monitoring through the 'be seen' step of the hierarchy and the applicant will be required to contribute to the energy monitoring of the development through a s106 contribution.

The Energy Officer also confirms that the proposal complies with Whole Life Carbon (WLC) benchmark targets of the GLA, however this will be subject to a detailed supporting strategy. A good Circular Economy Statement has also been provided by the applicant, which confirms that the proposal would be compliant with London Plan targets of diverting 95% of construction waste from landfill, putting 95% of excavation materials to a beneficial on-site use and diverting 65% of operational waster from landfill.

Landscaping and Children's Play Space

Policy 7D of the Ealing Development Management DPD also states that new development should provide for adequate provision of communal amenity space, children's play space and allotment gardens. Total amenity space throughout the development is calculated on the basis of 15sqm per flat, with 5sqm per balcony also contributing to this total. Based off the quantum of units within the proposed development, the proposal would generate a total requirement of 2,775sqm throughout the development. The actual amount of amenity space within the development would be 1,747sqm,

leading to a shortfall of 1,028sqm. As is permitted by Policy 7D, a financial contribution has been requested toward the shortfall of amenity space on-site, to fund off-site provision and improvement of existing parks.

In terms of the overall quality of the communal amenity space proposed, the scheme presents a good outcome that will improve on the previously consented scheme and provide a good standard of amenity for future residents. The layout of the buildings within the consented scheme proposed a cross block link further to the south within the development.

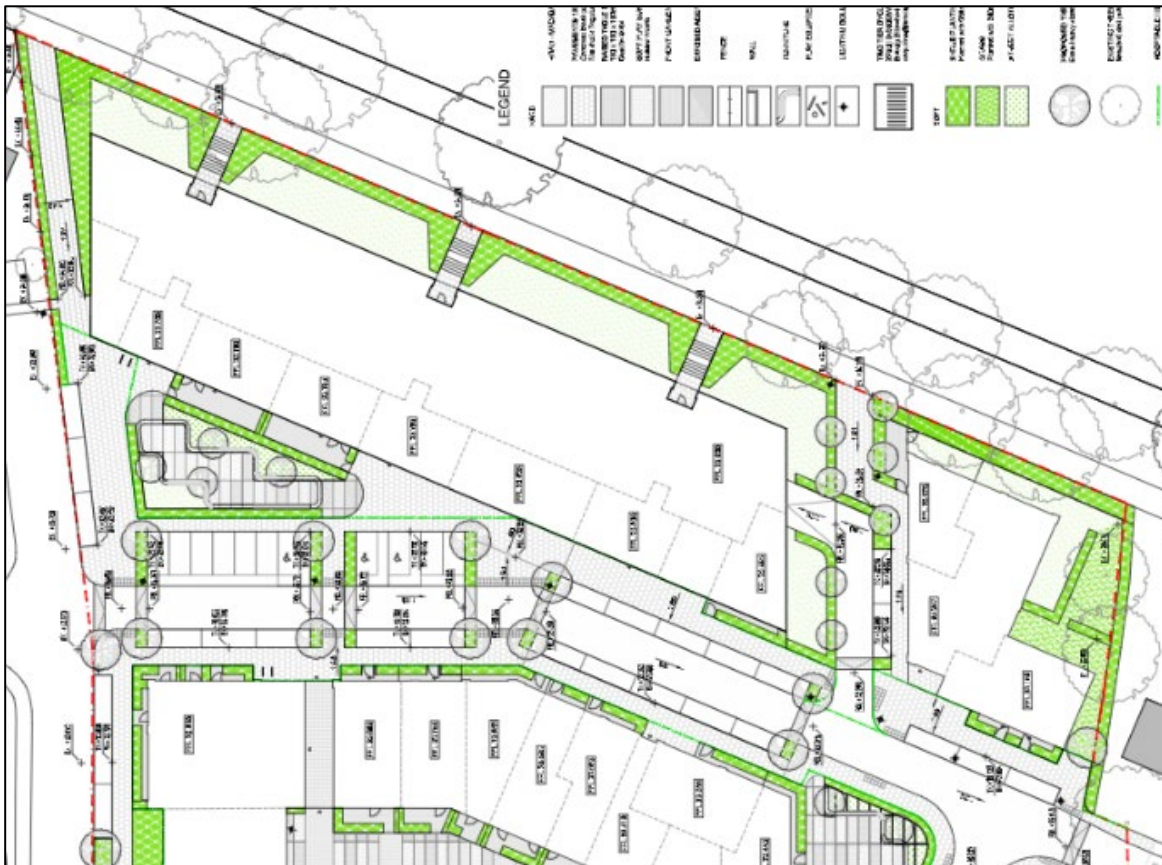


Figure 24: Landscape Plan for Phase 3 under Planning Permission ref: P/2014/6383

The proposed change to the layout of the development allows for significant improvements to the scheme overall, with a more centralised pedestrian link through the development that improves pedestrian connectivity, particularly with the communal garden areas of Phases 1 and 2. The greater setback from the southern edge also allows for a secondary pedestrian link through the development, where the consented scheme only had a single link. The greater setback from the southern boundary also allows for the creation of a community garden, allowing residents to engage in community growing (denoted on the below image as '5')



Figure 25: Proposed Landscaping Strategy

Children’s play space is based off the Child Yield Calculator and based on the development with this quantum of units and unit typologies, the child yield calculator calculates that the proposed development would accommodate 65.9 children. The GLA Benchmark for children’s play space is 10sqm per child, generating a requirement for 659sqm of children’s play space, as outlined by Policy S4 of the London Plan.

The proposal would provide for 316sqm of children’s play space within Phase 3, resulting in a shortfall of 343sqm. This shortfall would be made up for by a s106 financial contribution, which has been recommended. The child yield split is predominantly younger age groups with 31.6% being for 0-4 years, 22.4% for 5-11 years, and 11.9% for 12-17 years. The proposed on-site provision would be focussed predominantly on younger age groups (0-4 years), with off-site provision, including established play areas within Dean Gardens providing play equipment for older age groups. This is considered to be an adequate solution in this instance, given the proximity of the site to Dean Gardens and the image below shows a sketch view of the proposed children’s play space area within the development.



Figure 26: Children’s Play Space Sketch View

Contributions toward allotment gardens have also been sought, which is a requirement of Policy 7D of the Ealing Development Management DPD. These financial contributions could be used to upgrade existing facilities at Northfields Allotments or to create new spaces within the local area.

Biodiversity and Urban Greening Factor

Policy G5 of the London Plan states that the inclusion of urban greening measures in new development will result in an increase in green cover and should be an integral part of new developments. Urban greening can be achieved through many measures, such as street trees, green roofs, green walls and rain gardens, which all have the benefits of increasing overall amenity space, enhancing biodiversity within the site, addressing Urban Heat Island effects and implementing sustainable drainage. The policy requires a Urban Greening Factor of 0.4 to be achieved, which is based on a formula contained within Policy G5 of the London Plan.

The Updated BIA report states the baseline ecological value of the site is 0.82 habitat biodiversity units and 1.72 hedgerow units. Under the updated development proposals, the development stands to result in a net gain of 0.60 biodiversity units, equivalent to a 73.56% increase in ecological value and is in compliance with local and national policy and is compliant with the Biodiversity Net Gain (BNG) objectives which states a target of 10% net gain in biodiversity.

Given the time that has lapsed since the submission of the original application, an updated emergence survey was carried out by Greengage on 16th August 2023. The update survey confirmed the likely absence of roosting bats in the building. Additionally, very low foraging or commuting activity from bats was recorded on site at the time of the survey. As such, no mitigation actions in relation to roosting bats are required.

The proposed development will achieve a UGF score of 0.43, achieving the target for residential development and would represent a significant improvement on the current site conditions.

Transport

Policy T4 of the London Plan outlines that transport assessments should be submitted with development proposals to ensure that the impacts on the capacity of the of the transport network, at a local and strategic level are fully assessed. Regard also needs to be given to Policy T5 and T6.1 of the London Plan, which places expectations on cycle parking and private vehicle parking, to encourage a shift to more sustainable forms of transportation.

It is noted that the GLA have raised concerns with the level of car parking proposed within the site. Policy T6.1 of the London Plan requires that the starting point for all major development should be for 'car-free development' and the policy sets out maximum standards for car parking, including within residential schemes. The majority of the application site is located within a PTAL of 6A, which suggests a very high level of public transport accessibility, likely owing to the site's proximity to West Ealing Station and high frequency bus services on Northfield Avenue and Uxbridge Road/Broadway. Given the high PTAL Score, the policy requires that development is to be car free with no maximum allowable spaces given. The proposal would therefore not strictly comply with this policy.

However, strong consideration needs to be given to the consented scheme, which could be implemented in its current form. The consented scheme, which comprises 142 residential units within Phase 3, was approved to have 36 vehicle spaces within Phase 3. This was based on a rate of 0.38 spaces per unit, which was agreed with by both LB Ealing and TfL as part of this original consent. The proposal would provide for a total of 14 car parking spaces within Phase 3, which represents a significant reduction to the amount of car parking approved under the extant planning permission.

Of these 14 spaces, 7 of these spaces would be for blue-badge parking and provided on-street. Policy T6.1(G) states that from the outset, disabled parking spaces should be provided at a rate of 3% of total dwellings, which in this instance would equate to 5.5 spaces. The provision of 7 on-street disabled parking spaces would meet this requirement and the condition that has been recommended for a Car Parking Management Plan, which will need to provide detail on how these spaces will be managed and enforced. The remaining 7 spaces proposed as part of this scheme would be located in an under-croft and a swept path analysis has been provided showing that these parking spaces would be able to effectively manoeuvre in and out of the space. These spaces would be allocated to 3-bedroom residential units within the development, with detail provided on how these would be allocated to be provided as part of the Car Parking Management Plan.

The image below shows the car parking proposed. Whilst there are additional car parking spaces within the red-line boundary of the site, these have been allocated and approved under Phase 2 of the Development (shown in pink). The blue badge parking (shown in blue) and the 7 additional spaces (shown in purple) are also denoted on the image below. Whilst the proposal would not strictly comply with the requirements of Policy T6.1, it would be a significant improvement on the consented scheme, with an overall reduction in spaces, despite the increase in number of units.

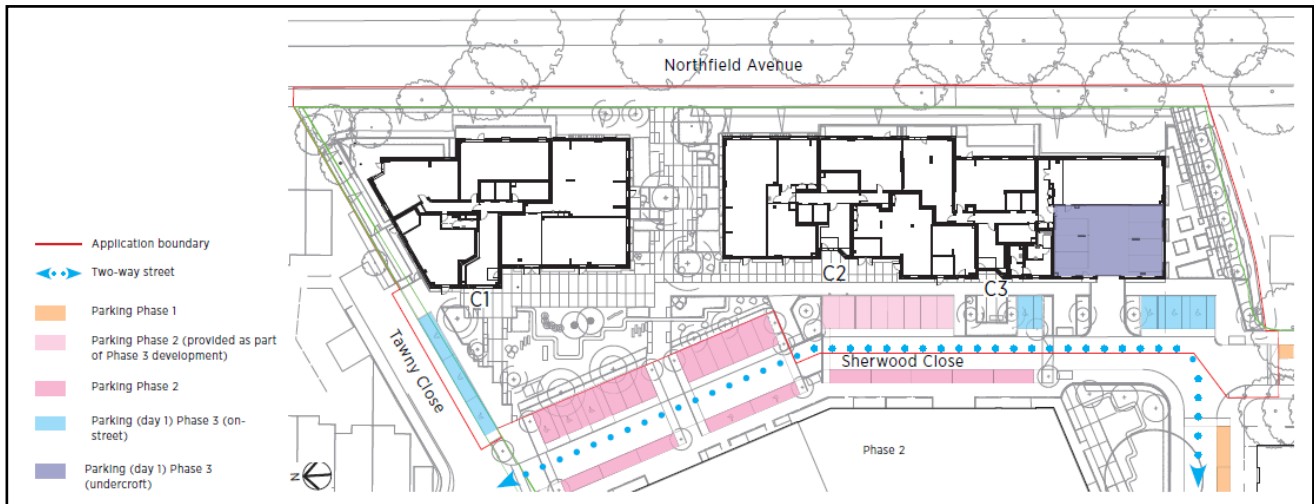


Figure 27: Car Parking Proposal

Policy T5 of the London Plan outlines minimum standards for cycle parking. This policy requires cycle parking to be provided at 1.5 spaces for a 1b2p unit and 2 spaces for all other residential units. Based off this requirement and the housing mix proposed, this would generate a requirement for 341 bicycle parking spaces. All cycle parking spaces would be located at ground floor level and open out onto the surrounding footpaths within secure, lockable compounds. Block C1 would contain two separate cycle parking areas and Block C2/C3 would also have two separate compounds. The total cycle parking provision would be 260 spaces within two-tiered stands, 68 spaces provided by Sheffield bicycle stands and 17 spaces for larger bicycles/tricycles. This provides for a total provision of 345 spaces, which exceeds the minimum requirement. All spaces will need to be designed in accordance with the London Cycle Design Standards.

Financial contributions of £40,000 have been agreed with the applicant to be used toward local projects in relation to active travel, healthy streets and highway safety improvements. This contribution has only been based on the uplift in residential units in comparison to the consented scheme, as this proposed development would be linked to the original s106 agreement governing the redevelopment of the estate, and all contributions already secured would be continued to be due.

Refuse

Refuse storage should be in accordance with Council’s Waste Management Guidelines. Based on the total capacity of the building and using the Council’s standard formula for capacity requirements, the development would be required to provide 37,750L of capacity, with a 50/50 split between general waste and recycling. The ground floor plan shows that each core would be provided their own separate refuse storage area, with Block C1 being orientated toward Tawny Close and blocks C2 and C3 having individual spaces along Sherwood Close. The proposal would provide refuse storage capacity that meets Ealing Council guidance.

Swept paths have been provided demonstrating that larger refuse vehicles are able to manouevure within the road network and the path of the refuse vehicle passes in close proximity to the location of the refuse stores, allowing for an easy process of collection by refuse vehicles.

Mayor's Community Infrastructure Levy (CIL)

Ealing is a collection authority on behalf of the Mayor of London. This is charged at £60 per sqm since 1/4/19 subject to Indexation. The exact amount of liability would be calculated by the CIL Officer who can be contacted at cilcollections@ealing.gov.uk.

Conclusion:

Whilst the design and form of the development has significant differences to the consented scheme for the regeneration of the Sherwood Close (Dean Gardens) Estate, it is considered that the proposal offers an overall improvement in design that both optimises the value of this brownfield site in contributing to additional housing within the Borough, close to the Ealing Metropolitan Town Centre and its functions and services, as well as high frequency public transport nodes. The development delivers an overall uplift in Affordable Housing within Phase 3, where all required affordable housing was delivered through Phases 1 and 2 and the consented scheme originally being solely for private market housing.

On this basis, the scheme delivers affordable housing at a rate of 22% by habitable room (20% by unit), with a significant amount of the uplift representing 3-bedroom flats, with 10 such flats to be provided. All affordable homes within this scheme would be Social Rent, delivering additional, good-quality and genuinely affordable homes to Ealing Residents.

Whilst the proposed development would constitute a tall building and is not designated as a site for tall buildings as outlined by Policy D9(B), a comprehensive Townscape and Visual Impact Assessment has been carried out in accordance with Policy D9(C), which demonstrates that the proposal would not have a detrimental impact on the character and appearance of the area and the development responds positively to the emerging pattern of development that is developing within West Ealing. The impact of the proposal on nearby designated heritage assets has been thoroughly scrutinised, with the conclusion that the proposal represents less than substantial harm, with any harm demonstrably outweighed by the public benefits of the proposal.

The proposal offers good quality residential accommodation, with compliant internal living spaces and private amenity spaces. Residents would have access to well landscaped grounds, providing improved pedestrian links over the consented scheme and delivering on-site children's play space and a community growing garden that future residents can enjoy.

Sustainability has been taken into consideration, with an increase in the greening of the site, delivering substantial carbon reductions that follow the London Plan hierarchy and the applicant has provided a satisfactory WLC and Circular Economy Statement, with further detail to be secured through planning conditions.

Whilst parking has been raised as a concern by the GLA, on balance, it is considered that the proposal delivers a reduced amount of car parking in relation to the consented scheme, despite the uplift in the number of units within the development. On balance, Council Officers are satisfied with the car parking provision and the sites location close to the centre of West Ealing, along with a compliant amount of cycle parking spaces, will help drive a modal shift to more sustainable forms of transportation.

Overall, the proposal has been rigorously assessed against all relevant planning policy and the public benefits of the proposal are considered to be significant. The proposal is accordingly recommended for approval, subject to conditions, s106 legal agreement and Stage II referral to the GLA.

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 is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Public Sector Equality Duty

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

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

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

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

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

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

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

Fire Safety

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

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

The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations (2010). These require minimum standards for any development, although the standards will vary between residential and commercial uses, and in relation to new build and change of use/conversions. The regulations cover a range of areas including structure and fire safety.

Any person or organisation carrying out development can appoint either the Council’s Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure that the requirements of the Building Regulations are met. The BCB would carry an examination of drawings for the proposed works, and carry out site inspection during the work to ensure that the works are carried out correctly. On completion of work the BCB will issue a Completion Certificate to confirm that the works comply with the requirements of the Building Regulations. In relation to fire safety in high rise residential developments, some of the key measures include protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

Appendix A

COMPLIANCE CONDITIONS

1. Statutory Timeframes

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

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

2. Approved Plans and Documents

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

DL0120-SRA-EX-RF-DR-A- 02001 P03 (Existing Site Plan); DL0120-SRA-EX-RF-DR-A- 02005 P02 (Existing Site Location Plan); DL0120-SRA-EX-RF-DR-A- 02100 P03 (Demolition Plan); DL0120-SRA-ZZ-RF-DR-A- 02002 P04 (Proposed Site Location Plan); DL0120-SRA-ZZ-RF-DR-A- 02010 P06 (Proposed Site Plan); DL0120-SRA-ZZ-RF-DR-A- 02021 P04 (Proposed Site Wide Block Plan);

DL0120-SRA-C1-ZZ-DR-A- 02231 P04 (General Arrangement North Elevation BB South Elevation CC); DL0120-SRA-C23-ZZ-DR-A- 02232 P03 (General Arrangement North Elevation DD South Elevation EE); DL0120-SRA-ZZ-ZZ-DR-A- 02230 P04 (General Arrangement East Elevation AA); DL0120-SRA-ZZ-ZZ-DR-A- 02233 P05 (General Arrangement West Elevation FF); DL0120-SRA-ZZ-ZZ-DR-A- 02250 P04 (General Arrangement Section AA); DL0120-SRA-ZZ-ZZ-DR-A- 02251 P04 (General Arrangement Section BB, CC, DD);

DL0120-SRA-ZZ-00-DR-A- 02200 P06 (General Arrangement Ground Floor Plan); DL0120-SRA-ZZ-01-DR-A- 02201 P06 (General Arrangement First Floor Plan); DL0120-SRA-ZZ-02-DR-A- 02202 P06 (General Arrangement Second Floor Plan); DL0120-SRA-ZZ-03-DR-A- 02203 P06 (General Arrangement Third Floor Plan); DL0120-SRA-ZZ-04-DR-A- 02204 P06 (General Arrangement Fourth Floor Plan); DL0120-SRA-ZZ-05-DR-A- 02205 P06 (General Arrangement Fifth Floor Plan); DL0120-SRA-ZZ-06-DR-A- 02206 P06 (General Arrangement Sixth Floor Plan); DL0120-SRA-ZZ-07-DR-A- 02207 P06 (General Arrangement Seventh Floor Plan); DL0120-SRA-ZZ-08-DR-A- 02208 P06 (General Arrangement Eighth Floor Plan); DL0120-SRA-ZZ-09-DR-A-

02209 P06 (General Arrangement Ninth Floor Plan); DL0120-SRA-ZZ-10-DR-A- 02210 P06 (General Arrangement Tenth Floor Plan); DL0120-SRA-ZZ-11-DR-A- 02211 P06 (General Arrangement Eleventh Floor Plan); DL0120-SRA-ZZ-12-DR-A- 02212 P06 (General Arrangement Twelfth Floor Plan); DL0120-SRA-ZZ-13-DR-A- 02213 P06 (General Arrangement Thirteenth Floor Plan); DL0120-SRA-ZZ-RF-DR-A- P06 (General Arrangement Roof Plan);

DL0120-IA-ZZ-00-DR-L-00100 P07 (Landscape Plan - Site plan); DL0120-IA-ZZ-00-DR-L-00101 P12 (Landscape Plan - GA plan); DL0120-IA-ZZ-00-DR-L-00102 P08 (Landscape Boundary Plan); DL0120-IA-ZZ-00-DR-L-00103 P08 (Landscape Plan – Levels); DL0120-IA-ZZ-RF-DR-L-00104 P08 (Biodiverse Roof & Habitat Plan); DL0120-IA-ZZ-00-DR-L-00105 P03 (Landscape Site Plan – Existing); DL0120-IA-ZZ-00-DR-L-00106 P07 (Tree Survey Plan); DL0120-IA-C1-00-DR-L-00201 P04 (Sections C1 Northfield Ave); DL0120-IA-C3-00-DR-L-00202 P04 (Sections C3 Northfield Ave); DL0120-IA-C3-00-DR-L-00203 P05 (Sections Community Garden); DL0120-IA-C1-00-DR-L-00204 P05 (Sections Tawny Close); DL0120-IA-C1-00-DR-L-00505 P04 (Section C1/C2 Link);

Design and Access Statement prepared by Shepard Robson; Planning Statement prepared by Barton Willmore now Stantec (with Addendum Rev 4, dated 04/10/2023); Acoustic Assessment prepared by Temple; Air Quality Assessment prepared by Temple (with Addendum); Tree Survey & Arboricultural Implications Report prepared by Wassells (with Addendum, dated 29 September 2023); Wind & Microclimate Assessment prepared by GIA Surveyors (with Addendum, dated 04/09/2023); Townscape & Visual Impact Assessment prepared by Barton Willmore now Stantec & AVR (with Statement of Conformity, dated 11 September 2023); Daylight, Sunlight & Overshadowing Assessment prepared by Point2 (with Addendum, dated 8 September 2023); Transport Statement & Travel Plan prepared by RGP; Delivery & Servicing Management Plan prepared by RGP; Energy & Sustainability Statement prepared by MWL (with Addendum, dated September 2023); Circular Economy Statement prepared by Hodkinson; Ground Investigation Report prepared by Soils Limited; Biodiversity Survey & Report prepared by Greengage; Flood Risk Assessment prepared by OCSC; Utilities Statement prepared by MWL; Fire Strategy prepared by Ashton Fire (with Addendum, dated 29 September 2023); Statement of Community Involvement prepared by Barton Willmore now Stantec; Estate Management Strategy prepared by Clarion; Affordable Housing Statement prepared by Clarion; and Financial Viability Assessment prepared by Quod (with Addendum, dated October 2023); Planning Gateway One Fire Statement Form; Bat Survey by Greengage; Biodiversity Impact Statement by Greengage; UGF Report, by Greengage; Cover Letter (4 October 2023)

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

3. External noise from machinery/equipment/extract/ventilation ducting/mechanical

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, unless otherwise agreed in writing by Council. The assessment shall be made in accordance with BS4142:2014, with all machinery operating together at maximum capacity.

