



Notice of Meeting:  
**Planning  
Committee**

**Meeting Location:**

The Atrium - Perceval House

**Date and Time:**

Wednesday, 28 February 2024 at 7.00 pm

**Contact for Enquiries:**

**Email:** [democraticservices@ealing.gov.uk](mailto: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](mailto:democraticservices@ealing.gov.uk) or telephone on 020 8825 6302 at least three clear working days in advance wherever possible.**

**Committee Membership: Councillors**

D Martin (Vice-Chair), K Sahota, S Khan, P Driscoll, S Kohli, A Raza, M Hamidi, Y Gordon, M Iqbal, S Padda, G Shaw, J Ball and G Stafford

# AGENDA

**1 Apologies for Absence and Substitutions**

**2 Urgent Matters**

**3 Declarations of Interest**

**4 Matters to be Considered in Private**

**5 Minutes** (Pages 5 - 20)

To approve as a correct record the minutes of the meetings held on:

1. Wednesday 13 December 2023
2. Wednesday 24 January 2024.

**6 Site Visit Attendance**

To share site visit details and note site visit attendance.

**7 Planning application - 195284FUL - Land opposite Ravenswood Court, Stanley Road, Acton (South Acton)** (Pages 21 - 118)

**8 Planning application - 231285FUL - 8 -10 Greenock Road, Acton, W3 8DU (South Acton)** (Pages 119 - 206)

**9 Planning application - 224830FUL - 41- 49 Stirling Road, Acton, W3 8DJ (South Acton)** (Pages 207 - 278)

**10 Date of the Next Meeting**

The next meeting will be held on 27 March 2024.

## 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](mailto:DemocraticServices@ealing.gov.uk).

**Published:** Tuesday, 20 February 2024

This page is intentionally left blank

## Minutes of the meeting of the Planning Committee

**Date:** Wednesday, 13 December 2023

**Venue:** The Atrium - Perceval House

### **Attendees (in person): Councillors**

R Wall (Chair), D Martin (Vice-Chair), S Khan, T Mahmood, A Kelly, A Raza, M Hamidi, Y Gordon, L Wall, M Rice, C Summers, J Ball and S Kumar

### **Also present:**

Councillor K Crawford, Ward Councillor R Huq, Member of Parliament

### **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**

#### **RESOLVED:**

That the minutes of the meeting held on 1 November 2023 were agreed as a true and correct record.

### **6 Site Visit Attendance**

The following members attended site visits for the applications on the agenda prior to the meeting: Councillors:

D Martin, T Mahmood, A Kelly, L Wall, C Summers, J Ball, S Kumar and R Wall.

### **7 Planning application - 220178FUL - East Acton Arcade, 93 Old Oak Common Lane, Acton, London, W3 7DJ (East Acton)**

Patrick Franklin, Planning Officer, introduced the report and explained that the application before the Committee was for the demolition of the existing building on the East Acton Arcade site, 93 Old Oak Common Lane, and the construction of a multi-storey hotel with shared café/restaurant space on the ground floor level with workspace and flexible space at basement level for either further hotel units or a snooker hall. The site was located on the western side of Old Oak Common Lane, East Acton.

Mr Franklin elaborated on officers' consideration of the application, including the principle of the development, responses to the consultation, design and appearance, the impact on the street scene and townscape and any residential amenity impacts.

Mr Franklin drew attention to the potential for the reprovision of the snooker hall on the site. The applicant proposed to secure a snooker operator at the basement level of the building. If a snooker operator were not to come forward to secure an agreement for a lease, the flexible use floorspace was going to revert to the initially proposed hotel use.

Mr Franklin noted that the application had been brought before the committee in August 2022, although it was deferred by the committee for further clarification on the snooker and pool needs assessment, traffic management around the site and the usage to the rear of the site, and the natural light impact of the proposal to the rear of the site. The committee was referred to the committee report for updates on these areas.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on amendments to the recommendation, including to the proposed heads of terms and additional representations received.

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

- The existing snooker hall supported a large and diverse community of players, ranging in age and ability. It was unique in West London and was a key part of the local community.
- The reduction of playing space in the new proposals was justified by a needs assessment which was not representative of the actual usage of the snooker hall. The needs assessment was undertaken out of season and during the pandemic.
- The snooker club considered it was likely that the current proposals would not lead to the reprovision of a snooker hall on the site. The existing operator risked being priced-out by new rent levels, with the consequence that the basement level was likely to revert to hotel uses.

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

- There was a genuine offer for the existing snooker operator to have first right of refusal for occupying the basement level of the new development. The applicant was also committed to continuing its dialogue with the existing businesses on the site to consider ways to re-provision them.
- There was a strong identified need for new hotel space in Ealing, with hotels bringing new footfall to local town centres.
- It was a well-designed development, with the co-working café space expected to animate the local street. It also included benefits including strong performance on energy and sustainability measures, and urban greening.

Councillor Kate Crawford, a local ward councillor, made a representation to the Committee which included the following key points:

- There had not been any improvement in the application in relation to the provision of disabled parking since the deferral. With 8 to 9 wheelchair accessible rooms proposed as part of the development, it was imperative that safe access was secured for disabled people staying at the hotel. Failing to do so risked non-compliance with the London Plan.
- There was no immediate on-site disabled parking provision for the development, with the only on-site parking reserved for operational uses. Whilst Section 106 contributions had been secured to provide additional disabled parking bays in the locality, this did not allay Councillor Crawford's concerns because such bays would require disabled patrons of the hotel to travel an extended distance from their car to the hotel each time they arrived or left.
- Coaches and minibuses were likely to have difficulty using the rear access to the hotel, and the potential impact of this was that such vehicles would need to reverse onto Brassey Avenue.
- The layby in front of the development site was not wide enough for vehicles to park such that there was space for passengers to enter and exit the vehicles. This posed safety risks, particularly for disabled users.
- Councillor Crawford recommended refusing the application on the grounds of safety and accessibility considerations.

Rupa Huq, Local MP, attended the meeting virtually and, with the permission of the Chair, made a representation which included the following key points:

- The height, scale and massing of the proposals were going to negatively impact the neighbouring Old Oak and Wormholt Conservation Area and had attracted weighty objections from Andy Slaughter (MP), who's constituency was adjacent to the site, and from Hammersmith and Fulham Council.
- There was insufficient information provided about traffic, transport and construction management for the proposals. Old Oak Common Road

was a key artery through West London and there were legitimate concerns that construction and hotel-based traffic were likely to cause disruption.

- There was little value to offering first right of refusal to the existing snooker operator because market rates were likely to price them and other operators out. It was likely that the basement level would revert to hotel uses.
- The environmental impacts of the proposals were considered poor. The proposals were to demolish the existing buildings rather than retrofit them, with the effect of releasing substantial embodied carbon. Ms Huq found it unlikely that the green roof which was proposed was sufficient to make the required biodiversity net gains.
- As well as the snooker hall, many of the local businesses operating from the site were highly valued by the local community. The replacement of the varied business units on the site with hotel space was considered negative for the local community.

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

- Although not directly a planning consideration, there was discussion at the pre-application stage about the inclusion of one of the neighbouring buildings within the development.
- The disabled parking was not going to be in the layby next to the ramp outside of the development site because there were not any dropped curbs in the vicinity.
- The rent for the units on the site were likely to increase, given that the existing rates had not been reviewed since 2003. This was not a material planning consideration.
- There was going to be a light well down to the basement level if the basement was used for hotel units.
- Officers were not aware of attempts by the applicant to approach local public houses regarding improving their snooker provision in the event the basement level reverted to hotel uses.
- If a snooker hall did come forward for the basement level, the provision of disabled accessible rooms was going to fall to 9.64%, which was slightly below the 10% requirement. Officers considered this reduction was justified given that the proposals in this case were for a snooker hall to be re-provisioned with improved accessibility (including the installation of a lift).
- The development was required by condition to become accredited as Secure by Design. Whilst the Metropolitan Police submitted some concerns about the design of the building, they confirmed that the development could still meet the Secure by Design accreditation.
- There was a formal process for notifying and consulting neighbouring boroughs on planning applications.
- The only hotel access through Brassey Avenue was for light servicing vehicles. Officers considered that the access proposed in the scheme was an improvement on the existing arrangements.