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

4. Anti-Vibration Mounts and Silencing of Machinery

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

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

5. 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 S11 of the London Plan (2021); and National Planning Policy Framework (2021).

6. Cycle Parking

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

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

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

7. Refuse Storage

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

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy 5.16 of the London Plan (2016) and the National Planning Policy Framework (2021).

8. Secure By Design

The development hereby approved shall achieve Secure by Design Accreditation, in consultation with the Metropolitan Police Crime Prevention Design Advisor.

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 a number of dwellings; and in order that the new buildings incorporate appropriately designed security features, in accordance with policies D11 of the London Plan (2021).

9. Former Adaptable wheelchair housing

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

Reason: To ensure the provision of wheelchair housing in a timely fashion that would address the current unmet housing need; produce a sustainable mix of accommodation; and provide an appropriate choice and housing opportunity for wheelchair users and their families, in accordance with the objectives of policies: 3.5, 3.8 and 3.9 of the London Plan (2016); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

10. Passenger Lifts

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), policies 3.8 and 7.2 of The London Plan (2016), and the National Planning Policy Framework (2021).

11. No masts/satellite dishes or external equipment

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

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies 7.4, 7.6 and 7.8 of the London Plan (2016), section 7 and 12 of the National Planning Policy Framework (2021).

PRE-COMMENCEMENT CONDITIONS

12. Piling Method Statement

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

13. Demolition Method Statement and Construction Management Plan

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

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

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site, in accordance with Policies D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

14. 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 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) Details of construction hours;
- c) Anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- d) Delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- e) Route and location of site access for construction traffic and associated signage;
- f) Management of consolidated or re-timed trips;
- g) Details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- h) Secure, off-street loading and drop-off facilities;

- i) Wheel washing provisions;
- j) 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;
- k) Details as to the location(s) for storage of building materials, plant and construction debris and contractor's welfare facilities and offices;
- l) Procedures for on-site contractors to deal with complaints from members of the public;
- m) Measures to consult cyclists, disabled people and the local schools about delivery times and necessary diversions;
- n) Details of all pedestrian and cyclist diversions;
- o) A commitment to be part of Considerate Constructors Scheme; and
- p) Confirmation of use of TfL's Fleet Operator Recognition Scheme (FORS) or similar.
- q) The submission of evidence of the condition of the highway prior to-construction and a commitment to make good any damages caused during construction.
- r) Details of parking restrictions which may need to be implemented during construction work.

Reason: To ensure that the proposed development is carried out in an acceptable manner to not compromise the surrounding road and pedestrian network and to protect the amenity of surrounding residents, in accordance with Policy 7A of the Ealing Development Management DPD and Policy T7 of the London Plan.

15. Submission of a Bird Hazard Management Plan

Development shall not commence, excluding demolition or enabling works, until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority, in conjunction with Heathrow Airport. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

16. Details of Materials

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

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies 7.4 and 7.6 of the London Plan (2016) and the National Planning Policy Framework (2021).

17. Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within an approved desk study phase 1 report Soils

Limited phase 1 investigation report (DL0120 S01 xx xx RP CS 0001 June 2022) 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.

18. 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.

19. 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.

20. Revised Noise Assessment

Prior to commencement of the development, excluding demolition and enabling works, a noise assessment shall be submitted to the Council for approval in writing, of external noise sources such as transport and commercial/industrial/cultural uses/activities and their noise levels at proposed residential facades, having regard to the assessment standards of the Council's SPG10 including aircraft noise (worst mode aircraft 1-day noise contour predicted for 2016 (57dB) as per Section 6 SPG10). Details shall include the sound insulation of the building envelope including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) to achieve internal noise limits specified in SPG10. Details of best practicable mitigation measures for external amenity spaces shall also be provided and implemented, as necessary. Details shall confirm that noise limits specified in BS8233:2014 will not be exceeded, unless otherwise agreed in writing by Council. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

21. 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, eg. kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall have regard to standards of the Council's SPG10 and noise limits specified in BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

22. Separation of communal uses and facilities from dwellings

Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of at least 10/15dB as necessary above the Building Regulations value for residential use, of the floor/ceiling/walls separating the communal areas and mechanical installations from dwellings. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins (octaves) inside habitable rooms. Details of mitigation measures shall include the installation method, materials of separating structures and the resulting sound insulation value and internal sound/rating level. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the residential occupiers, in accordance with Policies D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

23. Lifts

Prior to commencement of the superstructure, 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 Policies D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

24. Ventilation Strategy Report

Prior to the commencement of the superstructure, 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 providing fresh air ventilation to habitable rooms facing the Northfield Avenue, the supply to be provided from the rear of the building at high level.

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 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).

25. 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 Air Quality Assessment report titled "Sherwood Close Phase 3, West Ealing" dated June 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).

26. Revised 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: To ensure the LPA meets its 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.

27. Digital Connectivity

Prior to commencement of the superstructure, details shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness in accordance with Policy SI6 of the London Plan (2021).

PRIOR TO OCCUPATION CONDITIONS

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

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

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

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

29. Deliveries and Servicing

Prior to first occupation of any part of the development hereby approved a Parking, 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 (both commercial and residential); 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);
- Details for the management and receipt of deliveries for the residential units.
- 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 development can be adequately serviced in the interests of the amenity of occupiers of the development and neighbouring properties, local/regional strategies adopted to increase the use of sustainable modes of transport, and pedestrian and highway safety and movement, in accordance with policies D4, D6, D8, SI7, T1, T2, T4, T5, T6 and T6.1 of the London Plan (2021).

30. Car Parking Management Plan

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

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

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

Reason: To ensure inclusive, safe and adequate parking is provided and retained in conjunction with the development in the interests of the general amenities of the locality, the flow of traffic and conditions of pedestrian and general highway safety within the site and on neighbouring highways, a sustainable development and where appropriate constrain local highway impact in accordance with policies T2, T3 and T4 of the London Plan (2021); policies 1.1(e), 1.1(f) 1.1(g) and 1.1(h) of the Ealing Development (Core) Strategy (2012).

31. Revised Travel Plan

A Travel Plan, or revision to the Travel Plan approved under planning application ref: P/2014/6383, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for all residential buildings. The detailed Travel Plan shall be prepared in accordance with Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out in accordance with the approved Travel Plan.

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

32. Surface Water

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

- a) Surface water capacity exists off site to serve the development; or
- b) A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan; or

- c) All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

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

33. Water Infrastructure

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

- a) All water network upgrades required to accommodate the additional demand 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. 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 56.34% (equating to 94.6 tonnes of CO₂ per year) beyond Building Regulations Part L 2021 and using SAP10.2 emission factors. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by MWL in September 2023 (v3 revision 1.1) including:
 - i. Lean, energy efficiency design measures to achieve an annual reduction of at least 12.75% equating to at least 21.4 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2021 (using SAP10.2 conversion factors).
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 83.87 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 43.6%, equating to 73.2 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021 (using SAP10.2 emission factors).

- 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 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 network 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 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 (stage 3) overheating mitigation measures detailed in the dynamic Overheating Analysis by MWL in September 2023 (v2). Any later stage version shall be compliant with CIBSE guidance Part O (TM59/Guide A), and/or TM52, 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 how the development has been futureproofed for connection to any suitable future DHN by ensuring sufficient space is allocated for a valve and heat exchange.
- 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 (SAP) 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.

35. 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). 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.
- b) Specific commitments detailed in the Circular Economy statement produced by Hodkinson in October 2023 (v1), 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 supporting 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).

ONGOING CONDITIONS

36. 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, or alternative financial arrangement, 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 five 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 five 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 & Construction SPG.

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

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

- a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the ‘be seen’ energy

performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.

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

38. Whole Life-Cycle Carbon Assessment

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

- b) The Development shall implement the measures identified in the WLC Assessment prepared by MWL in September 2023 (v3 revision 1.1) (appendix F). Modules A1-A5 should achieve 652 KgCO₂e/m², and B1-C4 (excluding B6/B7) 321 KgCO₂e/m², with a total carbon emissions baseline scenario (over 60 years) of 956 KgCO₂e/m² (including sequestration benefits).

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI2(F) of the London Plan.

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 heritage assets, 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. Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
2. 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.

3. 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. No waste materials should be burnt on site of the development hereby approved.
5. 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. Although it is not anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.

<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>

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ITEM 02 -Sherwood Close (Former Dean Gardens Estate) West Ealing W13 9YP



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Ref : 216215FUL

Address: 13-15 THE GREEN, SOUTHALL UB2 4AH

Ward: NORWOOD GREEN

Proposal: Application for demolition of existing buildings and construction of a part 23 storey, part 19 storey and part 14 storey building to provide 95 residential units, including the creation of a basement level, incorporating flexible amenity space, cycle parking, refuse storage and public realm improvements and landscaping.

Drawing numbers: D1000 Site Location Plan, D1001 Existing Site Plan, D1100 GA Plan - Existing Ground Floor, D1101 GA Plan - Existing Level 01, D1102 GA Plan - Existing Level 02, D1150 GA Plan - Existing Roof Level, D1199 GA Plan - Existing Basement, D1700 Existing Elevations - North East and South East, D18001 Proposed Site Plan Rev 03, D19100 Rev 08 Proposed Ground Floor, D19101 Rev 08 Proposed Level 01, D19102 Rev 08 - Proposed Level 02 – 05, D19106 Rev 08 Proposed Levels 06 – 07, D19108 Rev 08 Proposed Level 08-12, D19113 Rev 08 Proposed Level 13, D19114 Rev 08 Proposed Level 14, D19115 Rev 08 Proposed Level 15 – 18, D19119 Rev 03 Proposed Level 19 -21, D19122 Rev 03 Proposed Level 22, D18150 Proposed Roof Level, D19199 Rev 08 Proposed Basement Level, D19201 Rev 03 Apartment layouts level 01, D19202 Rev 03 Apartment layouts levels 2-5, D19206 Rev 03 Apartment layouts levels 6-7, D19208 Rev 03 Apartment layouts levels 8-12, D19213 Rev 03 Apartment layouts level 13, D19214 Rev 03 Apartment layouts level 14, D19215 Rev 03 Apartment layouts level 15-18, D19219 Rev 03 Apartment layouts level 19-21, D19500 Rev 03 Proposed Sections, D19700 Rev 03 Elevations NW and SW, D18701 Rev 03 Elevations SE and, NE, D18710 Rev 01 NW Elevation, D18711 Rev 01 North Elevation, D18712 Rev 01 West Elevation, D18713 Rev 01 Hortus Road Elevation, D18750 Rev 01 Window Detail, 1459-KC-XX-YTREE-TPP01 Rev B Tree Protection Plan, 1459-KC-XX-YTREE-TCP01 Rev 0 Tree Constraints Plan, ALD896_MP001 Landscape Masterplan Public Realm Proposals, Terrace Level 01 and Level 14 Design Proposal SB903 Rev P03, Ground Floor Design SB902 Rev P04, ALD896_MP003 Rev P04 Landscape Masterplan Terrace Level 14, ALD896_MP002 Rev P03 Landscape Masterplan Terrace Level 1.

Supporting Documents: Design and Access Statement by Formation Architects (October 2021), Design and Access Statement Addendum by Formation Architects (August 2023), Planning Statement Icen Projects (October 2021), Heritage, Townscape and Visual Assessment by Icen Projects (October 2021), Heritage, Townscape and Visual Addendum by Icen Projects (August 2023), Transport Statement by Icen Projects (October 2021), Travel Plan by Icen Projects

(October 2021), Ecological Assessment by Greenlink (October 2021), Noise and Vibration Report by Arno Acoustics (October 2021), Energy Assessment by CPWP Version 4 (August 2023), Outline Modelling Overheating Analysis by CPWP (August 2023), Aviation Report by Eddowes Aviation (October 2021), Landscape Strategy by Applied Landscape (October 2021), Townscape Assessment by Icen Projects (October 2021), Verified Views Pre-Construct Viability Assessment by Icen Projects, Tree Survey by Keen Consultants (October 2021), Wind / Microclimate Study by Nova (June 2020), Daylight and Sunlight Report by Point 2 (August 2023), Scheme Internal Daylight, Report by Point 2 (October 2021), Air Quality Assessment by Stroma (October 2021), Whole Life Carbon Assessment Note by Icen Projects (October 2021), Whole Life Carbon Assessment Addendum by Icen Projects (August 2023), Circular Economy Statement by Icen Projects (March 2022), Circular Economy Addendum by Icen Projects (August 2023), Statement of Community Involvement by Kanda Consulting (October 2021), Drainage Strategy by Whitby Wood (October 2021), Ecological Impact Assessment by Greenlink Ecology Ltd. (November 2019), Tree Survey and Impact Assessment by Keen Consultants (October 2021), Carbon Dioxide Savings and Emissions Spreadsheet, Gateway One Fire Statement by OFR Fire Risk Consultants (August 2023), D12 Fire Statement Rev R04 by OFR (October 2023), Revised Urban Greening Factor Calculation RP991 Rev 01 (October 2023), Additional Heritage and Vucity Assessment by Icen (October 2023), GLA Carbon Emissions Reporting Spreadsheet.

Type of Application: Major

Application Received: 21/10/2021

Revised: 31/08/2023

Report by: John Robertson

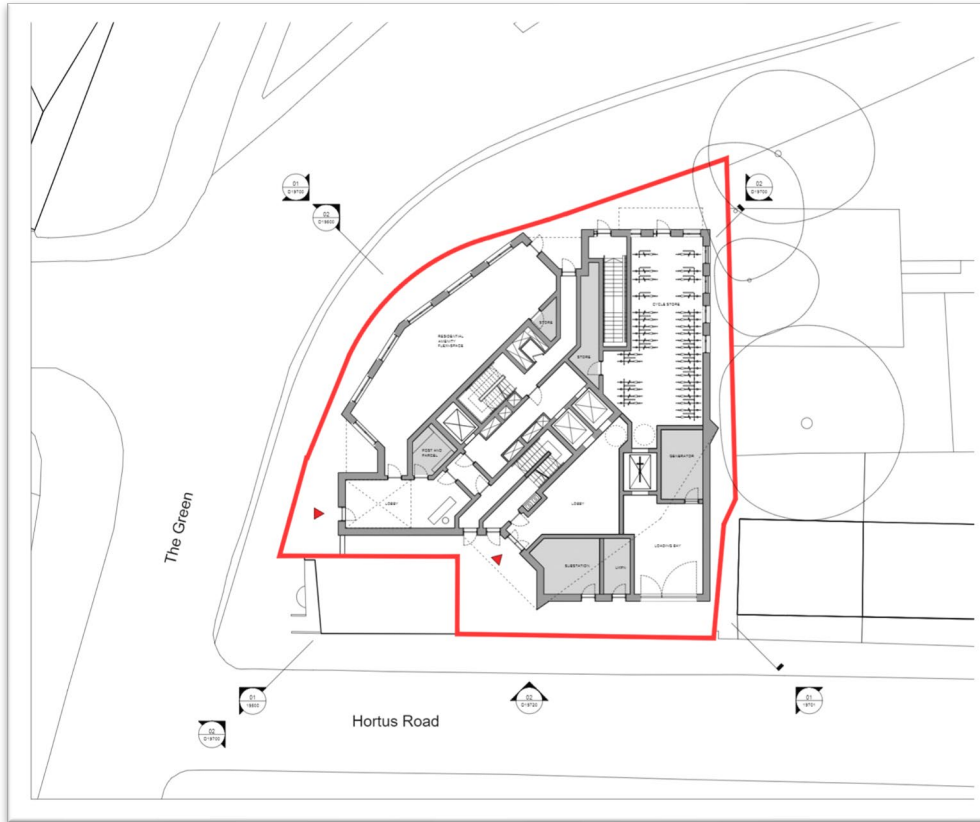
Recommendation: Grant with conditions subject to Stage II referral to the Mayor of London, completion of a S106 Agreement and a S278 Agreement, and subject to conditions of consent. This permission would also be subject to a Community Infrastructure Levy payment to the Greater London Authority (GLA).

Executive Summary:

This application seeks permission for a residential-led redevelopment of a derelict commercial site just south of Southall town centre.

This application was previously considered by the planning committee in July 2022 and approved subject to legal agreements and referral to the GLA. The current scheme has been revised to provide an additional fire escape staircase and another firefighting lift to meet fire safety requirements, with some design alterations to reflect this. However, the scale, design and components of the scheme are very similar to those considered in July 2022. In particular the number of flats, the mix of flat sizes and the affordable housing provision have not changed.

The application site is very small (0.08 ha) and lies at the junction of Hortus Road with the Green, immediately south of the Southall railway and Elizabeth Line station and Southall Town Centre. It also lies in the Southall Opportunity Area. The surrounding area has been subject to major development in recent years, with permissions for large residential-led schemes in high buildings of up to 23 storeys.



Site Location

This proposal is for redevelopment to provide 95 flats in a part 23, part 19 storey and part 14 storey building. A flexible community/amenity space of 92 sq m is proposed at ground floor level for use by residents and the local community. The development would be car free and have 180 cycle parking spaces. Communal outdoor amenity space is proposed in terraces at first and 14th floor levels.

The scheme would make an important contribution to meeting local housing demand and 35% of residential units by habitable rooms, comprising 33 flats, would be affordable. The proposed tenure split of 70% intermediate and 30% London Affordable Rent is not supported by the Council’s Housing section as it does not meet the Council’s preferred tenure mix. London Living Rent units instead of some Shared Ownership were sought given the oversupply of the latter in the area. However, the applicant’s viability appraisal concluded that the scheme could not viably support affordable housing, a different tenure mix or planning obligations above those already proposed and this was confirmed by the Council’s independent viability advisers. Given these confirmed viability constraints, the proposed affordable tenure mix was previously considered acceptable but with early and late stage reviews required. This tenure mix has not changed in the revised scheme.