- The use of coaches was restricted by Section 106 Legal Agreement.
- A construction management plan was required by condition, and this was going to set out the requirements for the applicant for ensuring any impact of the demolition of the existing building was minimised.
- The third-party snooker and pool needs assessment found that there was additional capacity at the Snooker Hall at peak periods. This justified the reduction in playing space proposed in the plans.
- The snooker hall was not classified as a designated sporting facility.
- Transport services had advised planning officers that they considered there was room for a disabled parking bay on Brassey Avenue, although this was subject to consultation.
- The small businesses on the site were designated Class E and therefore their uses were not protected in planning policy.
- Because the Snooker Hall was designated use class E, and given use class E was a broad use-class which covered various retail and small business uses, it fell outside the committee's jurisdiction to protect Snooker Hall from other uses within use class E.
- Any agreements reached about the relocation of the Snooker Hall during the construction phase fell outside of the planning process and were no planning considerations.

The Committee proceeded to vote on the application.

**RESOLVED:**

That for the reasons set out in the committee report, planning permission for application REF **220178FUL** be **GRANTED** subject to:

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

**8 Planning application - 233342FUL - 16 Eastman Road, Acton, W3 7YG (Southfield)**

Xanna Machecourt, Planning Officer, introduced the report and explained that the application before the Committee was for the demolition of existing buildings at 16 Eastman Road and the erection of a single storey industrial and/or logistics unit, with office space and associated parking and landscaping. The site was located in Southfield in the Eastman Road cul-de-sac off The Vale. It was on the southern edge of the Acton Park Industrial Area and was part of the designated Locally Significant Industrial Site.

The principle of the development was considered good, with the proposals aligning closely with Local and London Plan policies as well bringing forward industrial uses in a designated industrial area. The application included strong proposals for energy, sustainability and biodiversity, as well for transport. Further details were provided about the statutory consultation on the scheme. The consultation had attracted objections relating to the height, townscape and visual amenity, inadequate public consultation, residential amenity,

design, air quality and ecology. Officers did not find that any objections provided sufficient grounds to refuse the application.

Ms Machecourt referred to the conditions which had been recommended to ensure that the proposed development did not lead to excessive impact adjacent residential housing, particularly relating to the noise and acoustics from the industrial uses. Much of the industrial activity was planned to take place within the proposed building and there were restrictions proposed for where service vehicles were allowed to operate outside on the site. The plans also included an acoustic fence around the perimeter of the site to further mitigate noise concerns. Overall, officers considered that the scheme did not present unacceptable impacts to neighbouring properties in terms of overbearing, noise, sense of enclosure or loss of light.

Overall, Ms Machecourt informed the committee that it was the opinion of officers that the site formed a sustainable form of development which would support economic activity and employment opportunities for local residents. Officers recommended the application for approval, subject to a Section 106 Legal Agreement and conditions.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on corrections to the report and an amendment to the staff car parking provision,

Dr Jane Kershaw, an objector to the development, made a representation to the Committee which included the following key points:

- Local residents were not satisfied with the proposed mitigations to the noise impacts of the industrial site, particularly given the proposals were for use 24 hours a day and 7 days a week. The assessments of the current level of noise were misleading because they were done without regard to the historic noise issues.
- The proposals undermined the quality and viability of Southfield Park as a place for relaxation and socialising.
- The building was large, taller than the previous buildings and at parts closer to the neighbouring roads and properties. As an industrial building, it was not going to fit in with the local two storey residential housing.

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

- The proposals represented redevelopment of an obsolete building on a key industrial site in the Borough. The redevelopment of this industrial space was likely to bring an economic boost to the local area, bringing 176 and 320 full time jobs and several apprenticeships.
- The proposals were planned to improve the environment for the site's neighbours by reducing the number of heavy goods vehicles (HGVs) accessing the site and designing the building to allow loading and

unloading to take place inside.

- There were environmental benefits to the scheme, including significant carbon reductions to the scheme, enhanced urban greening and the planting of new trees. The proposals were due to see a biodiversity net gain.

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

- Transport for London and Council Transport Officers had provided useful comments on the design of the entrance and exit to the site given the constraints of the entrance road. The proposals were to improve the user experience of those travelling to and from the site through clearer signage and better laid out cycling and pedestrian infrastructure.
- The use of HGVs on the site was going to be monitored through trip rates. If the trip rates exceeded predictions, the Council was able to ask for off-setting payments from the developer.
- The scheme included proposals for the provision of affordable workspace. Because the proposed provision was small, it was suggested that the contributed to affordable workspace offsite through the Council.
- There were good transport links for workers to access the site, including from Acton Central Station by walking through the park or from the bus stop on Eastman Road. By taking the bus to Eastman Road, workers avoided having to walk through the whole industrial area.
- Operational vehicles were going to be restricted from going down to the southern boundary of the site, which was closest to residential houses.
- Because of the acoustic fencing proposed to be erected around the operational area and the restriction on operational vehicle movements to the south of the site, the proposals did not include a restriction on when vehicles would be allowed to work on the site.
- The provision of parking had reduced from the original proposal from 70 to 58. There was going to be a reduced shift pattern at night, which meant that the car park was unlikely to be full overnight.
- There was a condition included in the recommendation which required a delivery operations management plan, which included details of a quiet delivery strategy. Although this document primarily referred to the industrial uses, it was also possible to include reference to workers and their use of the southern edge of the site.
- “Sensitive receptors” was a technical term to local residents who could be impacted by noise from the site.
- The difference between the existing layout of the site and the proposed layout was that whilst the existing layout allowed operational vehicles access to the southern boundary, the proposed layout did not, although it did allow access for car parking purposes.

The Committee proceeded to vote on the application.

**RESOLVED:**

That for the reasons set out in the committee report, planning permission for application REF **233342FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent;
2. Satisfactory completion of a Section 106 Legal Agreement; and
3. Agreement of a quiet delivery strategy, following consultation with the chair and vice-chair of the planning committee, which sets out measures to mitigate noise from workers using the carpark on the southern edge of the site.

**9 Planning application - 225225FUL - Villiers High School, Boyd Avenue, Southall, Middlesex, UB1 3BT (Southall Broadway)**

Marile Van Eeden, Planning Officer, introduced the report and explained that the application before the Committee was for construction of a three-storey building for education use on the Villiers High School site, The 2 hectare site was located within Southall in a largely residential area, with its main entrance to Boyd Avenue. The site was not in a conservation area, although it was in the Southall Opportunity Area.

Ms Van Eeden explained that the proposed development was planned for the southeast of the site and the building was going to have with an L-shape footprint. The development was going to allow an increase of 122 in pupil capacity at the school, providing a mix of general and specialist teaching classrooms and staff offices. Although no comments were received from members of the public during the statutory consultation, Sport England & Sports Leisure commented that the proposals were going to result in a loss of playing field land. Officers considered that the loss was going to be mitigated through the planned upgrading of 2 courts to the east of the school.

Ms Van Eeden continued to provide further detail on sport fields, trees, the impact of the proposals on neighbouring amenity, highways and transport, energy and sustainability, air quality, and flood risk and drainage.

Overall, Ms Van Eeden informed the committee that it was the opinion of officers that the proposal was acceptable and would be consistent with relevant planning policy and strategies. Ms Van Eeden recommended the application for approval, subject to conditions and planning obligations.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the committee and published on the Council's website prior to the meeting. It had provided information on amendments to the report and an amendment to the recommended condition 17, relating to a Community Use Agreement.

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

- There were going to be two dedicated tennis courts which were going to be unaffected by the development.
- There was ongoing discussion between the school and the Council's parks team to determine which uses were going to be available on the MUGA and when. This was going to be managed by the parks team in the long term.
- The Council's energy officer was supportive of the application. The precise details of how the energy from the solar panels was going to be distributed was not yet confirmed.
- The trees which were planned to be removed were not subject to a Tree Protection Order. The tree protection plan referenced in the report related to the protection of the remaining trees during the construction period.

The Committee proceeded to vote on the application.

**RESOLVED:**

That for the reasons set out in the committee report, planning permission for application REF **225225FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent;
2. Satisfactory completion of Planning Obligations, including the internal transfer of finances for financial contributions.

**10 Planning Services Performance Report**

The Chair introduced the report, which provided an update on the performance of Ealing Council's planning services. The Chair noted the strong performance indicated in the report and invited the committee to note it and to commend the work of officers in the service. The committee was also invited to feedback any areas which they would like to receive more information on in future.

Alex Jackson, Head of Development Management, explained that a performance report could become more regular and align with the Council's reporting year.

The committee discussed the report. The committee provided feedback that it could be preferable for the report to be brought to a meeting where there were few other applications to determine, if any.

**RESOLVED:**

That the planning committee noted the report and commended officers in

planning services for their performance.

## **11 Public Speaking at Planning Committee - Protocol Update**

The Chair introduced the report, which sought approval for updates to the planning committee's two speaking protocols, the public speaking protocol and the councillors speaking protocol.