A development of up to 22 storeys above ground can be considered as a tall building on a site not identified as appropriate for tall buildings in the Development Plan or the Development Sites DPD and it is not within a town centre. However, it does lie in the ‘Southall Gateway’ character area of the Southall
 Page 3 of 71

Opportunity Area Planning Framework (OAPF), which indicates potential for taller buildings and a number of other tall buildings have been approved nearby. The height of the taller element would be similar to that of adjoining approved buildings at Kings House and the nearby Arches site on Merrick Road. The height of the building is unchanged in the revised scheme.

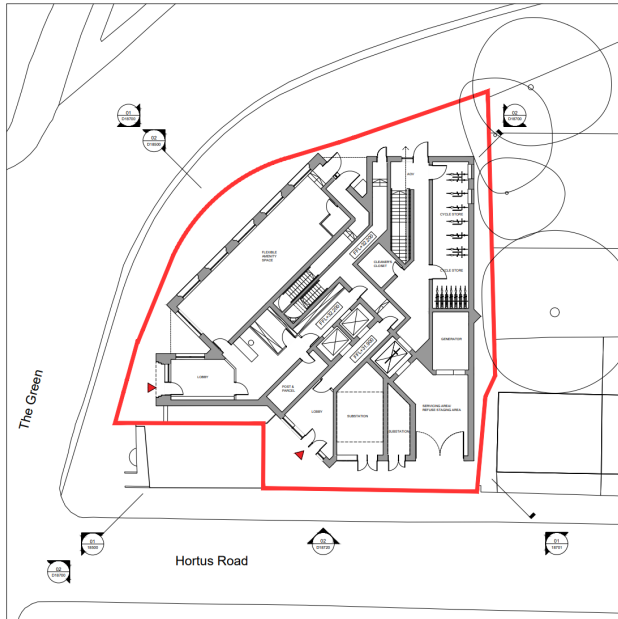
The scheme was also assessed against the London Plan Policy D9 criteria for tall buildings and the Ealing Housing Design Guidance (January 2022) which sets out various guidelines for developments including tall buildings. Overall, the proposed tall building would accord with most of the London Plan Policy D9 and Ealing design guidance criteria. On balance, a reasonable case was made for this tall building to be acceptable on this site.



Proposed building within context of approved schemes in Southall

The development comprises a main building of 22 storeys above a basement level with attached side elements of 14 and 19 storeys. The plan form of the building would appear as roughly a square rotated within a larger square. The main, taller element would be set at a 45 degree angle to the Hortus Road street edge, with the lower, side elements aligned to the street edges. This allows the main elevations to be set back from the edges of the site and reduce the visual impact.

The main design change in the revised scheme is an increased size of core area to accommodate an additional staircase and lift. This has resulted in changes to the north-west and south east elevations of the taller block in the form of a shallow angled protrusion (or slight bulge) on both these elevations. The figures below illustrate this change.



Ground Floor Plan - Resolution to Grant Scheme (single staircase)



Ground Floor Plan - Proposed Scheme (double staircase)

As in the previous scheme, the building would have a well-defined base, middle and crown differentiated by different colours of brick, window sizes and decorative metal panels. The varied heights of the side elements would create a stepped effect, visually reducing the overall massing. This would be reinforced by the different shades of brick used to differentiate the side elements from the main, taller element. On balance, the scale of the buildings and the revised design approach are considered to be of good quality, and to complement other developments in this area.

All the proposed flats would still be dual aspect units and would provide adequate environmental conditions and adequate living conditions in terms of floor space, layout, daylight and visual outlook.

All the flats would have private balconies that meet London Plan standards, the majority inset balconies. External communal amenity spaces on the first and 14th floors would be accessible from the shared central core and designed as children’s play space. A 1.5m brick parapet around the 14th floor amenity area would provide protection from falling and winds, with safe views through balustraded openings in the parapet wall. Given the constraints of this small site, there would be an overall shortfall in amenity space and this would be mitigated by a S106 contribution towards improved provision in Southall Manor House Grounds.

The revised scheme would not have significant impacts on the amenity and living/working conditions of adjoining occupiers due to the separation distances from nearby dwellings.

Some 19% of the site area would be provided as public realm space. This will provide widened pavements, green planting areas with new trees, a number of benches and integrated street lighting to improve the public realm area between the scheme and the raised highway. New landscaping is proposed on both The Green and Hortus Road frontages while the existing retaining wall to the Green would be retained to provide a robust buffer to traffic and associated noise. The small size of the site means that the Urban Greening Factor would be below the London Plan target but there is limited scope to improve it and the public realm improvements can be considered to offset this.

Based on the Heritage Assessment with the application, the proposal would not cause significant harm to nearby heritage assets and any harm would be less than substantial and outweighed by the benefits of the proposal including provision of 95 new flats including 33 affordable dwellings, improvements to the public realm, landscaping and pedestrian access beside the site, enhanced appearance of a prominent site adjoining the new Elizabeth Line station and a gateway to Southall town centre and provision of new community assembly/function space close to Southall town centre.

The proposed development would provide high standards in terms of sustainable design and construction including a communal ultra-low temperature Air Source Heat Pump distribution loop with dwelling Water Source Heat Pumps providing panel radiator space heating and domestic hot water, along with a range of energy efficiency measures. With these measures, the overall site-wide CO2 emissions would be cut by at least 68.8%. Potential impacts with regard to air quality, noise, wind effects and land contamination can be adequately dealt with by the conditions proposed.

This is a car free development. Transport Services and TfL have assessed its potential implications for the highway network in the locality and consider it acceptable subject to conditions and financial contributions towards the review and potential extension of existing CPZs, junction improvements, traffic calming measures, bus stop and bus capacity improvements, and works to improve local pedestrian and cycle infrastructure. S106 contributions have been agreed for such measures. The site is in an area of good public transport accessibility and, with the conditions and planning obligations agreed, including a restriction on resident parking permits and provision of car club memberships to scheme residents, any potential impacts arising from the proposal will be satisfactorily mitigated.

Overall, the scheme will provide a number of planning and regeneration benefits including a sizeable increase in the housing stock, 33 affordable units, provision of flexible community/meeting space available to the local community and in the order of £1.2 million in S106 and CIL contributions towards infrastructure, community facilities and open space improvements in the area. The revisions to the scheme have not significantly altered any of its key elements or the acceptability of its scale and design. The Health and Safety Executive is content with the revised fire safety arrangements.

On balance, it is considered that the proposed development accords with relevant policies of the adopted the Ealing Core Strategy (2012), The London Plan (2021), relevant Supplementary Planning Guidance, the National Planning Policy Framework (2023), and the Ealing Development Management Development Plan Document (2013). It is therefore recommended for conditional approval subject to S106 and S278 legal agreements.

Recommendation:

That the committee **GRANT** planning permission subject to Stage II referral to the Mayor of London, and the satisfactory completion of legal agreements under section 106 of the Town and Country Planning Act 1990 (as amended) and under section 278 of the Highways Act (1980) in order to secure the items set out below:

Heads of Terms

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

Contribution Heading	Proposed Contributions
Education infrastructure (Havelock Primary School, Villiers High School)	£121,117
Healthcare provision	£147,818

Air Quality Monitoring	£9,600
Carbon Dioxide Offsetting	£ 74,100
Renewable & Low Carbon Energy Monitoring	£ 14,616
Children’s playspace provision (Southall Manor House Grounds)	£ 13,410
Public Amenity space improvements (Southall Manor House Grounds)	£ 76,800
Allotment provision	£ 10,669
Sports provision	£124,000
Apprentice and Local Labour Scheme	£12,500
Improvements to junctions on The Green between Merrick Road (A3005) and Featherstone Road	£ 25,000
New pedestrian / cycle bridge across railway line	£ 30,000
Traffic calming and pedestrian crossing facilities on residential roads south of the development	£20,000
Footway improvements on Road adjacent to the development	£ 20,000
Cycle infrastructure improvements near the development	£ 30,000
Bus stop improvements near site	£10,000
Review existing CPZ near the development to extend to adjoining roads	£20,000
Bus service improvements	£100,000
Removal of on-street parking bay on Hortus Road to allow on-site servicing	£ 2,000
Conversion of one on-street parking bay on Hortus Road to disabled space	£ 3,000
Travel Plan Monitoring	£ 3,000
Total Contributions	£867,630

- Affordable Housing provision of 33 flats (35% of habitable rooms), the tenure as a percentage of total affordable units being London Affordable Rent (30%) and Shared Ownership (70%);
- An early stage review and a late stage review of affordable housing provision;
- Participation in an Apprentice and Placement Scheme, which shall provide opportunities across the development, including the construction, design and post construction management of the development. Details of the Apprentice and Placement Scheme including the number of placements details shall be agreed with the Council and include 7 apprenticeships during construction phase and 11 work experience opportunities; this is in addition to the £12,500 contribution towards an Apprentice and Local Labour Scheme;
- Restriction of Parking Permits - all the units shall be precluded from obtaining a parking permit and visitor parking vouchers to park within surrounding Controlled Parking Zones and any future CPZs in the area;
- Removal of one on-street parking bay on Hortus Road to allow on-site servicing at applicant’s expense;
- Conversion of one on-street parking bay on Hortus Road to a disabled parking space at applicant’s expense;
- Provision of free 3-year car club membership to residents of the scheme;

- Additional Contribution for Carbon Dioxide Offsetting (carbon shortfall calculated at current rate of £95 per tonne of carbon for 30 years in the event that the CO2 emissions of the development, including both residential and non-residential, cannot be achieved onsite) as in the table above;
- Implementation of the Travel Plan with funding for cycle and road safety education training to all scheme residents;
- An early review mechanism, to be triggered if an agreed level of progress is not made within 2 years of permission being granted, with other requirements as stated for the Fast Track Route as set out in the Mayor's Affordable Housing and Viability SPG;
- Provision of community assembly/function space at no cost to local residents and community groups;
- All contributions to be index linked;
- Payment of the Council's reasonable Legal and other professional costs in preparing and completing the agreement.

AND

S278 works to the public realm area adjoining the application site.

AND

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

Site Description

The application site comprises approximately 0.08 ha and contains two vacant, former commercial buildings of 2 and 3 storeys fronting The Green, with an area of hardstanding to the rear accessed off Hortus Road.

It is bounded by The Green to the west, Hortus Road to the south, Merrick Road (A3005) to the north and to the east by 2 storey dwellings along Hortus Road. To the south along the Green are 1-2 storey commercial properties with flats above. To the west, across the Green, is a 10 storey block of flats and a 3 storey office building. To the north, across Merrick Road, is Southall railway station. To the north-east is Maypole Court, a 2 storey block of flats.

This location lies immediately south of Southall Town Centre. The site has no designation in the Local Development Plan other than being within an area of park deficiency, the Southall Opportunity Area and the King Street Neighbourhood Centre. It lies in an area with a low risk of flooding (Flood Zone 1).

The site does not contain or adjoin any listed building and is not within a Conservation Area. The nearest listed buildings are The Water Tower (Grade II) some 175m to the north, Southall War Memorial (Grade II) 250m to the south and Southall Manor House (Grade II*) 280m to the south.

The Public Transport Accessibility Level (PTAL) of the site is good (4) and this should increase once Elizabeth Line services to Southall are fully operational. The site is located in a Controlled Parking Zone (CPZ).

The Surrounding Area

The immediate surrounding area has been subject to major development in recent years, with permissions for major residential-led schemes in high buildings nearby including:

- a 20 storey development on the site of the Kings House building on The Green comprising 77 flats, 934 sq m of B1 commercial floorspace and 82 sq m of cafe/retail space;
- the former Esso petrol filling station site, Merrick Road, Southall - a 16-19 storey, mainly residential development including 166 flats, which is under construction;
- the former Honda Garage site - a 5-12 storey development of 170 flats on Merrick Road, which is under construction;
- Malgavita Works - a 5-23 storey mixed use development on Merrick Road including 313 flats, which is under construction;
- the Arches site, Merrick Road - a residential-led, mixed use redevelopment up to 23 storeys high for 575 dwellings (subject to completion of a S106 Agreement).

Relevant Planning History

There have been no recent planning decisions on the site of relevance to this proposal other than a prior approval in January 2020 for demolition of all existing buildings on the site (Ref. 195287PND).

The Proposal

The application seeks permission for a part 23, part 19 storey and part 14 storey building, including a basement level, to provide 96 residential units as well as flexible amenity space, cycle parking, refuse storage and public realm improvements and landscaping. The key elements of the proposed development are:

- 95 dwelling units made up of 37 x 1-bedroom / 2 person flats, 7 x 2-bedroom/ 3 person flats, and 51 x 2 bedroom / 4 person flats;
- a flexible ground floor space of 92 sq m for use by residents of the development and the local community;
- zero parking spaces and 181 cycle parking spaces;
- 245 sq m of communal amenity space at ground, first and 14th floor levels.

In terms of affordable housing, a total of 33 affordable units is proposed, equivalent to 35% of total habitable rooms on the site.

The scheme was revised in September 2023 to provide an additional fire escape staircase, along with various associated internal and external alterations. The main elements of the scheme listed above remain unchanged but there would be a 770 sq m increase in gross internal floorspace (+8.8%).

Environmental Impact Assessment

The applicants sought an EIA Screening Opinion to confirm that the proposed development is not one requiring an Environmental Impact Assessment. Careful consideration was given to the location, scale and nature of the proposals, which would primarily involve a residential development and take place largely on previously developed land on a 0.08 ha site within an existing urban area and which does not contain or adjoin any environmentally sensitive areas, heritage assets, or areas of high flood risk. The proposed scale of the development would also not be significantly higher than adjoining development in the area. In October 2021, the Council issued a Screening Opinion to confirm that this proposal was not one requiring an Environmental Impact Assessment.

Consultation:

Public Consultation – Summary

<p>Neighbour Notification</p>	<p>Consultation period 10/11/2021 – 1/12/2021. Major site notices posted. Two objections received from a local residents with the main issues as follows:</p> <ul style="list-style-type: none"> • overdevelopment of the site; • proposed development would tower unsympathetically over adjacent streets of 2 storey houses; • loss of Old Bank House building would remove local heritage asset that contributes to historic character of the area; • increase in parking pressures in area; • increased traffic congestion from more flats. <p>Further consultation was carried out on the revised scheme between 4/09/2023 and 4/10/2023 and the application advertised in the local press but no further objections were received.</p>
<p>External Consultation</p>	
<p>Thames Water Utilities</p>	<ul style="list-style-type: none"> • proposed development within 15m of a strategic sewer and condition requested on piling method statement; • no objection on surface water drainage if the developer follows the sequential approach to the disposal of surface water; • no objection with regard to waste water network and sewage treatment works infrastructure capacity; • requested applicant incorporate protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances). • no comments made on revised scheme.
<p>Health & Safety Executive (HSE)</p>	<p>HSE content with the fire safety design to the extent it affects land use planning considerations.</p>

Affinity Water	No response.
Crossrail	No objection.
Network Rail Infrastructure	No objection in principle but request various informatives or conditions to prevent impacts on to network rail infrastructure.
Heathrow Airport	No safeguarding objections but crane operators to consult the airport before erecting a crane and any landscaping should be carefully designed to minimise its attractiveness to hazardous species of birds.
National Air Traffic Services (NATS)	No objection.
Civil Aviation Authority	No response.
National Highways	No objection as proposal would not materially affect the safety, reliability and/or operation of the strategic road network.
Environment Agency	No response.
NHS Estates	Require contribution of £147,818 towards improvement of primary care facilities in the area.
Design Out Crime	No objection but seeks planning condition so that this development must achieve Secured by Design accreditation.
London Fire and Emergency	No response.
Transport for London	<p>No objection subject to the following:</p> <ul style="list-style-type: none"> • funding towards active travel improvements including improved crossing facilities on The Green to be secured via S106 or S278 agreements; • should demonstrate provision of 174 cycle parking spaces and these to include a combination of Sheffield stands (at least 20%) and spaces for larger cycles (at least 5%) and follow London Cycling Design Standards; • short-stay cycle parking for visitors should be located externally and alternative means of access to cycle store should be provided in case of a lift breakdown; • residents to be denied parking permits for any CPZ; • notes parking space to be removed from Hortus Road to provide on-site servicing which does not impact on The Green and supports contribution of £2,000 for this. • largest impact of the development will be on local bus services and would require a pro rata contribution of approximately £100,000 towards providing an additional peak hour bus for five years;

	<ul style="list-style-type: none"> • support retention of previously agreed transport related S106 contributions; • concerned that that deliveries and servicing are to occur on street; an off-street solution needs to be agreed with Ealing highways officers and secured through a Delivery and Servicing Plan condition; • concerned on impacts on The Green during construction and a Construction Logistics Plan should be secured by planning condition and show how impacts on The Green will be avoided. • the final Travel Plan should be secured by planning condition.
<p>Greater London Authority</p>	<ul style="list-style-type: none"> • application does not comply with the London Plan but could be acceptable in strategic planning terms if areas of concern addressed; • site not identified in the development plan as suitable for tall buildings and, as such, the proposal does not comply with London Plan Policy D9; • should explore making individual elevations more varied, and to reflect their different orientation and need to access/mitigate daylight and sunlight; • explore banding ‘groups’ of floors together, with a more clearly defined base to the building and ensure exemplary architectural and build quality; • Zone of Theoretical Visibility map should confirm impacts on statutory listed buildings and structures and Council’s assessment of impacts on the locally listed buildings also taken into account; • a minimum 20% of total cycle parking provision to be in the form of Sheffield stands with at least 5% catering for larger or adapted cycles; • environmental issues on energy, whole life-cycle carbon, circular economy and urban greening require resolution prior to the Mayor’s decision-making stage. <p><i>Planning Officer comment: These initial comments were made in December 2021 and have now largely been addressed by revisions and further information submitted as set out in later sections of this report.</i></p> <p>Later comments on the revised scheme with a second fire staircase were:</p> <ul style="list-style-type: none"> • supports unchanged affordable housing offer; • the proposed design changes are minor and do not to raise issues in themselves; design concerns on the tall building generally to be weighed in the planning balance at Stage 2;

	<ul style="list-style-type: none"> • minor alteration to the tower shape will not have significant impact on previous assessments of heritage impacts; requested views for the Water Tower and a better quality Zone of Theoretical Visibility report; • changes to Whole Life Carbon and Circular Economy reports are minor but amended wording sought for conditions and on digital connectivity and need additional Circular Economy condition; • requested additional background evidence to underpin the Energy report; • various queries raised on Fire Statement; • proposed changes would not address concern on disabled person parking provision; • potential non-compliance with London Cycling Design Standards and details sought of conditions and obligations to address these. <p><i>Planning Officer comment: A condition is applied to require cycle spaces to comply with London Cycle Design standards. The S106 Agreement will include conversion of a Hortus Road parking bay to a disabled space; the wording of conditions has been amended to reflect GLA requirements. The applicant has submitted an amended Fire statement, Energy Statement and Zone of Theoretical Visibility note to address the GLA comments.</i></p>
National Grid Plant Protection	No response.
Metropolitan Police	<p>No objection but requires conditions on:</p> <ul style="list-style-type: none"> • access control which enables a dynamic lockdown to protect all users in the event of a marauding terrorist style attack; • signage prohibiting use of UAV/Drones on the communal amenity spaces.
Internal Consultation:	
Regulatory Services (air pollution)	No objection but raises various queries on applicant’s assessment of air quality impacts and requests conditions on filtered fresh air ventilation system, Air Quality and Dust Management Plan, diesel generators and Non-Road Mobile Machinery. S106 contribution also sought towards air quality monitoring and mitigation.
Regulatory Services (noise)	<ul style="list-style-type: none"> • upper floors in line of sight of railway and exposed to direct railway noise; • railway vibration is not considered an issue at this location; • 50% of proposed bedrooms would face roads and 75% should be orientated away from roads because traffic noise exposures are high;

	<ul style="list-style-type: none"> • due to exposure to traffic noise and pollution, proposed amenity spaces on the roadside at ground floor, at the north-east on level 14 and on north and west facing balconies could not be considered as adequate amenity space; • conditions requested on noise insulation of building envelope, post completion sound assessment, insulation between different uses/rooms, enhanced sound insulation between plant and dwellings, enhanced sound insulation of lifts and lift shafts, mitigation for plant/machinery noise, anti-vibration mounts and a demolition/construction management plan. • no further comments made on revised scheme.
<p>Environmental Services (Contaminated land)</p>	<p>No comment as no evidence of contamination from past uses.</p>
<p>Drainage/flood risk</p>	<p>No response.</p>
<p>Waste and Street Services</p>	<p>No response.</p>
<p>Tree Officer</p>	<p>No response.</p>
<p>Landscape</p>	<ul style="list-style-type: none"> • raises serious concerns on large shortfall in community amenity space, almost 50% shortfall of children’s playspace, no allotment or sports provision on site, and the extremely poor Urban Greening Factor score; • S106 contributions required for shortfall of children’s playspace, outdoor amenity space, allotments and sports provision; • lacks information on biodiversity net gain to demonstrate how the development will improve local provision of greenspace and biodiversity; • landscape masterplan and palette proposals for the surface level urban realm are acceptable, but unclear on ‘gifting’ of spaces to public realm with landscaping of both the developer’s land and Ealing council land with no clarity on ownership and long-term maintenance etc. • little consideration shown for existing anti-social behaviour adjacent to the flyover with proposals showing new seating in this area, which is north facing and likely to be cold, windy and likely to attract further anti-social behaviour unless well managed and well lit. • no further comments on revised scheme.
	<p>Initially objected on basis that:</p>

<p>Transport Services/ Highways Manager</p>	<ul style="list-style-type: none"> • large developments need to have off street servicing but transport assessment indicates servicing can be undertaken on street on the Green, which is unacceptable for loading with double yellow lines on this busy road, with numerous buses at a narrow point and on a corner; this is a road safety issue and a congestion issue. • Highways are trying to re-design the Green/South Road/Merrick Road junction and there is an issue with levels, meaning that pedestrian accessibility cannot currently comply with DDA. <p>Following revisions, this objection has been resolved. Other comments include:</p> <ul style="list-style-type: none"> • parking permits to be denied by S106 agreement for any new CPZ near or in the proposed housing estate; • explore potential to provide car club bays accessible by the public on the application site or on Hortus Road; • provide free 3-year car club membership to residents of the scheme; • disabled parking spaces and electrical vehicle charging points to be provided to GLA standards; • Construction / Demolition Method Statement, and Servicing and Parking Management plans to be submitted for approval; • should explore potential to provide footways along the periphery of the development; • need details of the development in relation to the adjacent busy junction, including details of retaining wall and footway; • Transport Assessment should include TRICS output data for proposed residential use; • require plan showing size of cycle parking spaces and details of the cycle circulation area from the ground floor entrance of the building to the cycle parking area; • S106 contributions sought towards junction, footway and bus stop improvements, traffic calming measures, review of the existing CPZ, and improvements to pedestrian and cycle infrastructure near the development.
<p>Strategic Planning</p>	<p>No response.</p>
<p>Sports Management</p>	<ul style="list-style-type: none"> • requests S106 contribution of £124,000 for increased sports facilities demand generated by population of the new development;

	<ul style="list-style-type: none"> proposed ground floor amenity area should be as flexible to allow it to accommodate a wide range of sport and exercise activities.
Housing	<ul style="list-style-type: none"> does not support proposed affordable housing tenure mix of 70% intermediate and 30% London Affordable Rent; intermediate affordable units should not be pitched at the top of the shared ownership eligible income range; requests 2 bedroom units to be for 4 persons, not 3 persons; requests provision of some 3 bedroom units; requests viability assessment and early stage review mechanism.
Education	<p>Requested S106 contribution of £121,117 towards improvements to Havelock Primary School with a reserve of Dairy Meadow Primary School or other local education provision at primary phase, and Villiers High School or other secondary education provision at secondary phase.</p>
Regeneration	<ul style="list-style-type: none"> principle of investment supported but quality of design needs to have regard to the prominence of the location; site is important gateway to the wider areas of the Green and Southall East and should offer a prominent and attractive building that draws people along the high street and towards the town centre; site not needed to supply homes as not allocated for housing and sufficient approvals already for Southall's share of London housing need; solely residential use is inappropriate given the prominence of the location and scheme should allow for proper height commercial space on the ground and lower floors and activation of the ground floor frontages; mix of housing proposed unlikely to meet Ealing's needs for genuinely affordable housing and more social rented housing including family units sought; concern on residential amenity space provision given the constrained nature of the site and proposed small spaces to the south and on lowest tower seem inadequate to meet needs of families and young people; unclear how buildings to be serviced and given road congestion nearby it would be inappropriate for any servicing to take place on street.
Employment/Training	<p>Requests developer to provide a Local Employment & Training plan and:</p> <ul style="list-style-type: none"> contribution of £12,500 towards apprenticeship/employment placement and monitoring; 7 apprenticeships during construction phase; 11 work experience opportunities; 25% of vacancies are to be filled by Ealing residents; provide details of local contractors/suppliers working on the site; links with local schools to enable work-related activities for students; all vacancies to be advertised through Council's job brokerage service; developer to support construction training programme to enable local residents to prepare and access opportunities onsite; penalty of £10,000 per apprenticeship not filled.

Energy officer/ Sustainability	No objections to Energy Strategy or Sustainability approaches; requires Section 106 contribution towards carbon offsetting and low-carbon/renewable energy monitoring and various conditions to be applied.
CCTV Systems Manager	No response.
Norwood Green Councillors	Former Councillors Rajinder Mann and Gurmit Mann supported the original proposal as greatly improving the area since the existing building is in very poor condition, extremely dangerous for passing residents, and used by squatters and drug users at night. No comments from any current councillors on the original or revised scheme.

It is also noted that the applicant carried out a series of pre-application discussions with Council officers and the GLA. Additional engagement included leaflet dropping, advertising and a number of (virtual) consultation events in June 2020, June 2021 and September 2021. The scheme was also presented to the Ealing Community Review Panel on 12th October.

Relevant Planning Policies:

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

Reasoned Justification:

Main Issues

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

Principle of Development

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

Section 11 of the National Planning Policy Framework (‘Making Effective Use of Land’) encourages as much use as possible of previously developed land and vacant buildings as well as optimising the use of land to meet as much of the identified need for housing as possible. The proposed 96 residential units would make a significant contribution to meeting housing capacity as sought by policy H1 of the London Plan.

Policy SD1 of the London Plan requires local planning authorities to fully realise the growth and regeneration potential of Opportunity Areas to meet London’s severe housing needs.

The application site is located within the Southall Gateway area defined by the Southall Opportunity Area Planning Framework DPD (July 2014), where residential is the priority use and purpose built

redevelopment is supported to uplift residential and employment capacity. Key objectives in relation to Southall Gateway are provision of 400 new homes, 5,500 sq m of retail space, 4,000 sq m of B1 managed workspace, 2,250 sq m of community space and a potential new school. The Framework notes that, given its highly accessible town centre location, there may be scope for taller buildings within the Gateway. The application site is identified as appropriate for new mixed-use development in a highly visible junction ideal for retail and with potential for a tall building.

The principle of this broad form of redevelopment has also been accepted on several nearby sites within the Southall Gateway opportunity area. A number of higher, mainly residential buildings have already been approved, including the Kings House development with 20 storeys, the Malgavita Works development with 23 storeys, the Esso site with 19 storeys, and the Middlesex Business Park development with up to 22 storeys. In this context, a development of 23 storeys is not unreasonable.

It is therefore considered that residential development on this site would be appropriate and in accordance with the aspirations of the opportunity area and development principles of the Southall OAPF. The 96 residential units would contribute in meeting the housing capacity as set out in policy H1 of the London Plan and the development is considered acceptable in principle.

The site was formerly occupied by financial and professional uses rather than the employment uses defined by policy 4A of the Ealing Development Management DPD. There is therefore no issue with loss of employment space and the site has an 'extant' permission to demolish the current buildings on the site.

The proposed provision of a flexible space on the ground floor for use by residents and community groups is supported. This space could potentially be used by both residents and the wider community for activities such as parties, cooking classes, exhibitions, or exercise classes. The applicants indicate they have been engaging with local community groups to understand the local need for this space but there has so far been limited take-up for the type of space proposed. Therefore, until a specific interest is identified by a specific use/group, it is proposed that the space would remain as a flexible amenity space for the residents of the development for a range of activities, managed by the managing agent or residents association and if an interested community group emerges later then arrangements can be put in place to allow external users. This can be secured via a S106 Agreement.

On balance, the proposal is acceptable in land use terms and consistent with sections 5 and 11 of the National Planning Policy Framework (2023); policies H1 and D3 of the London Plan (2021); policies 1.1 (a) (b) (e), 1.2 (b), 2.1 (a) (c), 2.10 of the adopted Ealing Core Strategy (2012), and policies 4A and 4B of the Ealing Development Management DPD (2013).

Housing Land Supply

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

The Council is currently compiling the evidence needed to confirm its position regarding the level of deliverable supply, and once completed this will be documented in an update to the latest AMR (October 2021). For reasons outside the Council's control the completion of this exercise has been delayed awaiting the migration of missing pipeline data into the GLA's Planning London Datahub. The GLA's London Development Database (a 'live' system monitoring planning permissions and completions) was replaced in 2020 by the Planning_London Datahub. During this transition between

databases, there was a gap in coverage where neither database was operational and this prevented permission data being captured for a significant period, which has given rise to the incomplete pipeline. This incomplete pipeline poses a significant barrier to establishing future levels of deliverable supply. Typically, most of the supply identified through a five year land supply is expected to be derived from the pipeline of permissions.

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

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

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

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

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

Mix of Residential Units

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

- the ability of new development to reduce pressure on conversion, sub-division and amalgamation of existing stock;
- the need for additional family housing and the role of one and two bed units in freeing up existing family housing;
- the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

In this context, the proposed 95 residential units would comprise 1 and 2 bedroom units but with 54% comprising larger, family-sized 2 bedroom/4 person, as shown below. In addition, the site is close to a town centre and both rail and underground stations and has very good public transport access.

Quantum of Proposed Residential Provision	
1 bedroom / 2 persons	37 (39%)
2 bedrooms / 3 persons	7 (7%)
2 bedrooms / 4 persons	51 (54%)
Total	95 (100%)

The Council’s Housing section requested a number of 3 bedroom or larger units be included in the housing mix given the severe shortage of larger, family sized homes for affordable rent in Ealing.

The GLA Stage 1 report noted that the proposal would provide only 1 and 2 bedroom units and, considering the future high PTAL of the site, once the Elizabeth line becomes operation, this could be acceptable in strategic planning terms. However, it also indicates that Ealing Council should confirm whether the proposed mix would acceptably respond to local needs. On balance, given the nature and location of the development, the proposed mix is considered acceptable.

Affordable Housing

Policy H4 of the London Plan (2021) sets a strategic target of 50% of all homes to be genuinely affordable. Unless justified through detailed viability evidence, Policy H5 requires a minimum of 50% affordable housing on SIL sites appropriate for residential uses in accordance with Policy E7 where the scheme would result in a net loss of industrial capacity. The Ealing Core Strategy sets a borough-wide strategic target of 50% affordable housing.

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

The affordable housing offer on the application site is for a total of 33 affordable units and 87 habitable rooms. This equates to 35% of total habitable rooms and 35% of all units proposed. The breakdown of these units by size is indicated in the Table below. The revised scheme would have the same affordable tenure mix and unit size breakdown as the previously approved scheme.

Flat Size	Affordable Units	Market Units	Total Units
1 bedroom / 2 persons	12	25	37
2 bedrooms / 3-4 persons	21	37	58
Total	33 (35%)	62 (65%)	95

Flat Size	No. of Affordable Units	No. of Affordable Habitable rooms	Affordable rooms as % of Total Rooms
1 bedroom / 2 persons	12 (33%)	24	32.4%
2 bedrooms / 3-4 persons	21 (67%)	63	36.2%
Total	33 (100%)	87	35.1%

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

Flat Size	London Affordable Rent	Shared Ownership	Total
1B/2P	4	8	12
2B/3-4P	6	15	21
Total	10 (30%)	23 (70%)	33

The proposed tenure of these affordable units by habitable rooms is shown below.

Flat Size	London Affordable Rent	Shared Ownership	Total
1B/2P	8	16	24
2B/3-4P	18	45	63
Total	26 (30%)	61 (70%)	87

The GLA Stage 1 report noted that the development provides the minimum 30% element of low-cost rent and intermediate but the remaining 40% is weighted in favour of intermediate, in conflict with the Local Plan and contrary to the presumption set out in Paragraph 4.6.2 of the London Plan, which seeks this 40% to focus on Social Rent and London Affordable Rent. It strongly encouraged the applicant to revise the proposed tenure mix to follow the Fast Track Route.

The Council’s Housing section noted that this development is proposing 35% affordable housing on a habitable room basis but with a tenure split of 70% intermediate and 30% London Affordable Rent. This conflicts with the split of 60% London Affordable Rent /Social rent and 40% intermediate which is the Council’s preferred tenure mix. On that basis, the proposed mix was not supported. As the scheme was not providing the required tenure split, they sought a financial viability appraisal and an early stage review was also requested.

The Housing section also noted that, while 10 units for affordable rent are proposed, it needed to be confirmed that these are at London Affordable Rent or social rent levels which are genuinely affordable. The mix of units should also have 2 bedroom units which are 2 bedroom/ 4 person rather than 2 bedroom / 3 persons as these would be more useful to families awaiting affordable housing.

In addition, the proposed intermediate tenure would include 8 x 1 bedroom and 15 x 2 bedroom units. If these are to be provided as shared ownership homes, the affordable provider should aim to make these affordable to a range of incomes and not all be pitched at the top end of the shared ownership eligible income (£90,000 p. a) and information on affordability levels for the intermediate homes provided.

The applicant submitted a viability appraisal with the application which concluded that the scheme could not viably support affordable housing or planning obligations above those already proposed. A further viability assessment based on replacing shared ownership units with London Living Rent confirmed this would reduce viability further. This viability appraisal was reviewed by the Council’s financial viability advisers, DVS, who concluded that the scheme is not viable but understands the applicant is willing to proceed on this basis. They also recommended both an Early Stage Viability Review and a Late Stage Review.

The GLA has also indicated that the S106 agreement must contain an early stage viability review to be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted. A late stage review would also be required if the scheme cannot follow the Fast Track Route.

Overall, the proposed affordable tenure mix can be considered acceptable in this case given the confirmed viability constraints of the scheme.

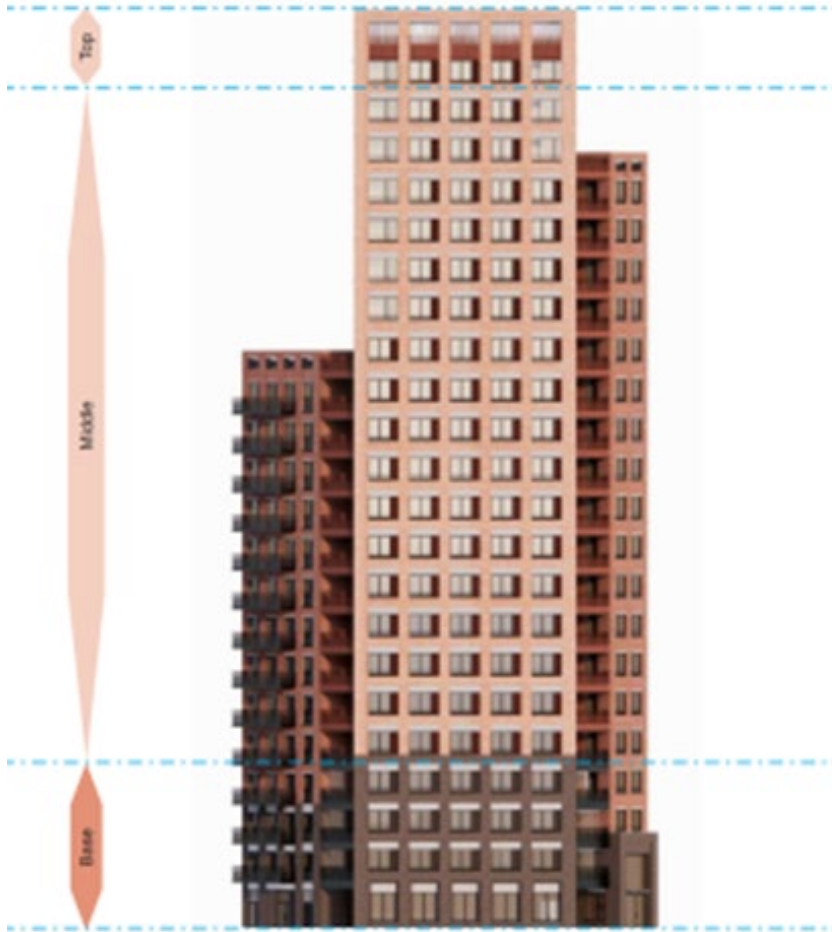
Scale of Buildings

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

This development of up to 23 storeys can be considered as a tall building. The site is not identified as appropriate for tall buildings in the Ealing Core Strategy or Development Management DPD, the Development Sites DPD or through any SPD or Area Action Plans and is not within a town centre. In that context, the GLA Stage 1 Report notes that the proposal would not comply with the locational requirements of Policy D9. However, it acknowledges that the site lies in the ‘Southall Gateway’ character area as defined by the Southall Opportunity Area Planning Framework (OAPF), which indicates potential for taller buildings. A number of tall buildings have also been approved nearby.

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

- a) **avoid harm to the significance of heritage assets and their setting:** the proposed building is not in a conservation area and the Heritage Report confirms it would not significantly affect any listed buildings, the nearest being 175m away; it also concludes there would be no harmful effect on the setting of any local listed buildings nearby;
- b) **in long-range views ensure careful design of the top of the building, contribute positively to the existing and emerging skyline and not adversely affect local or strategic views:** the building would be seen in the context of other tall buildings approved nearby and would not affect any important views; the top has been designed to appear less ‘heavy’ than the base by grouping of elements, and giving the appearance of a ‘crown’ at the top of the building; this crown is similar to the top of King’s House, making the two buildings look like part of the same ‘family’;
- c) **in mid-range views from the surrounding neighbourhood make a positive contribution to the local townscape in terms of legibility, proportions and materiality:** the visual proportions of the middle of the tower would appear different from each direction; this is achieved by providing shoulder ‘flanks’ to the building, which step down to respect the context of the existing and emerging context; when viewed obliquely to the main building façade, the flanks of the building would sit within the silhouette of the main building mass, helping reduce the visual mass of the building, and making the tower appear more slender; this can be considered to make a positive contribution to the local townscape;
- d) **individually or as a group, to reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding:** the proposed scheme would complement the emerging skyline of buildings of up to 23 storeys around the roundabout and provide a marker to Southall Station and to The Green; this would improve wayfinding to the transport infrastructure, and retail, commercial and community uses along The Green.