The committee was invited to ask questions and provide comments on the protocol. The committee raised the following points:

- Speakers at the planning committee could benefit from some guidance in the protocol about what was relevant for the planning committee to consider and what was not.
- More widely, there was occasionally some misunderstanding amongst members of the public about the role of the planning committee and whether it could be a forum for open discussion.

Officers responded that there were opportunities for further guidance about planning considerations and the role of the committee to be shared with members of the public, for instance through the introduction sheets at the start of each agenda, the Council website, or through the letters inviting residents to speak. There was a risk that adding too many restrictions to the protocol documents could make them difficult to follow.

The committee asked for clarification about whether councillors were able to request to speak on an application purely in their capacity as a resident. It was confirmed that the councillors speaking protocol only required a councillor to appoint a representative or to defer their speaking time to another individual in cases where they had a pecuniary interest in an application.

### **RESOLVED:**

That the planning committee agreed to adopt the amended public and councillor speaking protocols as set out in appendices 1 and 2 of the committee report.

## **12 Date of the Next Meeting**

The date of the next meeting was 24 January 2024.

Meeting commenced: 7.00 pm

Meeting finished: 9.28 pm

Signed:

Dated: Wednesday 28 February 2024

## **Minutes of the meeting of the Planning Committee**

**Date:** Wednesday, 24 January 2024

**Venue:** The Atrium - Perceval House

### **Attendees (in person): Councillors**

R Wall (Chair), D Martin (Vice-Chair), P Driscoll, T Mahmood, A Raza, M Hamidi, M Iqbal, S Padda, G Shaw, C Summers, G Busuttil and J Gallant

### **Apologies:**

L Wall

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

Apologies were received from Councillor L Wall.

#### **2 Urgent Matters**

There were none.

#### **3 Declarations of Interest**

Councillor Summers declared that his wife was a governor at Northolt High School. He had campaigned in the past for improvements to the school buildings at Northolt High School. Councillor Summers did not consider that he had a pecuniary interest in the matter and indicated that he had an open mind about the proposals.

Councillor Gallant declared that he was a member of the Mill Hill Residents' Association. He did not consider that he had a pecuniary interest in the matter and indicated that he had an open mind about the proposals.

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

There were none.

#### **5 Minutes**

There were none on this occasion.

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

The following committee members attended site visits prior to the meeting:

Councillors R Wall, Martin, Raza, Padda, Summers, and Gallant.

#### **7 Planning application - 215858FUL - Library for Iranian Studies, Crown**

## **Street, Acton W3 8SA (South Acton)**

John Robertson, Planning Officer, introduced the report and explained that the application before the Committee was for the redevelopment of the existing Library for Iranian Studies on Crown Street, Acton. The proposal was for the demolition of the existing building on the site and the construction of a part nine, part eight and part three storey building in its place containing a cultural centre, library and café on the ground and first floors, as well 105 room student units on the upper floors.

The existing Library for Iranian Studies occupied Woodlands Hall, located on the western side of Crown Street within the Acton Town Centre. It was just outside the Acton Town Conservation Area, which lay just to the north and east of the site, and which included Woodlands Park, which adjoined the site. The Mill Hill Conservation lay just to the south of the site. The existing library building was not fit for its purpose as a library building.

There was broad policy support for the expansion of the library on the site. It was a cultural centre and made a positive impact to the Acton Town Centre. The provision of 105 student units was supported by officers as it contributed to unmet student housing needs in Ealing, which was confirmed by a needs assessment report submitted with the application. Mr Robertson noted that the provision of affordable student units was low in comparison to the 35% target, the final proposals had resulted from exhaustive discussions on the feasibility of greater affordable provision, including 4 separate viability assessments by the Council's viability assessors.

Mr Robertson provided wider details about the scheme, including details of design, height, amenity impact, ecology of the scheme, as well as a summary of the statutory consultation responses.

Mr Robertson concluded by informing the committee that it was the opinion of officers that the scheme was going to provide a number of planning and regeneration benefits, including provision of an improved cultural facility, 105 students units and the provision of a café open for the local community. Taking into consideration relevant local and national planning policies, Mr Robertson recommended the application for approval subject to Section 106 and 278 legal agreements.

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 notes and clarifications to the report, as well as details of further objections received and applicant's responses.

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

- The development was going to reduce the light to all 5 of the ground floor windows of 38 Crown Street, which was the house directly



opposite the development. The 5 windows of the house served the living room, kitchen and dining room.