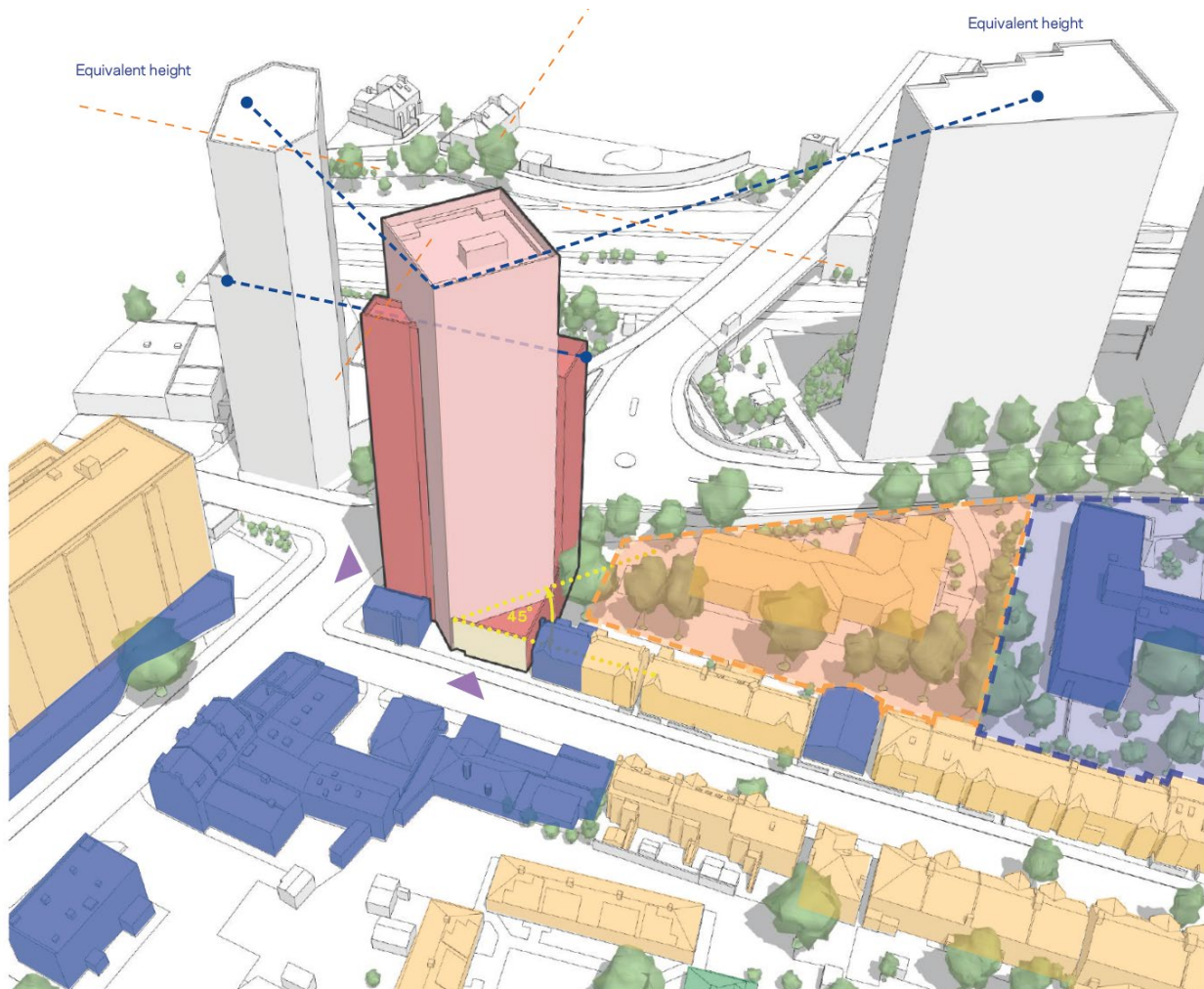
Proposed Elevation

- e) **architectural quality and materials to be of an exemplary standard:** the architectural quality of the building is considered to be of a high standard and is designed with high quality and durable materials; the main cladding material would be brick, with complementary tones between its various massing elements, and the surrounding context; the elevations are designed with bespoke and well-detailed window elements to make the scheme high-quality in both far and near views;
- f) **the base of the building to have a direct relationship with the street, maintaining its pedestrian scale, character and vitality:** the base of the proposal would be defined by a dark red / purple brick, reflecting the brick of the existing building; the stepped heights of the proposed base would mimic the stepped façade of the existing building, as well as provide a stronger base to the larger/taller elements of the massing; the 2-4 storey height of the base would give a more human scale, reduce visual mass and soften the pedestrian experience; where the building meets neighbouring properties of 2.5 storeys, it would incorporate a shoulder of similar height, to tie the elevation into the existing properties; the scheme also incorporates communal / community space at ground level with glazing towards the pavement to reinforce the pedestrian scale.
- g) **not cause adverse reflected glare and minimise light pollution from internal and external lighting:** the main cladding would be brick, with restrained fenestration provided as inward opening casement windows at cill height; these elements / materials will reduce or eliminate potential glare and no objections have been raised on this point; the reduced area of glazing would also reduce internal light spill; the scheme will not incorporate any upward lighting to the main façade, nor at

roof level; lighting in the public realm would be minimised, while still adequate to ensure safety and security and lighting to the communal / community use at ground level would be designed to avoid light spill onto the public realm.

- h) **entrances, access routes, and ground floor uses should be designed to allow for peak time use and to ensure no unacceptable overcrowding or isolation in surrounding areas:** the applicants note that entrances and accesses (including to cycle stores, bin stores, and plant areas at grade) have been designed to avoid intrusions on the public realm; the main entrances would have generous lobbies with glazing towards the public realm, and provide significant hardstanding within the site boundary to ensure the development would not cause overcrowding or collisions within the adjoining public realm areas.
- i) **noise, wind, daylight, sunlight penetration and temperature conditions around the building not to compromise enjoyment of open spaces around the building:** the slender profile of the tower would not create significant overshadowing, with most overshadowing towards the public highway and roundabout, and not affecting any public open spaces; the scheme has also undergone extensive daylight/sunlight and wind testing, demonstrating that the proposal (and its cumulative impact with emerging development) does not have a detrimental effect on the environment of adjacent open spaces and public realm.
- j) **internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants:** the scheme has been designed and reviewed alongside a fire engineer; a Fire Statement accompanies the application with details of layout, emergency access and escape routes and facade/materials and a condition will ensure implementation to accord with this; in addition, brick is to be used as the cladding material because of its inherent non-combustible characteristics.
- k) **must demonstrate that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport:** the development would be car free and well connected to public transport, reflected in its good PTAL rating, which will greatly improve with full service on the Elizabeth Line; due to the high level of local bus and train services, there should be minimal traffic impacts; the site is also located within a reasonable walking and cycling distance of a wide range of facilities and amenities, including, education, health, leisure, retail and employment; the Council's transport section consider impacts on the transport network will be acceptable with the required S106 contributions to infrastructure and bus services;
- l) **jobs, services, facilities and economic activity provided by the development should inform the design so it maximises the benefits these could bring to the area:** although the proposal is a predominantly residential scheme, it includes community space on the ground floor; this has been developed in consultation with local community groups and reflects a lack of local assembly/meeting spaces for various group sizes; a steering group will lead further development of the space and its potential uses to maximise benefits to local residents and community groups; the proposed public realm improvements will also greatly improve the footpath area beside the site, improving the local environment and making the area more accessible.
- m) **free to enter publicly-accessible areas should be incorporated into tall buildings where appropriate:** the proposal includes an element of communal / community space at ground floor level; this space will be available to community groups to book for a variety of uses, at no cost.
- n) **proposals for tall buildings should positively contribute to the character of the area:** the proposed building would provide a high quality development, a marker for Southall station,

improvements to the public realm beside the station and a new meeting/function space for the local community; this can be considered to positively contribute to the character of the area.



Height Relationship to Adjoining Buildings

The development should also be considered within the emerging skyline of Southall, where a procession of high-rise, high-density buildings are approved or built between the former gasworks site to the west and various developments south of the railway line to the east. This includes buildings rising to 23 stories at King's House, Merrick Place and the Malgavita Works site and the Southall Waterside development of up to 19 storeys. The proposed building would complement this developing skyline, by filling a gap in it. It would also complete a trio of towers around the roundabout beside the station, and provide a marker to the entrance to The Green and the railway station.

On this basis, the proposed tall building can be considered to accord with most of the London Plan Policy D9 design guidance criteria.

The proposals have also been considered in the context of the recently published Ealing Housing Design Guidance (January 2022) which sets out various guidelines for developments including tall buildings. Many of these mirror the criteria in London Plan Policy D9. While the evolution and submission of the application pre-dated this Guidance, the proposals accord with some of the Guidance principles, including being designed with varied heights to provide visual intricacy across the

existing skyline, aiding legibility and wayfinding, providing an active frontage, being subject to visual impact testing and 3D modeling of nearby, mid-range and long distance views. It also provides shoulder blocks to modulate the overall composition of the massing and provide a transition between the new, taller elements and the scale of existing buildings. New, publicly accessible landscaped open areas are also provided to enhance outdoor amenity. However, it does not comply with others such as being part of a larger site over 0.25 ha and not obviously considering lower/medium rise forms of development, which may however reflect viability concerns on such a small site.

Overall, the proposed tall building would accord to an acceptable degree with London Plan Policy D9 and Ealing design guidance criteria. On balance, a reasonable case can be made for this tall building to be acceptable on this site.

Design and Character

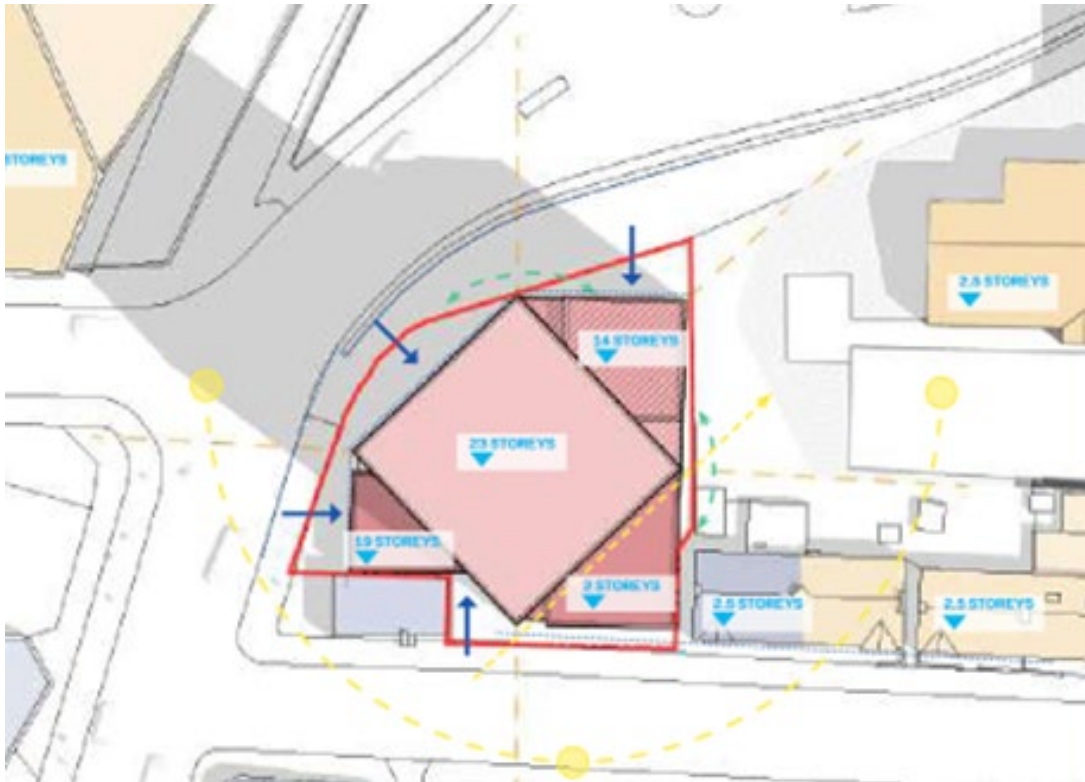
Policy D3 of the London Plan 2021 indicates housing developments should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy,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

This development was not assessed by the Design Review Panel but has evolved following extensive pre-application discussions with planning officers.

The proposed development comprises a main residential building of 22 storeys above a basement level and with attached side elements of 14 and 19 storeys. The plan form of the building would appear as a square rotated within a larger square. The main, taller element would be set at a 45 degree angle to the Hortus Road street edge, with the lower, side elements aligned to the street edges. This allows the main elevations to be set back from the edges of this irregularly shaped site and reduce the visual impact, while avoiding prominent elevations facing adjacent sites.

The main design change in the revised scheme is an increased size of core area to accommodate an additional staircase and lift. This has resulted in changes to the north west and south east elevations of the taller block in the form of a shallow angled protrusion (or vertical crease) on both these elevations.

The height of the taller element would be similar to that of adjoining approved buildings at Kings House and the Arches site on Merrick Road. It would have a well defined base, middle and crown differentiated by different colors of brick, window sizes and decorative metal panels. The varied heights of the side elements would create a stepped effect, visually reducing the overall massing. This would be reinforced by the different shades of brick used to differentiate the side elements from the main, taller element. The elevations contain windows in a regular grid with both protruding and inset balconies added to the side elements to vary the built form.



Double height lobbies at ground level would provide the main entrance off the Green with a further entrance on Hortus Road. A flexible space for community/residential amenity use at ground floor level would extend along the north-western facade, with glazing on to the extended pavement. To provide active street frontages and overlooking of the street, the residential lobby would have a full width window fronting Hortus Road.

An active frontage to The Green would be provided by the entrance to the residential lobby and the flexible community/amenity space located there with four large windows onto the street which are angled so as to provide an active frontage on both external sides of the space.

Whilst some tall buildings have been approved in this area, including very close to the site, these buildings are located along the railway line at a greater distance from low-rise residential buildings. The GLA Stage 1 report notes the proposals would constitute a radical change in scale in this peripheral location with almost no transition from the suburban 2.5 storey buildings to the proposed 23 storey tower.

The applicants argue that, along Hortus Road, the scale of the building would reduce to transition to the existing, 2 storey semi-detached houses as follows;

- the height of the proposed building on this elevation would reduce to 2 storeys, to match the existing adjacent property;
- the scale of proposed ground floor windows along Hortus Road would reduce to reflect those in the adjacent houses;
- apertures to the amenity space at level 1 would provide natural surveillance to the street, provide a more active frontage, and visually lighten the massing;

- landscaping would direct pedestrians towards the building entrance, and soften the utilitarian access area.

The GLA's initial comments indicated that the development did not provide the design quality required for the site. It considered the proposed architectural treatment to be very regular and potentially overbearing at this height. The change in materials/tones was not considered sufficient to mitigate the height/scale of the proposals, which currently appear 'top heavy', with no setbacks from lower to upper floors. It required the individual elevations to be more varied, to reflect their different orientation. In addition, banding groups of floors together, with a more clearly defined base to the building, was recommended. Improvements to make the ground floor frontages more active and to the public realm and landscaping were also sought.



View of Proposed Building from Hortus Road

In response to the comment on the height/scale appearing 'top heavy' and overbearing, revisions made included window grouping at the crown of the building and more variation added through development of architectural details, such as addition of a dark grey brick panel above windows, of varying scale depending on their position on the elevation. These revisions aimed to achieve 'lightness' by grouping of elements, suggesting larger 'apertures' to the main brickwork of the building, and giving the appearance of a 'crown' at the top of the building. Architectural louvres grouped with the windows at the top of the building would be made of metal, with a narrow profile and their lightness in terms of colour and material would contribute to an appearance of visual 'lightness'.

With regard to making individual elevations more varied, aside from varying the architectural treatment for each massing element, the revisions vary the number, size and proportion of windows within each façade in response to their orientation, so that a façade with a northern orientation, for example, would contain a larger proportion of glazing and a portrait window design that reaches the floor level. As noted earlier, an active frontage to The Green would be provided by residential entrance and the flexible community/amenity space located there with four large windows onto the street angled to provide an active frontage on both external sides of the space.

The design changes in the revised scheme to reflect the extra fire stairs are not considered to significantly alter the appearance of the building or its acceptability in visual terms. This is accepted by the GLA.

On balance, with the amendments made, this proposal is considered acceptable in design terms and consistent with the objectives of section 12 of the National Planning Policy Framework, policy D3 of the London Plan (2021), and policy 7.B of the Ealing Development Management DPD.

Materials

The primary material would be red brick reflecting that on existing buildings nearby. The north and west elevations would have a darker red brick than the north west elevation. However, the base of the tower would be clad in a darker grey brick up to fourth floor level of the main facade. Pre-cast, light grey lintels and anodised metal panel accents would be added to the windows to add colour and texture. The crown of the building would be emphasised by a decorative red metal element that would be seen in longer views.

The proposed types of materials are considered acceptable in principle. However, as requested by the GLA, a condition is applied to require approval of specific colours/materials.

Heritage Impacts

The proposal involves a part 23, part 19 storey and part 14 storey building that would be seen from several viewpoints around the site. London Plan Policy D9 requires tall buildings to avoid harm to the significance of heritage assets and their setting, to contribute positively to the existing and emerging skyline in long-range views and not adversely affect local or strategic views, and to make a positive contribution to the local townscape in mid-range views in terms of legibility, proportions and materiality. A Townscape, Heritage and Visual Impact Assessment accompanies the application to assess the impact of the proposal on the surrounding townscape. A total of 12 views from different locations around the site were assessed. Its main conclusions with regard to heritage impacts were:

- the nearest listed buildings are the Grade II* listed Southall Manor, the Grade II listed War Memorial near the historic Green, and the Grade II listed Water Tower to the north west of the site;
- no harm will arise from the proposal to these heritage assets or their setting; the buildings around The Green are some distance from the site, 175 - 280m, and the proposed development would appear in background views rather than dominate the skyline or their settings;
- with regard to nearby locally listed buildings, the Arches building has approval to be redeveloped with a 23 storey building and others such as the Banqueting Hall/Community Centre would see a significant change in their context from other tall buildings approved nearby and the proposed development would be a further addition to the skyline, enhancing their setting.

The GLA Stage 1 report indicated that a Zone of Theoretical Visibility map should be provided to confirm whether the proposal would cause any harm to the significance of the statutory listed buildings, particularly on the Water Tower, and any harm to heritage assets should be considered against the public benefits of the scheme, as required by the NPPF.

A map showing the Zone of Theoretical Visibility was submitted. Taking this into account, it is not obvious that the proposal would cause significant harm to nearby heritage assets and any harm would be less than substantial. Balanced against this, the benefits of the proposal would appear to be:

- provision of 95 new flats including 33 affordable dwellings on a derelict commercial site;
- improvement of the appearance of a prominent site adjoining the new Elizabeth Line station and a gateway to Southall town centre;

- improvements to the public realm, landscaping and pedestrian access beside the site;
- provision of new community assembly/function space close to Southall town centre.

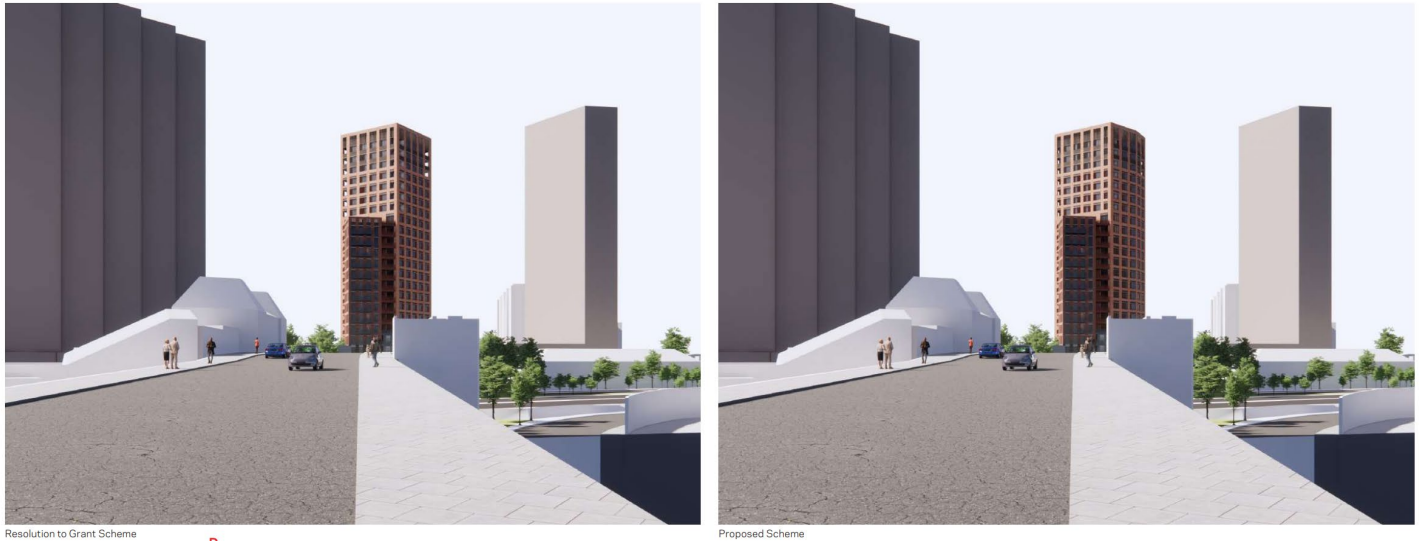
Townscape and Visual Impacts

In relation to the more general visual impacts of the development, the Townscape, Heritage and Visual Impact Assessment report concludes:

- the proposed height of 22 storeys above ground is an appropriate response to the cluster of tall buildings approved nearby and would bring greater coherence to this group by complementing the skyline and creating a gateway into the urban centre;
- in views from suburban streets to the east and west, the relatively simple built form would complement the suburban context and create a focal point within the townscape; from the south, away from The Green, the proposal would result in a more composed 'landmark' cluster, with the proposed developments at Margarine Place, Merrick Place and Kings House;
- from Hortus Road, the proposal would sit in front of the Kings House development and be prominent in the view; its presence will animate currently somewhat desolate and uninviting streetscape there and highlight the changing urban context at this location;
- from Southall Cemetery, the proposal will rise to a greater height than other background elements, but owing to its separation distance would remain a relatively insignificant element in this view;
- from the historic Green to the south, the proposal would rises to a height greater than the existing built form, but the two would read comfortably together, and there will be no adverse effect on the aesthetic qualities, or historic significance, of the memorial.
- from the Southall War Memorial, the proposal would appear as an elegant counterpoint to the historic Green and its mix of building forms; it would form a cluster with the Kings House and Merrick Place developments, marking the gateway into the opportunity area and improving the legibility of this part of Southall.

This assessment concludes that the siting and overall scale and massing of the building will ensure that it appears as a high quality building and positive landmark within the Southall skyline, bring greater coherence to the emerging group of tall buildings close to the railway station and, when seen alongside other developments, create a focal point in the townscape and improve the legibility of the area around Southall Station. The recent design revisions do not alter that conclusion.





View of Proposed Building from north with adjoining approved schemes

On balance, while this is a high, prominent building, it is considered to fit reasonably well into the townscape of a part of Southall that is already dominated by other tall buildings and to complement these as well as provide a well-designed, landmark feature beside the new railway station.

Impacts on Residential Amenity

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

To the north, across Merrick Road, is Southall railway station. This over 100m from the site and separated from it by the busy road and an area of surface car parking.

To the west, the site is bounded by The Green, a busy road across which lies a 10 storey block of flats (Phoenix Court) and Kings House, a 3 storey office building. The nearest windows in the existing block of flats would be over 30m from the proposed development. The Kings House offices have approval for redevelopment to a 20 storey block of flats. This development would also lie just over 30m from the western elevation of the proposed development and on the other side of a busy road. No unacceptable overlooking or overbearing effects appear likely here.

To the north east is Maypole Court, a 2 storey block of flats. The flank wall of these flats contains windows and would be some 20m from the proposed development. Some windows, balconies and communal amenity areas in the proposed development would face these windows but the separation distance and intervening trees should prevent unacceptable overlooking. On balance, no unacceptable impacts on amenity appear likely here.

Immediately to the east are 2 storey dwellings along Hortus Road. The flank wall of the nearest property would be only a few metres from the proposed development but contains no windows. This property also appears to be occupied as solicitors' offices. No unacceptable overlooking or overbearing effects on these dwellings appear likely here. Some windows, balconies and communal amenity areas in the proposed development would face the rear gardens of Nos. 5 - 9 Hortus Road

with a separation of only 13m. However, No. 5 is occupied by offices and the rear gardens of the adjoining dwellings are very small and partly screened by large trees, and there appears limited potential for overlooking.

To the south along the Green and across Hortus Road are single storey commercial properties. Beyond these are ground floor commercial properties with flats above. These flats have no windows in their facing flank wall and would be over 20m from the nearest face of the proposed development. No unacceptable overlooking or overbearing effects appear likely here.

There are also flats at Martin Court but these lie some 45m to the north west across a busy road and no significant impacts on these are considered likely.

In light of these considerations, the revised proposals raise no concerns in terms of privacy for existing dwellings nearby.

There are no national planning policies specifically relating to daylight, sunlight or overshadowing. However, Policy D6 of the London Plan indicates that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, with regard to overshadowing.

A Daylight/Sunlight Assessment accompanies the application and assessed the following existing nearby properties 1-18 Martin Court, Phoenix House (TRS Apartments), 1-16 Maypole Court, 7, 9 and 11 Hortus Road and 29 The Green.

The Vertical Sky Component (VSC) test was first applied. This measures the amount of sky visible at a specific point on the window, which reflects the amount of daylight received at that point. If windows achieve a VSC below 27% and have existing levels of sky visibility reduced to less than 0.8 times their former value, there would be a 'noticeable' impact to daylight.

The No-Sky Line (NSL) test calculates the distribution of daylight within the room by determining the area of the "working plane" which can receive a direct view of the sky; a 'noticeable' impact to daylight occurs when levels of NSL within rooms are reduced to less than 0.8 times their former value.

For the Maypole Court flats, 10 windows and all rooms were assessed to experience VSC and NSL reductions of less than 20% which the BRE concludes would be unnoticeable. Four other windows would have VSC reductions from 28% to 31%, which would exceed BRE Guidance and be noticeable, but this reduction is assessed as of minor significance. Each room is also served by a secondary window that remains unaffected by the proposed development. The assessment also notes that the retained VSC values for these rooms would be above 20%, which is said to be very good for an urban locality. Overall, the impact on these flats is assessed as minor and acceptable on balance.

For Nos. 7 and 9 Hortus Road, the assessment indicates that 11 of the 12 windows would experience unnoticeable VSC reductions of less than 20%, whilst all rooms would experience unnoticeable NSL reductions. The only noticeable VSC reduction (of 23%) would be to a window in 7 Hortus Road and this impact is considered by the assessment as small and commensurate with conditions in an urban area.

For No. 11 Hortus Road, the assessment indicates that 2 windows would experience borderline reductions of 28% and 29% and retain VSCs of around 19%, and a further 2 windows would experience slightly larger reductions of 39% and 44%. However, each room is served by multiple windows and the impact to daylight distribution as measured by NSL remains compliant with BRE Guidance. Overall, the daylight impact is considered acceptable.

For the mixed use property at No. 29 The Green, 4 of the 5 windows are expected to experience noticeable reductions of VSC at between 27% and 32%, but none of the rooms would experience noticeable NSL reductions as these would all remain less than 20%. The assessment notes that the retained VSC would be at least 20%, which it considers very good for an urban locality. Overall, these impacts are assessed as of minor significance and acceptable on balance in an urban area such as this.

For the 10 storey TRS Apartments across The Green, the assessment found the great majority of windows would experience compliant VSC daylight reductions of under 20%. Only 3 windows would have marginal reductions of between 20.3% to 23.7%. Since all rooms would have BRE compliant changes on the NSL test, the overall daylight impact is considered very minor in nature.

For the 2 storey 1-18 Martin Court building to the north of the site, most windows would experience BRE compliant reduction in daylight of under 20% on the VSC test. Some 17 windows would have borderline reductions of between 20.3% and 27.7%. Only one room would experience a borderline reduction of 23.3% on the NSL test. On that basis, the overall daylight impact on this property is considered minor significance and acceptable on balance.

Overall, this assessment concluded that the proposed development would be acceptable in amenity terms within this urban location.

The revisions to the scheme have not significantly changed its previous limited impacts on adjoining properties. On balance, taking account of the flexibility advised by BRE Guidance in dense urban areas, the proposals are not considered likely to have unacceptable impacts on the amenity of nearby properties.

Quality of Residential Accommodation

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

Type/Size of Units	Accommodation Sizes	Minimum Size Required
1B/ 2 persons (37 units)	50 – 68 m ²	50 m ²
2B/ 3 persons (7 units)	61 – 71 m ²	61 m ²
2B/ 4 persons (51 units)	70 – 71 m ²	70 m ²

This shows that, while flat sizes in the revised scheme are up to 1-2 sq m less than in the previously approved scheme, all would still meet the minimum spatial requirements in terms of floor area. Based on a sample of flats, the proposed room sizes would also meet relevant standards.

London Plan Policy D6 indicates that developments should minimise the number of single aspect dwellings, and particularly avoid single aspect dwellings facing north, or those containing three or more bedrooms. It seeks residential units to provide dual aspect living accommodation that would ensure better daylight, a choice of views and natural cross ventilation for future occupiers. In this context, all the flats in the revised scheme would still be dual aspect units. On this basis, the development can be considered to comply to an acceptable degree with London Plan Policy D6.

The initial GLA Stage 1 report supported the proposed layout with four units per core and 100% dual aspect flats but noted it was unclear if the inset balconies would be enclosed like winter gardens and

requested the Council verify the quality of these private amenity spaces. The applicant subsequently confirmed that the inset balconies would be mostly open, with the exception of 6 winter gardens along The Green on the first, second, and third floors. The quality of these areas is considered acceptable.

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

This assessed 50 rooms which represented all of the residential first, second, third and fourth floor rooms within the proposed development. Since these are the lowest residential floors, this was indicated to reflect a worst case scenario since daylight generally improves higher within a building as since the windows will, generally, have a greater view of the sky. On that basis, all rooms assessed would meet the BRE Guidance figures.

The residential core of the building would be accessed through the entrance lobby with level access from the street via a fobbed access system. The flats would be served by stairs and two lifts with typically 4 flats per core.

The revisions to the scheme have not significantly altered the sizes, outlook or other living conditions of the proposed flats. On this basis, it is considered the proposed residential units would offer a good standard of living conditions and would therefore comply with policies 7B and 7D of Ealing's Development Management DPD and London Plan Policy D6.

Accessible Units

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

In this context, the scheme would include 10 wheelchair accessible units, all 1 bedroom / 2 person flats. This equates to 10% of the total and meets the requirement of Policy D7. In response to GLA Stage 1 comments, the applicant has confirmed that these units would be distributed across all tenures, and be generously sized units with dual aspect.

Outdoor Amenity Space

In terms of private amenity space, London Plan (2021) Policy D6 and Policy 7D of the adopted Ealing Development Management DPD (2013) requires all new residential development to have good quality private outdoor space, in accordance with minimum required levels. The policy requires a minimum of 5 sq m per 1 – 2 person unit and 1 sq m in addition for each additional occupant. Policy 7D also requires a minimum of 15 sq m of communal outdoor space per residential unit.

All the flats would have private amenity space. The majority of units would have inset balconies, with 14 units having projecting balconies. The projecting balconies would be located on the lowest 15 storeys on the northern side of the building. These private amenity spaces would be between 5.2 sq m and 28 sq m in area depending on the size of unit. The table below compares proposed provision with the minimum requirement by type of unit. This shows that all units in the revised scheme would still have balconies that meet or exceed the minimum requirement.

Unit Type/Size	No. of units	Minimum Required	Private Amenity Space provision
1B/ 2 persons	37	5 sq m	5.0 – 9.3 sq m
2B/ 3 persons	7	6 sq m	6.3 – 9.3 sq m
2B/ 4 persons	51	7 sq m	7.0 – 7.2 sq m
Total	95		

External communal amenity spaces would be provided on the first (78 sq m) and 14th (60 sq m) floors. Both the upper amenity areas would be accessible from the shared central core and designed to provide children’s play space. A 1.5m brick parapet around the 14th floor amenity area would provide protection from falling and winds, with safe views possible through balustraded openings at low level in the parapet wall.

An internal flexible space (92 sq m) available to residents as well as the local community is also proposed at ground level.

Based on local and London Plan planning guidelines, this development of 95 flats would require 584 sq m of private amenity space and 1,425 sq m of communal amenity space, or 2,009 sq m in total. By comparison, 803 sq m of outdoor amenity space is proposed consisting of:

- private amenity space in the form of balconies (665 sq m);
- communal amenity space in roof terraces (138 sq m).

The shortfall in amenity space reflects the constraints of this small site. However, the Council’s Landscape section raises concerns on the serious shortfall in communal amenity space, but a S106 contribution of £76,800 has been agreed towards improved provision in Southall Manor House Grounds.

No allotment and community gardening space is proposed resulting in a shortfall of 305 sq m on required provision. A S106 contribution of £10,669 has been agreed for improvements to local allotments including the Bixley Fields and Western Road allotments.

S106 contributions were also sought and agreed for the shortfall of sports provision.

On balance, with the mitigating S106 contributions, the current proposals for amenity space are considered acceptable and to meet the objectives of the National Planning Policy Framework, policy D6 of the London Plan (2021) and 7D of the adopted Development Management Development Plan Document (2013).

Landscape & Urban Greening

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

The public realm area adjoining the site is currently neglected, lacks public surveillance and experiences a tunnelling effect with a narrow pavement between the existing buildings and the road.

The GLA Stage 1 report indicated that the proposals appeared to include little public realm and landscaping. However, some 23% of the site area would be provided and maintained as public realm. This will widen the pavement of The Green, particularly to the north-west of the site, and help alleviate the 'tunnelling' effect between the raised highway and the existing building. Widened pavements, direct desire lines, and integrated street lighting are also proposed to improve the public realm between the scheme and the raised highway with green planting areas incorporating both new trees and existing trees on the site's northern and eastern edges. Within this new greening, a small number of benches are also proposed.

The existing retaining wall to the road would be retained to provide a robust buffer to traffic and associated noise but a sculptural screen would be added to soften the vertical face. New landscaping is proposed on both The Green and Hortus Road frontages and would include a combination of flush and raised planters along both sides of the proposed footpath. Shade tolerant evergreen planting and climbers are proposed. The proposed design changes would slightly reduce the width of part of the public realm area but not significantly change it.

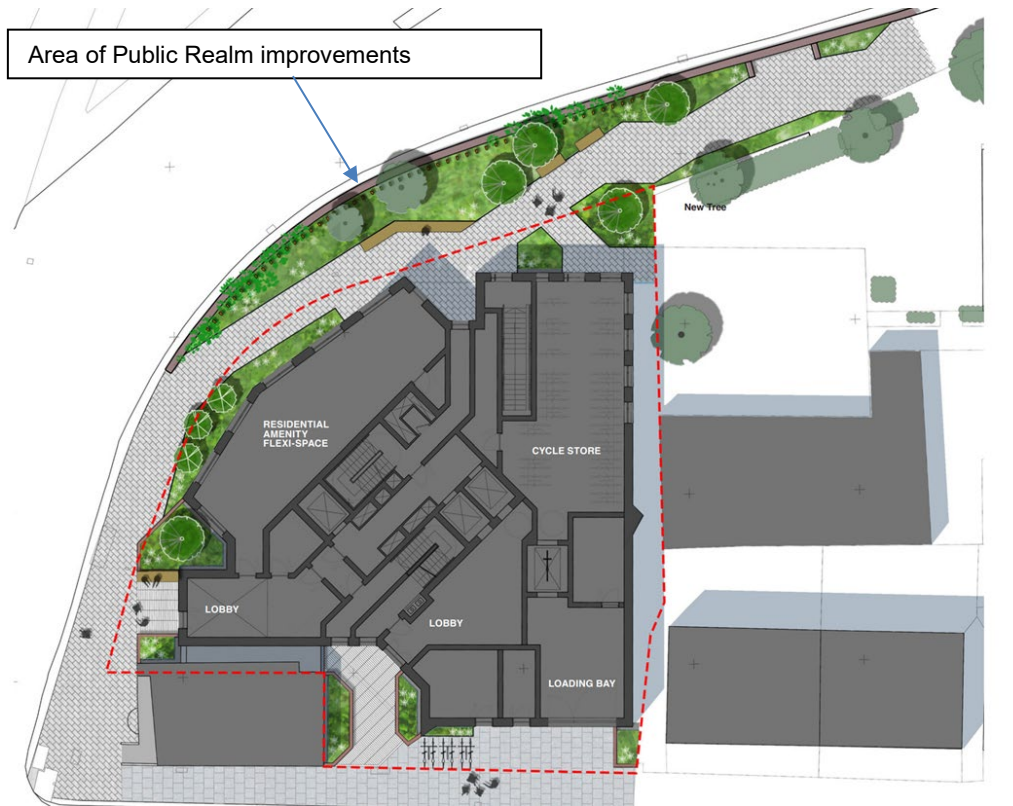


Proposed improvements to Public Realm adjoining the site

An Urban Greening Factor score of 0.4 is recommended for predominately residential developments. In this case, with the proposed landscaping, green roof, play areas, additional tree planting and permeable paving, the Urban Greening Factor is indicated to be 0.142. This falls well below the London Plan target and would not normally be considered acceptable. The applicant's response is that, due to the site's constraints, particularly its small size, opportunities for urban greening in addition to that proposed are limited. It is considered that this deficiency of the scheme is mitigated by the significant public realm improvements and landscaping proposed around the site.

Apart from the shortfall in amenity space, children's playspace, allotment and sports provision noted above, the Council's Landscape section raised concerns on the very low Urban Greening Factor score. It also noted the scheme lacks information on biodiversity net gain to demonstrate how the development will improve local provision of greenspace and biodiversity. While the landscape masterplan and palette proposals for the surface level urban realm are considered acceptable, there is no clarity on future ownership and long term maintenance on the land to be gifted to the public realm and landscaped, including the applicant and Ealing Council owned land. The applicants have since confirmed that all landscaping within their ownership would be managed and maintained by the

development's Managing Agent, and will be paid for via the residents' service charge. Works to the area outside of the applicant's control would be dealt with via a S278 Agreement.



Public Realm Improvements

In addition, the Landscape section raised concerns that the proposals did not address existing anti-social behaviour adjacent to the flyover with the new seating shown being north facing, likely to be cold and windy and to attract further anti-social behaviour unless well managed and well lit. The applicant's response is that the proposed public realm improvements would significantly improve this area, and create a much safer environment, with an active street frontage on the new building, passive surveillance from the flats above, improved lighting and security CCTV in place, and these factors should discourage potential anti-social behaviour.

Pre-commencement conditions have also been applied with regard to approval of details of:

- children's play area including safety surfacing and equipment;
- Hard and Soft Landscaping Scheme including Landscape Design and Boundary Treatment;
- a Landscape Management Plan for at least a 5 year period from implementation of final planting;
- green roof construction and specification, together with a maintenance schedule;
- sustainable urban drainage systems to be implemented on site.

A Tree Survey and Impact Assessment accompanies the application. This concludes that the proposed development would result in no tree loss and only minor impacts to retained trees and appropriate tree protection measures can be deployed to minimise harm. The proposed hard surfaces would replace

those already covering the site. New tree planting is also proposed within the new soft landscape areas of the site to complement the existing portfolio of tree cover.

In light of these responses, on balance and taking account of the constraints of this small site, the landscaping proposals are considered acceptable. This also reflects that conditions are applied requiring details to be approved of hard and soft landscaping, boundary treatment, a Landscape Management Plan, tree planting, and sustainable urban drainage systems to be implemented on site.

Ecology

An Ecological Impact Assessment accompanies the application and concludes that the site is dominated by common/widespread habitat types that are not of conservation concern and no mitigation measures were considered necessary for habitats. No evidence of bats was recorded.

Mitigation measures were recommended on a precautionary basis to avoid the risks of impacts to breeding birds, in relation to parts of the building that are accessible to birds. Recommendations were also made for ecological enhancement measures to benefit local biodiversity, in particular habitats, bats and breeding birds.

A condition is applied to require implementation of the above recommendations.

Children's Playspace

London Plan Policy S4 requires development proposals to provide play and informal recreation space based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and Policy S4 expect a minimum of 10 sqm per child to be provided in new developments.

Using the GLA Population Yield calculator, the proposed mix would generate the need for 209.4 sqm of play space. The proposals would provide 120 sqm of play space for 0-5 years on site and the applicant suggests that given the site's constraints and proximity to Southall Park and Minet Country Park, an off-site contribution would be made to offset for the shortfall of 89.4 sqm of play space for older children. The GLA indicate this could be acceptable in strategic terms, if secured via a S106 Agreement. The Council's Landscape section requested a S106 contribution of £13,410 to mitigate this shortfall.

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

Highways

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

The site is located in a Controlled Parking Zone (CPZ) with double yellow line restrictions on The Green near the site such that vehicles are not currently able to park on-street in the vicinity. Public transport accessibility of the site is very good. In this context, the proposed development would be car free.

In terms of cycle parking, Table T5 of the London Plan (2021) requires cycle parking at least in accordance with minimum standards set out in Table 10.2. This requires 1 space per 1 bedroom/1 person dwelling, 1.5 spaces per 1 bedroom/2 person dwelling and 2 spaces for all other dwellings. Requirements for the industrial and commercial space are based on floorspace. Overall, the proposed development would require 174 cycle spaces.

In this context, a total of 174 long stay cycle parking spaces are proposed for the flats. The majority of the cycle storage would be located within the basement but accessible from the ground floor via the staircase with wheeled ramp, and a separate lift. A further 6 cycle parking spaces for visitors would be provided within the site.

This level of provision would meet the minimum London Plan cycle parking standards and is therefore considered acceptable. However, TfL requires cycle parking to have a minimum of 20% in the form of Sheffield stands and minimum of 5% catering for larger or adapted cycles. It also wants short-stay cycle parking for visitors to be located externally and alternative means of access to cycle store to be provided in case of a lift breakdown.

In response to TfL comments, cycle parking has been amended so that 20% of total provision is in the form of Sheffield stands with a minimum of 5% catering for larger or adapted cycles. A condition is also applied requiring cycle parking provision to meet London Cycling Design standards.

The GLA Stage 1 Report indicated that the largely car free scheme would be acceptable but residents should be denied parking permits. It also sought confirmation that existing pay and display parking bays on Hortus Road could be altered to blue badge parking spaces. Concerns were raised about deliveries and servicing occurring on street with an off-street solution to be secured through a Delivery and Servicing Plan. It noted that the largest impact of the development will be on local bus services and sought a contribution of £100,000 towards providing an additional peak hour bus for five years. Conditions were requested to secure the final Travel Plan, and a Construction Logistics Plan that shows how construction traffic impacts on The Green will be avoided. Such conditions are applied.

Ealing Transport Services also initially objected to the proposal on the basis of lack of on-site servicing arrangements in a location with heavy traffic. However, following revisions, on-site servicing is now proposed with access from Hortus Road and this is considered acceptable.