- The developer submitted a daylight sunlight report which contained errors. It listed 38 Crown Street as part of the flats to the left of the building as seen from the street. It described the impact on some of the windows as mitigated by others, although these other windows were either obscured or were part of a self-contained room which shed no light onto other rooms. The report was submitted shortly before the application was listed as being brought to the committee, which meant Mr Santos did not have time to seek advice on the contents of the report.
- Overall, Mr Santos considered there was going to be a 40% reduction in light to the rooms affected. The potential overshadowing by the proposed development breached BRE guidelines and Ealing Development Management Plan 2013.

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

- The scheme had been brought forward by a charity with no profit motives. The applicant's ambition was to provide a new fit for purpose cultural and community centre.
- The proposals before the committee were the best viable option available for the site.
- The contribution towards the provision of student accommodation in Ealing, and the applicant had already received three expressions of interest from local universities about using the rooms.

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

- The 105 rental units were reserved for students by legal agreement. The applicant was required to provide proof an agreement with a suitable educational institution as one protection against the units being used for other purposes.
- The proposals had the effect of providing more natural surveillance over the park, as well CCTV in and around the buildings, which were improvements for the overall community safety in the vicinity of the site.
- The boundaries of the scheme were considered well defined, with the boundaries located at the walls of the proposed building apart from at the café, where dwarf railings were requested to demarcate the site from the park.
- The development was across the road from 38 Crown Street. The day light sun light report considered a wide range of factors, and the distance between the development and the house in question was not a determining one.
- The threshold for affordable student accommodation was set by the Mayor of London. Generally, it was set to be up to 55% of the average

- income of a student living away from home in London.
- 10% of the affordable student accommodation was going to be adapted for disabled use.
  - The applicant had confirmed that all adjustments to the scheme required to respond to the London Fire Brigade's comments could be resolved at the final design stage.

The Committee proceeded to vote on the application.

**RESOLVED:**

That for the reasons set out in the committee report, planning permission for application REF **215858FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent;
2. Satisfactory completion of a Section 106 and 278 Legal Agreements; and
3. A Community Infrastructure Levy payment to the Greater London Authority.

**8 Planning application - 233596FUL - Northolt High School, Eastcote Lane, Northolt, UB5 4HP (Northolt Mandeville)**

Christopher Neelands, Planning Officer, introduced the report and explained that the application before the Committee was for the phased redevelopment of Northolt High School to provide a part two and part three storey educational building for use as a 6 form entry secondary school, with a sixth form and an additional resource provision. The proposals included an extension to the existing sport pitches and the installation of a three court multi-use games area (MUGA).

The site was located on the western side of Eastcote Lane in Northolt (Northolt Mandeville Ward). The surrounding area was largely residential and comprised of two storey dwellings and three to four storey blocks of flats. The existing buildings on the site comprised buildings ranging from 1 to 3 storeys.

Mr Neelands outlined the key considerations of the scheme. The proposals were considered a better use of the space on the site and resulted in an increase in sports playing facilities. It included an additional resource provision, which was a kind of provision for which there was significant demand in London. The scheme's impacts on neighbour amenity, transport and access, and energy and landscaping were noted. Although the proposals included the felling of 8 trees, one of which was considered to be high value, this concern was considered was to be mitigated by proposals to plant 32 new trees and to make a financial contribution of £53,000.

Mr Neesland concluded and informed the committee that it was the opinion of officers that the proposals would significantly improve educational facilities on the site, allow for provision of 30 additional resource provision places, and enhance sport facilities. Accordingly, officers recommended the scheme for

approval, subject to conditions and the internal transfer of financial contributions from the London Borough of Ealing Education Department.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on amendments to the recommendation, including an amendment to the approved drawings and the condition relating to enclosures and sound barriers.

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

- There was not a demonstrable present or future demand for higher school places at the school. However, there was a growing demand for Additional Resource Provision places, which was part of the rationale for the provision of the ARP.
- The exact details of the permitted access to the site were to be finalised in management plans which the developer was required to submit as part of the planning process.
- There was going to be some interruption to access to sporting facilities during phase 2 of the development.

The Committee proceeded to vote on the application.

**RESOLVED:**

That for the reasons set out in the committee report, planning permission for application REF **233596FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent;
2. Payment of financial contributions (via an internal transfer from the London Borough of Ealing Education Department)

**9 Date of the Next Meeting**

The date of the next meeting was 28 February 2024.