Transport Services consider the proposal otherwise acceptable subject to the following:

- S106 contributions totalling £155,000 towards junction, footway and bus stop improvements, traffic calming measures, review of the existing CPZ, and improvements to pedestrian and cycle infrastructure near the development,
- an approved travel plan to be secured by S106 agreement with £3,000 contribution for monitoring;
- parking permits to be denied by S106 agreement for any new CPZ near or in the proposed housing estate;
- exploring potential to provide car club bays accessible by the public on the application site or on Hortus Road;
- free 3-year car club memberships to be provided to all residents of the development;
- disabled parking spaces and electrical vehicle charging points to be provided to GLA standards;
- conditions to be applied requiring approval of Construction / Demolition Method Statement, and Servicing and Parking Management plans;
- submission of plan with details of all cycle parking spaces, with long and short stay cycle parking spaces separated;

- submission of plan showing retaining walls and footways adjacent to the road junction and the proposed development; this plan has now been provided;
- exploring the potential to provide footways along the periphery of the development.

Given the small size of the site, it is not possible to include disabled parking within it. However, it is accepted that some on-street parking bays on Hortus Road could be converted to disabled spaces if required. Given on-street parking pressures in this area, there is limited scope to lose spaces, and as a compromise, the S106 Agreement includes provision for one parking bay on Hortus Road to be converted to a disabled space.

Transport Services also require the applicant to consult the Council's Highways Section on proposed footway works and carriageway changes proposed to The Green. Any works on the existing adopted highway will require a S278 agreement and a S38 agreement or stopping up order will be required for any adoption or stopping up of the highway.

With the recommended conditions and S106 and S278 obligations required, the proposal would be acceptable in terms of transport and highways and consistent with section 9 of the National Planning Policy Framework (2021), and policies T5, T6 and T6.1 of The London Plan 2021.

Environmental Pollution

The site adjoins a busy road (The Green) and overground railway and underground railway lines run nearby to the north of the site. These factors could give rise to noise, vibration and air quality impacts for the proposed residential units.

A Noise Impact Assessment submitted with the application concludes that adverse and significant adverse noise impacts can be avoided by design of the scheme. It also notes that noise levels at the proposed outdoor amenity areas can be considered acceptable.

Regulatory Services have reviewed the submitted Noise Assessment and do not object to the proposals. However, they noted that the upper floors would be exposed to direct railway noise although railway vibration is not an issue. They also raised concerns that 50% of proposed bedrooms would face roads with high traffic noise and that amenity spaces on the roadside and upper levels as well as north and west facing balconies may not provide adequate amenity space for the same reason.

The applicant responded to these points as follows:

- noise from the railway line is included in the assessment but is not significant in the context of the existing levels of road traffic noise;
- BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings and World Health Organization Guidelines for Community Noise is a reasonable basis to assess whether road traffic noise can be adequately attenuated and significant adverse impacts from noise on health and quality of life avoided;
- existing noise levels at the site (including low frequency noise) have been assessed by extended noise monitoring over a representative period of normal traffic activity and there is no reasonable basis to indicate that modern window units will rattle as a result of low frequency noise;
- noise levels at outdoor amenity spaces on Level 1 and Level 14 have been assessed and calculated noise levels at the Level 1 outdoor amenity space would be below the BS 8233: 2014 guideline level

of 55 dB LAeq,16hour and noise levels at the Level 14 outdoor amenity space would marginally exceed the BS 8233: 2014 guideline limit of 55 dB LAeq,16hr by up to 3 dB towards the perimeter of the space.

The applicants also confirmed that, to mitigate noise levels at the Level 14 outdoor amenity area, a purpose-built, solid noise barrier could be added to the perimeter of the space with an approximate height of 2m and minimum surface mass of 10 kg/m². A condition is applied to require this addition, which is allowed for in the submitted plans.

Various other conditions are also applied on noise insulation of building envelope, a post completion sound assessment, insulation between different uses/rooms, enhanced sound insulation between plant and dwellings, enhanced sound insulation of lifts and lift shafts, mitigation for plant/ machinery noise, anti-vibration mounts and a demolition/construction management plan.

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

- the likely impact of dust soiling and PM10 from construction activities would be low subject to appropriate mitigation measures;
- for the operational phase, predicted NO₂ and PM10 concentrations at the modelled receptor locations would fall within a category where there would be no air quality grounds for refusal, but mitigation of any emissions should be considered.

Regulatory Services note the development is in an Air quality Focus Area but raise no objections subject to conditions on filtered fresh air ventilation system, Air Quality and Dust Management Plan, diesel generators and Non-Road Mobile Machinery. A S106 contribution was also sought towards air quality monitoring and mitigation.

In relation to contaminated land, Regulatory Services noted no evidence of contamination from past uses and do not require any conditions to be applied.

On this basis, the proposed development would be acceptable in terms of these environmental factors subject to appropriate conditions and S106 contributions.

Wind and Microclimate

With regard to tall buildings, London Plan Policy D9 requires wind, conditions around the building not to compromise enjoyment of open spaces around the building.

The submitted Wind Microclimate Study indicates that wind conditions at the majority of locations within the site and surrounding area would be suitable for residential use in terms of pedestrian comfort and safety, with only a few minor exceedances, in terms of comfort only, particularly on the north facing balconies. In particular, the protruding balconies on the north elevation are identified as only suitable for use as viewing balconies.

With respect to the proposed balconies, it expects that wind conditions would be suitable, in terms of pedestrian comfort, for at least short-term sitting in summer and thus viewing balcony use. It notes that the balconies at the lower levels are likely to also be suitable for long-term sitting in summer, i.e. seating balcony use, but higher balconies would require additional mitigation to ensure amenable conditions e.g. solid balustrades with a minimum height of 1.5 m. A condition has been applied to secure this.

At ground level, the Study notes that wind conditions along the northern façade and away from the corners would be suitable, in terms of pedestrian comfort, for entrance use throughout the year. While the entrance to the generator on the north-west corner is indicated to be subject to windier conditions, given that this is a service entrance, the Study expects conditions here would still be considered tolerable, being suitable at least 90% of the time and otherwise suitable for leisure thoroughfare use.

Energy/Sustainability

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

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

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

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

It is accepted that the size and type of development is not suitable for a Combined Heat and Power system and there is no available “Clean” district heat network. The application instead proposes a communal ultra-low temperature Air Source Heat Pump distribution loop with dwelling Water Source Heat Pumps providing panel radiator space heating and domestic hot water.

With these measures, the overall site-wide CO₂ emissions would be cut by at least 68.82%, with a 33.69% carbon reduction through “Lean” efficiency measures, and 35.13% through “Green” renewable energy measures. This would result in a shortfall of 780 tonnes of CO₂ (over 30 years) in the zero-carbon target that will be mitigated through an “offset” S106 payment at £95 per tonne amounting to £74,100. If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver the carbon reductions predicted in the approved Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate any shortfall.

An Overheating/Cooling analysis with proposed mitigation measures has been carried out. Conditions have been applied which require implementation of the recommended carbon reduction measures and require Post-construction energy monitoring. The S106 contributions noted above would also be secured.

The submitted Whole Life Carbon Addendum confirms that the measures in the original Whole Life Carbon strategy (August 2021) are retained and that the development will be sufficiently compliant with the GLA Benchmark targets.

The submitted Circular Economy addendum confirms that the original Circular Economy statements (November 2021 and March 2022) will be compliant with the London Plan targets of diverting 95% of demolition/construction waste from landfill, putting 95% of excavation materials to beneficial on-site use, and supporting the diversion of 65% of Operational Waste from landfill by 2030.

The original GLA Stage 1 Report considered the energy strategy to be generally compliant with the London Plan energy policies but required the applicant to submit additional information. In particular further measures to minimise overheating needed to be explored and the be lean assessment updated. Further information was also sought on district heating potential and future-proofing and on the proposed heat pumps' performance while photo-voltaic energy potential should be maximised.

The GLA Stage 1 also requested the Council secure via a condition the submission of a post-construction assessment to report on the development's actual Whole Life Carbon emissions. It also requested a condition requiring submission of a post-completion report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement. These conditions have been applied.

While the GLA consider the energy report for the revised scheme to be generally acceptable, further information on the factors underpinning it were sought. The applicant has submitted updated Energy and Overheating reports that provide this information.

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

Crime Prevention

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

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

The Metropolitan Police have also raised concerns on potential terrorism activity and require conditions on:

- access control to the building which enables a dynamic lockdown to protect all users in the event of a marauding terrorist style attack;
- provision of signage prohibiting use of UAV/Drones on the communal amenity spaces.

These conditions have been applied.

Refuse & Recycling Storage

Policy SI 7 of the London Plan (2021) requires the design of developments to include adequate, flexible, and easily accessible storage space and collection systems. The London Housing

Supplementary Planning Guidance 2016 (standard 2.3.18) requires refuse stores to be accessible to all residents.

For the proposed 95 flats, the total refuse/recycling storage provision required would be broadly equivalent to 9,200L of refuse and 9,200L of recycling bins. By comparison, the proposed bin store would contain 18 large (1,100 ltrs) euro-bins and 2 smaller euro-bins (240 ltrs). The bin store would be located at ground level with access from Hortus Road and next to two residential lifts. It would also be within 10 metres of that road. This provision would be adequate in terms of Policy SI7.

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

Drainage and Flood Risk

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

A Drainage Strategy has been submitted and concludes that the below ground foul and surface water drainage networks have been designed to convey discharge from the site to the adjacent public sewers. The surface water network has been designed to utilise above ground sustainable drainage systems and restrict the discharge rate from the site to 2 l/s.

Thames Water has raised no objections to the proposals with regard to surface water drainage if the developer follows the sequential approach to the disposal of surface water. No objections are raised with regard to waste water network and sewage treatment works infrastructure capacity. Since the proposed development is within 15m of a strategic sewer, a condition is requested requiring approval of a piling method statement. In addition, it requires the applicant to incorporate protection to the property to prevent sewage flooding, by installing a positive pumped device, or an equivalent device reflecting technological advances.

The Council's Environmental Services (Flood risk/drainage) officer has not provided comments on the proposals. However, as with similar schemes nearby, conditions are applied to require approval of detailed drainage designs for SUDS features and a drainage management plan for SUDS components.

On this basis, subject to appropriate conditions being applied, the scheme is considered acceptable in its likely impact on drainage and flooding, and so accords with the NPPF, London Plan policies SI12; SI13 and SI17 and the Sustainable Design and Construction SPG (April 2014).

Digital connectivity

London Plan Policy SI6 requires development proposals to ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new developments, unless an affordable alternative 1GB/s-capable connection is made available to all end users. The GLA has requested a condition be applied to ensure that this is provided and secured.

Employment & Training

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

In this context, the Council's Regeneration section request that the developer produce a Local Employment & Training plan, which will set out commitments for both the construction phase of the development and end user opportunities. These would include:

- contribution of £12,500 towards apprenticeship/employment placement and monitoring;
- 7 apprenticeships during construction phase;
- 11 work experience opportunities;
- 25% of vacancies are to be filled by Ealing residents;
- provide details of local contractors/suppliers working on the site;
- links with local schools to enable work-related activities for students;
- all vacancies to be advertised through Council's job brokerage service;
- developer to support construction training programme to enable local residents to prepare and access opportunities onsite;
- penalty of £10,000 per apprenticeship not filled.

These commitments would be secured via the S106 Agreement.

Community Infrastructure Levy (CIL)

The London Borough of Ealing is a Collecting Authority on behalf of the Mayor of London. Mayoral CIL is currently set at £60 per sq m, subject to the indexation in place during the calendar year that the permission becomes a chargeable development. Liability is assessed after determination and the applicant will be sent a CIL Liability Notice if appropriate.

In this case, the proposed development involves 95 residential units, with an increase of over 5,600 sq m of residential GIA floorspace excluding affordable dwellings which are exempt from CIL. This indicates a CIL payment in the order of £336,000 subject to indexation is required but the actual amount will be calculated by the CIL officer.

Fire Safety

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

The Health and Safety Executive is now content with the fire safety arrangements in the revised scheme.

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

approved prior to the commencement of the development. Whichever the case, planning officers' appraisal of materials is focused on the visual impact of such materials in relation to the design of the overall scheme itself, the character of the local area or indeed on the amenities of local residents.

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

Conclusion

In assessing the overall acceptability of this scheme, it is important to consider the balance of its benefits and deficiencies.

This is another high building on a prominent site, near to 2 storey residential properties, in a location where other high buildings have been allowed. Because of the small site size, it is deficient in amenity space and children's playspace and unable to meet the London Plan target for urban greening. Although 35% affordable housing is proposed, reflecting viability factors, the tenure breakdown does not meet Ealing's preferred mix.

On the positive side, it will provide 95 flats and make an important contribution to meeting housing demand, including 33 affordable units. It complies with most London Plan criteria for tall buildings, and would complement the series of other tall buildings in this part of Southall, and not appear out of place in this context. It is not considered to have adverse impacts on nearby occupiers, nor to significantly affect heritage assets. The proposed design and appearance of the building is considered to be of good quality, with an active street frontage, and providing a landmark beside the new station. It would be car free in an area of very good public transport accessibility and not cause traffic or parking impacts. The development would provide high standards in terms of sustainable design and energy efficiency. In addition, some 23% of the site area would be provided and maintained as public realm and this will widen the pavement of The Green, add new trees, green planting areas, improved lighting and street furniture, significantly improving a neglected area. A flexible amenity/community space available to local groups would also be provided.

The current revisions do not significantly change this assessment of the acceptability of the scheme.

On balance, the benefits of the revised proposal are considered to outweigh its fairly limited deficiencies. With the range with of S106 contributions and planning obligations agreed, any potential impacts arising from the proposal will be satisfactorily mitigated. As such, it is recommended for conditional approval subject to S106 and S278 legal agreements.

Human Rights Act

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

Public Sector Equality Duty

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

- A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

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

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

APPENDIX 1: CONDITIONS / REASONS:

1. Time Limit 3 years - Full Permission

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

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

2. Approved Plans and Documents

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

D1000 Site Location Plan, D1001 Existing Site Plan, D1100 GA Plan - Existing Ground Floor, D1101 GA Plan - Existing Level 01, D1102 GA Plan - Existing Level 02, D1150 GA Plan - Existing Roof Level, D1199 GA Plan - Existing Basement, D1700 Existing Elevations - North East and South East, D18001 Proposed Site Plan Rev 03, D19100 Rev 08 Proposed Ground Floor, D19101 Rev 08 Proposed Level 01, D19102 Rev 08 - Proposed Level 02 – 05, D19106 Rev 08 Proposed Levels 06 – 07, D19108 Rev 08 Proposed Level 08-12, D19113 Rev 08 Proposed Level 13, D19114 Rev 08 Proposed Level 14, D19115 Rev 08 Proposed Level 15 – 18, D19119 Rev 03 Proposed Level 19 -21, D19122 Rev 03 Proposed Level 22, D18150 Proposed Roof Level, D19199 Rev 08 Proposed Basement Level, D19201 Rev 03 Apartment layouts level 01, D19202 Rev 03 Apartment layouts levels 2-5, D19206 Rev 03 Apartment layouts levels 6-7, D19208 Rev 03 Apartment layouts levels 8-12, D19213 Rev 03 Apartment layouts level 13, D19214 Rev 03 Apartment layouts level 14, D19215 Rev 03 Apartment layouts level 15-18, D19219 Rev 03 Apartment layouts level 19-21, D19500 Rev 03 Proposed Sections, D19700 Rev 03 Elevations NW and SW, D18701 Rev 03 Elevations SE and, NE, D18710 Rev 01 NW Elevation, D18711 Rev 01 North Elevation, D18712 Rev 01 West Elevation, D18713 Rev 01 Hortus Road Elevation, D18750 Rev 01 Window Detail, 1459-KC-XX-YTREE-TTP01 Rev B Tree Protection Plan, 1459-KC-XX-YTREE-TCP01 Rev 0 Tree Constraints Plan, ALD896_MP001 Landscape Masterplan Public Realm Proposals, Terrace Level 01 and Level 14 Design Proposal SB903 Rev P03, Ground Floor Design SB902 Rev P04, ALD896_MP003 Rev P04 Landscape Masterplan Terrace Level 14, ALD896_MP002 Rev P03 Landscape Masterplan Terrace Level 1,

Design and Access Statement by Formation Architects (October 2021), Design and Access Statement Addendum by Formation Architects (August 2023), Planning Statement Icen Projects (October 2021), Heritage, Townscape and Visual Assessment by Icen Projects (October 2021), Heritage, Townscape and Visual Addendum by Icen Projects (August 2023), Transport Statement by Icen Projects (October 2021), Travel Plan by Icen Projects (October 2021), Ecological Assessment by Greenlink (October 2021), Noise and Vibration Report by Arno Acoustics (October 2021), Energy Assessment by CPWP Version 4 (August 2023), Outline Modelling Overheating Analysis by CPWP (August 2023), Aviation Report by Eddowes Aviation (October 2021), Landscape Strategy by Applied Landscape (October 2021), Townscape Assessment by Icen Projects (October 2021), Verified Views Pre-Construct Viability Assessment by Icen Projects, Tree Survey by Keen Consultants (October 2021), Wind / Microclimate Study by Nova (June 2020), Daylight and Sunlight Report by Point 2 (August 2023), Scheme Internal Daylight, Report by Point 2 (October 2021), Air Quality Assessment by Stroma (October 2021), Whole Life Carbon Assessment Note by Icen Projects (October 2021), Whole Life Carbon Assessment Addendum by Icen Projects (August 2023), Circular Economy Statement by Icen Projects (March 2022), Circular Economy Addendum by Icen Projects (August 2023), Statement of Community Involvement by Kanda Consulting (October 2021), Drainage Strategy by Whitby Wood

(October 2021), Ecological Impact Assessment by Greenlink Ecology Ltd. (November 2019), Tree Survey and Impact Assessment by Keen Consultants (October 2021), Carbon Dioxide Savings and Emissions Spreadsheet, Gateway One Fire Statement by OFR Fire Risk Consultants (August 2023), D12 Fire Statement Rev R04 by OFR (October 2023), Revised Urban Greening Factor Calculation RP991 Rev 01 (October 2023), Additional Heritage and Vucity Assessment by Icenii (October 2023), GLA Carbon Emissions Reporting Spreadsheet.

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

3. Details of Materials - Building

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

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

4. Hard/ Soft Landscaping and Boundary Treatment

Notwithstanding any plans submitted with the application, details of hard/soft landscape works, tree planting and boundary treatment for the site shall be submitted to and approved in writing by the local planning authority at least 9 months before first occupation of the development and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The scheme shall include comprehensive details of the full planting specifications (size, species and numbers), the positions of all planting, ground preparation for tree planting, and staking/tying methods where applicable. The development shall be implemented only in accordance with these approved details. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

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

5. Landscape Management Plan

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

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area and amenity of prospective occupiers, and in accordance with policies G5 and G7 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy

(2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2021).

6. Demolition & Construction Management and Logistics Plan

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

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

Reason: To protect the amenity of neighbouring occupiers and to ensure adequate highway and site safety in accordance with policies 1.1(e), 1.1(j) and 2.1(c) of the Ealing Core Strategy (2012), policies S11, T4, T6 and D14 of the London Plan (2021), the National Planning Policy Framework (2021), Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006), BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise.

7. Size of servicing vehicles

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

Reason: In the interests of highway/pedestrian safety and an appropriate operation of the development in accordance with policies 1.1(e) and 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy T6 of the London Plan (2021), and the National Planning Policy Framework (2021).

8. Cycle Parking

Prior to the commencement of the superstructure of the development, details of all cycle parking spaces, 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 London Cycling Design standards and as shown on the approved plans and made operational before the first occupation of the development, and permanently retained thereafter.

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

9. Travel Plan

An updated Green Travel Plan designed to manage the transport needs of the occupiers of the development, including measures to minimise car usage and promote alternative modes of transport,

shall be submitted to the Local Planning Authority before the first occupation of the development, and the approved Green Travel Plan shall be fully implemented in compliance with the approved document.

Reason: To promote sustainable patterns of transport to safeguard the living and working conditions of local people and in the interest of highway and pedestrian safety, in accordance with section 9 of the National Planning Policy Framework, policies T2 and T4 of the London Plan (2021) and policies 1.1 (f) and 1.1(g) of the Ealing Development (Core) Strategy 2026.

10. Delivery/Serviceing Plan

A delivery and servicing plan (DSP) for the different uses of the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of these details.

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

11. Deliveries/collections times

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

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

12. Sustainable Design and Construction Standards

Upon the first occupation of each residential unit within the approved development, the approved dwellings shall incorporate sustainability measures as detailed in the approved Energy and Sustainability Statement by CPWP (October 2021).

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with policies SI1, SI2, SI3, SI4, SI5 and SI7 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).

13. Water Efficiency

Prior to occupation of each residential unit within the development, the approved dwellings shall incorporate and maintain water saving measures that will meet water efficiency standards with a maximum water use target of 105 litres of water per person per day.

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

14. Energy & CO2 Emissions

- A. Prior to construction completion and occupation, the Development shall implement and maintain the measures to achieve an overall sitewide reduction in regulated CO₂ emissions of at least 68.82% (equating to 57.4 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 Couch Perry Wilkes in August 2023 (v4) including:
 - i. Lean, energy efficiency design measures to achieve an annual reduction of at least 33.69% equating to at least 28.1 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2021 (using SAP10.2 conversion factors).
 - ii. Green, renewable energy equipment including the incorporation Air and Water Source Heat Pumps to achieve an annual reduction of at least 35.13%, equating to 29.3 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021 (using SAP10.2 conversion factors).
 - iii. Seen, heat and electric meters installed to monitor the carbon efficiency (SCOP) of the heat pump system(s) (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 network 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. 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. The development shall incorporate the overheating mitigation measures detailed in the dynamic Overheating Analysis by Couch Perry Wilkes in August 2023 (v4). Any later stage version shall be compliant with CIBSE guidance Part O (TM59/Guide A), and/or TM52, 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. 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 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 interests 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 the Ealing Development (Core) Strategy 2012.

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

In order to implement Ealing Development Management 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, or alternative financial arrangement, for the post-construction monitoring of the renewable energy 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 five years from occupation and full operation of the renewable energy systems. 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 (Eurgence 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 five 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 & Construction SPG.

16. Post-construction energy use monitoring ("be Seen") **NEW**

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

- a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. In consultation with the Council's chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use

energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.
- 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.

17. Security features

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

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

18. Access Control

Prior to first occupation of the flats a system of access control shall be installed and operational which enables a dynamic lockdown to protect all users in the event of a marauding terrorist style attack.

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

19. Prohibition of Drone Use

Prior to first occupation of the flats signage prohibiting use of UAV/Drones shall be installed on the communal amenity areas.

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

20. Transport and/or commercial noise sources

A. Prior to the commencement of the hereby approved development (excluding demolition, initial site clearance and ground works), 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). Details of best practicable mitigation measures shall also be provided and implemented, as necessary, in external amenity spaces. Details shall confirm that noise limits specified in BS8233:2014 will not be exceeded.

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

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

21. Separation of noise sensitive rooms in neighbouring flats

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 5dB above the maximum Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings/areas, namely, kitchen/living/dining rooms and communal staircase 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 occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

22. Separation of communal uses and facilities from dwellings incl. plant etc.

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 the plant rooms and installations from

dwellings. Where noise emissions include characteristic features, the Noise Rating level should not exceed NR20 Leq 5mins 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 internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Ealing Interim guidance SPG 10 ‘Noise and Vibration’.

23. Lifts

Prior to commencement of the superstructure of the development, 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 dwelling. 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 internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 ‘Noise and Vibration’.

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

Prior to the commencement of the development, (excluding demolition, initial site clearance and ground works), details of the external rating noise level emitted from plant/ machinery/ equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate shall be submitted to the Local Planning Authority for approval in writing. 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/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 ‘Noise and Vibration’.

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

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

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

26. Fresh air ventilation to habitable rooms on first floor

Prior to the commencement of the development, 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 the installation of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air for all residential dwellings. The report shall also include the following information:

- i) Details and locations of the ventilation intake locations of all floors
- ii) 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 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).

27. Non-Road Mobile Machinery

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

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies SI1 and SI2 of the London Plan (2021), and the National Planning Policy Framework (2021).

28. Air Quality and Dust Management Plan

Before the development is commenced, (including demolition and site clearance) an Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment shall be produced in accordance with current guidance The Control of Dust and Emissions during Construction and Demolition, SPG, GLA, July 2014, for the existing site and the proposed development. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the site.

The plan shall include:

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

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

Reason: In the interests of 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), policies SI1 and SI2 of the London Plan (2021), and the National Planning Policy Framework (2023).

29. Revised 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, transport emissions from construction and operational phase, 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.

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), policies SI1 and SI2 of the London Plan (2021), and the National Planning Policy Framework (2023).

30. External Lighting

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

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site, in accordance with policies policy 1.1 (j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D6 of the London Plan (2021), and the National Planning Policy Framework (2023).

31. Opening hours community space

The ground floor flexible amenity space hereby approved shall not be opened to users outside of the hours from 0800 to 2300 hrs. All activity shall cease 30 minutes after closing times.

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e), 1.1(g), 1.1 (j), 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), and the National Planning Policy Framework (2023).

32. No masts/satellite dishes or external equipment

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

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies D4 and D5 of the London Plan (2021), section 7 and 12 of the National Planning Policy Framework (2023).

33. Refuse Storage

The refuse and recycling storage facilities for the residential units hereby approved shall be implemented and operational before the first occupation of the residential units, and permanently retained thereafter. The flexible amenity space shall be provided with refuse storage to accord with the local planning authority standards prior to first use.

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI8 of the London Plan (2021) and the National Planning Policy Framework (2023).

34. Passenger Lifts

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), policy D5 of The London Plan (2021) and the National Planning Policy Framework (2023).

35. Detailed Drainage Design

Prior to the commencement of the superstructure of the development, a drainage strategy detailing any on and/or off site drainage works shall be 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 approved strategy have been completed.

Reason: To ensure that sufficient capacity is made available to cope with additional demand in the interest of environmental conditions in the locality, in accordance with policy 1.1 (e), 1.2 (m) and 6.1 of the Ealing Core Strategy (2012), policies SI12 and SI13 of The London Plan (2021), and the National Planning Policy Framework (2023).

36. Drainage Maintenance Plan

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

Reason: To reduce flood risk in accordance with Principle 10 of the National Planning Policy Framework and policies SI12 and SI13 of the London Plan (2021).

37. Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling shall be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other [structures.https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes](https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes). Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

38. Former Lifetime homes standards

90% of the approved residential dwellings shall be designed and constructed to meet Approved Document M (Volume 1: Dwellings), Part M4(2) (Accessible and adaptable dwellings) of Building Regulations 2015, or other such relevant technical requirements in use at the time of the construction of the development.

Reason: To ensure that the development is adaptable, flexible, convenient and appropriate to the changing needs of the future occupiers, in accordance with policies 3.5, 3.8 and 3.9 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

39. Former Adaptable wheelchair housing

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

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

40. Tree Planting & Protection

The tree planting and landscaping works shall be implemented in accordance with the details shown on drawing ALD896_MP001 Landscape Masterplan Public Realm Proposals. All tree protection methods 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. The soft landscaping details as approved shall be laid out and planted within the first planting season following the first occupation of the relevant phase of the development. Any trees or plants which within 5 years of planting, die, are removed or become seriously damaged, malformed or diseased shall be replaced with others of the same size, species, quality and in the same positions within the next planting season. The landscaping shall thereafter be maintained and managed.

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

41. Tree Protection

No operations (including site clearance and demolition) shall commence on site in connection with the development hereby approved until a scheme for the protection of existing trees, shrubs and hedgerows on or adjoining the site that are not proposed for removal 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 each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837, with tree works proposals. All trees must be plotted on a site plan, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- A plan detailing all trees, shrubs, hedges planned for retention and removal.
- Soil assessments/survey
- Timing and phasing of works
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications
- Access arrangements and car parking
- Level changes
- Landscaping proposals
- A Tree protection plan in accordance with BS5837 detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.
- Soil remediation plans.

All tree protection methods approved 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 during the demolition and construction phase of trees, shrubs and hedges growing within or adjacent to the site which are of amenity value to the area in accordance with policies G4, G5 and G7 of the London Plan (2021), policy 5.10 the Adopted Ealing Development Management Development Plan Document (2013) and Ealing's SPD9 - Trees and Development Guidelines.

42. Refuse Management Plan

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policies 1.1 and 1.2 of the Adopted Development (Core) Strategy, policy 7B of the Adopted Ealing Management Development Plan Document (2013) and policy S17 of the London Plan (2021).

43. Play equipment

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

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

44. Fire Safety

The development shall be implemented to comply with the submitted Gateway One Fire Statement by OFR Fire Risk Consultants (August 2023) and the D12 Fire Statement Rev R04 by OFR (October 2023).

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

45. Circular Economy

- a) The development hereby approved shall be implemented in accordance with the Circular Economy Statement by Icen Projects (March 2022) and the Circular Economy Addendum by Icen Projects (August 2023).

- b) Prior to the occupation [of the development, a post-construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan Policies D3, SI7 and SI2.

46. Whole Life Carbon

- a) The development hereby approved shall be implemented in accordance with the Whole Life Carbon Assessment by Iceni Projects (October 2021) and the Whole Life Carbon Assessment Addendum by Iceni Projects (August 2023).
- b) Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with with Policy SI2 of the London Plan (2021).

47. Digital Connectivity

Prior to commencement of each building detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness in accordance with Policy SI6 of London Plan (2021).

48. Ecological Enhancement

The recommendations for ecological enhancement measures set out in the submitted Ecological Assessment by Greenlink (October 2021) shall be fully implemented prior to first occupation of the development hereby approved.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policies G6 and G7 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

49. Noise Mitigation to Amenity Areas

Prior to first occupation of the development hereby approved a purpose-built, solid noise barrier shall be installed to the perimeter of the Level 14 outdoor amenity area with an approximate height of 2m and a minimum surface mass of 10 kg/m² and shall be permanently retained thereafter

Reason: To ensure an acceptable environment for the communal amenity areas and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

50. Wind Mitigation to Amenity Areas

Prior to the commencement of the superstructure of the development, details shall be submitted to and approved by the Local Planning Authority for solid balustrades with a minimum height of 1.5 m to the 14th floor communal amenity area and to higher balconies where necessary.

Reason: To ensure an acceptable environment for the communal amenity areas and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D9 of the London Plan (2021), and the National Planning Policy Framework (2023).

51. Diesel generators

Prior to their operation, details of any 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). The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation.

Reason: To accord with Policies SI1 and SI2 of the London Plan (2021) and to ensure the local authority meets its obligations to deliver air quality objectives for NO₂ in accordance with London Local Air Quality Management (LLAQM), and to limit PM_{2.5} (fine particulates) to safeguard public health and well-being and external amenity of nearby sensitive receptors.

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 (2023)

- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities

- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 13 Protecting Green Belt land
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

The London Plan (2021)

- D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D5 Inclusive design
 - D6 Housing quality and standards
 - D11 Safety, security and resilience to emergency
 - D12 Fire safety
 - D13 Agent of Change
 - D14 Noise
 - H1 Increasing housing supply
 - H2 Small sites
 - H4 Delivering affordable housing
 - H5 Threshold approach to applications
 - H6 Affordable housing tenure
 - H10 Housing size mix
 - HC1 Heritage conservation and growth
 - G5 Urban greening
 - G6 Biodiversity and access to nature
 - G7 Trees and woodlands
 - SI 1 Improving air quality
 - SI 2 Minimising greenhouse gas emissions
 - SI 3 Energy infrastructure
 - SI 7 Reducing waste and supporting the circular economy
 - SI 12 Flood risk management
 - SI 13 Sustainable drainage
 - E1 Offices
 - E2 Providing suitable business space
 - E3 Affordable workspace
 - E4 Land for industry, logistics and services to support London's economic function
 - E5 Strategic Industrial Locations (SIL)
 - E7 Industrial intensification, co-location and substitution
 - T3 Transport capacity, connectivity and safeguarding
 - T4 Assessing and mitigating transport impacts
 - T5 Cycling
 - T6 Car parking
 - T6.1 Residential parking
 - T6.2 Office parking
- Supplementary Planning Guidance /Documents

Southall Opportunity Area Planning Framework (SOAPF) (2014)
Accessible London: achieving an inclusive environment
Mayor's Sustainable Design and Construction SPD April 2014
The Mayor's transport strategy

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

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

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)
1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)
2.1 Development in the Uxbridge Road / crossrail corridor (a), (b), (c), (d), (e)
5.5 Promoting parks, local green space and addressing deficiency (b) and (c)
5.6 Outdoor sports and active recreation
6.1 Physical infrastructure
6.2 Social infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential
Ealing local variation to London Plan policy 3.5: Quality and design of housing development
Policy 3A: Affordable Housing
Policy 4A: Employment Uses
Ealing Local variation to London Plan policy 4.7: Retail and town centre development
Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions
Ealing local variation to London Plan policy 5.10: Urban greening
Ealing local variation to London Plan policy 5.11: Green roofs and development site environs
Ealing local variation to London Plan policy 5.12: Flood risk management
Ealing local variation to London Plan policy 5.21: Contaminated land
Ealing local variation to London Plan policy 6.13: Parking
Policy 7A : Operational amenity
Ealing local variation to London Plan policy 7.3 : Designing out crime
Ealing local variation to London Plan policy 7.4 Local character
Policy 7B : Design amenity
Policy 7D : Open space

Adopted Supplementary Planning Documents

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

SPG 10 Noise and vibration

Other Material Considerations

BRE Site layout planning for daylight and sunlight (2011)

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

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

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

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

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

Ealing's Draft Local Plan (Regulation 18) November 2022

Policy DAA: Design and Amenity

Policy SSC: Small Sites Contribution

Ealing Housing Design Guidance (2022)

London Housing Design Standards LPG (2023)

In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. Consideration was also given to highways, and the provision of adequate living conditions for occupiers. The proposal is considered acceptable on these grounds, and it is not considered that there are any other material considerations in this case that would warrant a refusal of the application.

2. Construction and demolition works, audible beyond the boundary of the site shall only be carried on between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Bank Holidays. No bonfires shall be lit on site. Prior to commencement of building works, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.

3. Prior to the commencement of any site works and as works progress, all sensitive properties surrounding the development shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

4. Calculation of building envelope insulation – Interim SPG10 advises:

- a) A precise sound insulation calculation under the method given at BS EN12354-3: 2000, for the various building envelopes, including the use of the worst case one hour data (octave band linear noise spectra from 63 Hz – 4k Hz) by night and day, to arrive at the minimum sound reductions necessary to meet the SPG10 internal data.
- b) Approved laboratory sound insulation test certificates for the chosen windows, including frames and seals and also for ventilators, in accordance with BS EN ISO 140-3: 1995 & BS EN ISO 10140-2:2010, to verify the minimum sound reductions calculated.
- c) The SPG10 internal and external criteria to be achieved.

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

Octave band centre frequency Hz	dB Linear - $L_{eq,1hr}$	
	60 dB contour	57 dB contour
63	73	70
125	72	69
250	69	66
500	67	64
1000	62	59
2000	57	54
4000	45	42
Total $L_{Aeq,1hr}$ for spectrum 16 – 8K Hz	67	64

5. Land contamination:

a) Reference should be made at all stages to appropriate current guidance and codes of practice; this would include:

- i. Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
- ii. Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
- iii. LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
- iv. BS10175:2011 Investigation of potentially contaminated sites – Code of Practice
- v. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
- vi. Verification of Remediation of Land Contamination’, Report: SC030114/R1, Environment Agency, 2010
- vii. Planning Policy Statement 23: Planning and Pollution Control;
- viii. PPS23 Annex 2: Development on Land Affected By Contamination;
- ix. Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008

- Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
- All raw data should be provided in a form that can be easily audited and assessed by the Council (e.g. trial pit logs and complete laboratory analysis reports)
- on-site monitoring for ground gases with any relevant laboratory gas analysis;
- Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).

6. This permission does not grant consent for the display of external advertisements at this site which are subject to the Town & Country Planning Control of Advertisements (England) Regulations 2007, and which may need to obtain a separate advertisement consent from the local planning authority

under those regulations.

7. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted for the approval of the relevant Health and Safety Enforcement Officer.
8. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.
9. 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.
10. As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
11. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
10. In order to protect groundwater quality from further deterioration:
 - No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
 - Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
 - Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with

land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From www.gov.uk:

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

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

12. Permitted hours for building work

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

13. Notification to neighbours of demolition/ building works

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

14. 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.

15. Dark smoke and nuisance

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

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

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

17. Fire Statement

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

Works to footway

18. The developer will be liable for the cost of repairing any damage to the footway around the perimeter of the site resulting from the construction work.
19. Any works affecting Network Rail land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

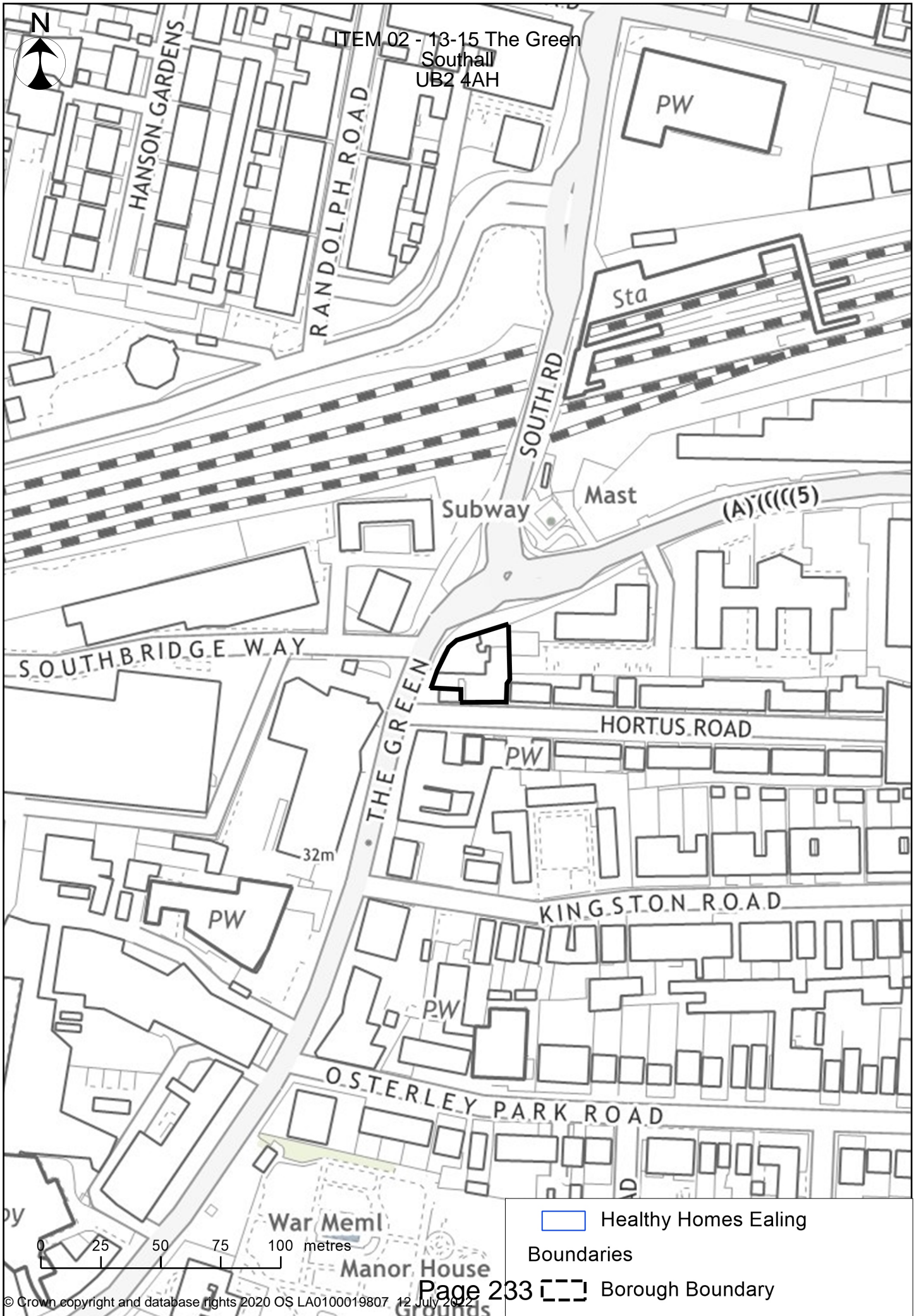
Cranes

20. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, 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/>)

Landscaping

21. The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

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ITEM 02 - 13-15 The Green
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Subway

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SOUTHBRIDGE WAY

THE GREEN

HORTUS ROAD

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KINGSTON ROAD

PW

OSTERLEY PARK ROAD

War Meml

Manor House
 Grounds

Healthy Homes Ealing

Boundaries

Borough Boundary



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