Meeting commenced: 7.01 pm

Meeting finished: 8.04 pm

Signed:

Dated: Wednesday, 28 February  
2024

This page is intentionally left blank

**ITEM 01-  
Land Opposite Ravenswood Court Stanley Road Acton  
W3 8GQ**



This page is intentionally left blank

**Ref :** 195284FUL

**Address:** LAND OPPOSITE RAVENSWOOD COURT, STANLEY ROAD, ACTON

**Ward:** SOUTH ACTON

**Proposal:** Demolition of existing building and structures, and construction of a ground plus part 9 and part 16 storey mixed-use development comprising industrial space (Use Class E(g)(iii)) on ground, first and second floor levels; with 140 residential units; rooftop amenity space, rooftop plant, landscaping, access, car and cycle parking, plant rooms and all associated ancillary and enabling works

**Drawing Numbers:** GRE-HTA-A-0001 Rev P2, GRE-HTA-A-0050 Rev P2, GRE-HTA-A-0150 Rev P2, GRE-HTA-A-0151 Rev P2, GRE-HTA-A-0152 Rev P2, GRE-HTA-A-0153 Rev P2, GRE-HTA-A-0154 Rev P2, GRE-HTA-A-0210 Rev P2, GRE-HTA-A-0211 Rev P2, GRE-HTA-A-0212 Rev P2, GRE-HTA-A-0213 Rev P2, GRE-HTA-A-0260 Rev P2, GRE-HTA-A-0261 Rev P2, GRE-HTA-A-0262 Rev P2, GRE-HTA-A-0310 Rev P2, GRE-HTA-A-0311 Rev P2, GRE-HTA-A-0312 Rev P2, GRE-HTA-A-0313 Rev P2, GRE-HTA-A-0318 Rev P2, , GRE-HTA-A-0320 Rev P2, GRE-HTA-A-0326, GRE-HTA-A-0327, GRE-HTA-A-0328, GRE-HTA-A-0329, GRE-HTA-A-0330, GRE-HTA-A-0331, GRE-HTA-A-0332, GRE-HTA-A-0333, GRE-HTA-A-0334, GRE-HTA-A-0335, GRE-HTA-A-0336, GRE-HTA-A-0337

**Supporting Documents:** Planning and Affordable Housing Statement, prepared by DP9 Ltd; Townscape & Visual Impact Appraisal, prepared by Arc; Historic Environment Assessment, prepared by MOLA; Arboricultural Impact Assessment, prepared by Landmark Trees; Air Quality Assessment, prepared by Air Quality Consultants; Preliminary Ecology Appraisal, prepared by the Ecology Consultancy; Geo-Environmental Desk Study, prepared by WSP; Energy Statement (including overheating), prepared by Twin Earth; Sustainability Strategy (including Ealing sustainability checklist), prepared by Twin Earth; Noise and Vibration Assessment, prepared by Sandy Brown; Statement of Community Involvement, prepared by Four Communication; Commercial Assessment Report, prepared by CFC Commercial; and Agent of Change Assessment, prepared by Trium (all documents submitted November 2021)

Design and Access Statement Addendum, prepared by HTA; Statement of Community Involvement Addendum, prepared by Four Communications; Townscape and Visual Impact Appraisal, prepared by Arc; Heritage Statement, prepared by Gareth Jones Heritage Planning; Energy Statement Addendum, prepared by Twin & Earth; GLA Consultation – Energy Memo, prepared by Twin & Earth; Sustainability Statement Addendum, prepared by Twin & Earth; Whole Lifecycle Carbon Report (including Appendix B GLA spreadsheet), prepared by Twin & Earth; Circular Economy

Statement, Prepared by Twin & Earth; Air Quality Assessment Addendum, prepared by Air Quality Consultants; Archaeological Desk-Based Assessment Report Addendum, prepared by Museum of London Archaeology; Drainage Strategy Statement of Conformity (including June 2020 Drainage Strategy), prepared by WSP; Geo-Environmental Desk Study Statement of Conformity, prepared by WSP; Arboricultural Impact Assessment Statement of Conformity, prepared by Landmark Trees; and Commercial Assessment Report Statement of Conformity, prepared by CF Commercial (all documents submitted October 2021)

Planning Application Form, prepared by DP9 Ltd (September 2023); Community Infrastructure Levy Additional Information Form, prepared by DP9 Ltd (September 2023); Planning Application Drawings, prepared by HTA (August 2023); Schedule of Accommodation, prepared by HTA (August 2023); Design and Access Statement Addendum, prepared by HTA (August 2023); Townscape and Visual Impact Appraisal Addendum Note, prepared by Neaves Urbanism (August 2023); Heritage Assessment Statement of Conformity, prepared by Gareth Jones Heritage Planning (August 2023); Flood Risk Assessment, prepared by RMA Environmental (August 2023); Transport Assessment, prepared by Caneparo (August 2023); Travel Plan, prepared by Caneparo (August 2023); Delivery and Servicing Plan, prepared by Caneparo (August 2023); Outline Construction Logistics Plan, prepared by Caneparo (August 2023); Energy Statement Addendum, prepared by Twin & Earth (August 2023); GLA's Carbon Emission Reporting spreadsheet, prepared by Twin & Earth (August 2023); Sustainability Statement Addendum, prepared by Twin & Earth (August 2023); Whole Lifecycle Carbon and Circular Economy Addendum, Prepared by Twin & Earth (August 2023); Air Quality Assessment Statement of Conformity, prepared by Air Quality Consultants (August 2023); Archaeological Desk-Based Assessment Report Addendum, prepared by Museum of London Archaeology (August 2023); Planning Fire Safety Statement, prepared by Hilson Moran (August 2023); Fire Statement Form, prepared by Hilson Moran (August 2023); Ventilation Statement, prepared by Hilson Moran (August 2023); Daylight and Sunlight Report – Impact on Neighbouring Properties, prepared by GIA (August 2023); Daylight and Sunlight Report – Internal, prepared by GIA (August 2023); Wind Microclimate Assessment Report, prepared by GIA (August 2023); Preliminary Ecological Appraisal (PEA) Statement of Conformity, prepared by Temple Group (August 2023); Noise and Vibration Assessment Statement of Conformity, prepared by Sandy Brown (August 2023); and; Agent of Change Assessment Statement of Conformity, prepared by Trium (August 2023).

Type of Application: Major

Application Received: 02/12/2019

Revised: 29/09/2023

Report by: John Robertson



**Recommendation:**

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

---

**TABLE OF CONTENTS**

Executive Summary: .....4  
 Heads of Terms .....9  
 Site Description .....10  
 Planning History .....11  
 The Proposal .....12  
 Environmental Impact Assessment .....12  
 Consultation: .....12  
     Public Consultation – Summary .....12  
     External Consultation .....15  
     Internal Consultation:.....20  
 Relevant Planning Policies:.....22  
 Reasoned Justification: .....22  
 Main Issues .....22  
 Principle of Development .....23  
 South Acton LSIS Masterplan .....24  
 Housing Land Supply .....29  
 Mix of Residential Units.....30  
 Affordable Housing.....31  
 Design and Character .....32  
     Materials .....36  
     Scale of Buildings .....36  
     Scale within the Wider Context.....38  
     Visual Impact .....41  
 Heritage Impacts .....42  
 Overlooking and Overbearing Impacts on nearby Dwellings .....43  
 Impacts on Daylight.....45  
 Impact on Allotments.....48  
 Quality of Residential Accommodation .....51

Accessible Units .....	53
Amenity Space .....	53
Children’s Playspace.....	55
Landscape & Trees .....	55
Urban Greening.....	56
Transport & Parking .....	56
Ecology .....	59
Environmental Pollution .....	60
Wind Effects .....	61
Energy/Sustainability.....	62
Circular Economy.....	63
Agent of Change .....	63
Crime Prevention .....	64
Refuse & Recycling Storage .....	64
Drainage and Flood Risk.....	64
Employment & Training .....	66
Community Infrastructure Levy (CIL) .....	66
Fire Safety .....	67
Conclusions.....	68
Human Rights Act .....	69
Public Sector Equality Duty .....	69
APPENDIX 1 .....	70
Conditions/Reasons: .....	70
Informatives .....	88

**Executive Summary:**

This application seeks permission to redevelop an industrial unit and area of surface car parking on a 0.14 ha site at the corner of an industrial estate to provide a ground plus part 9 and part 16 storey mixed-use development with industrial space (Use Class E(g)(iii)) on ground, first and second floor levels and 140 flats above.

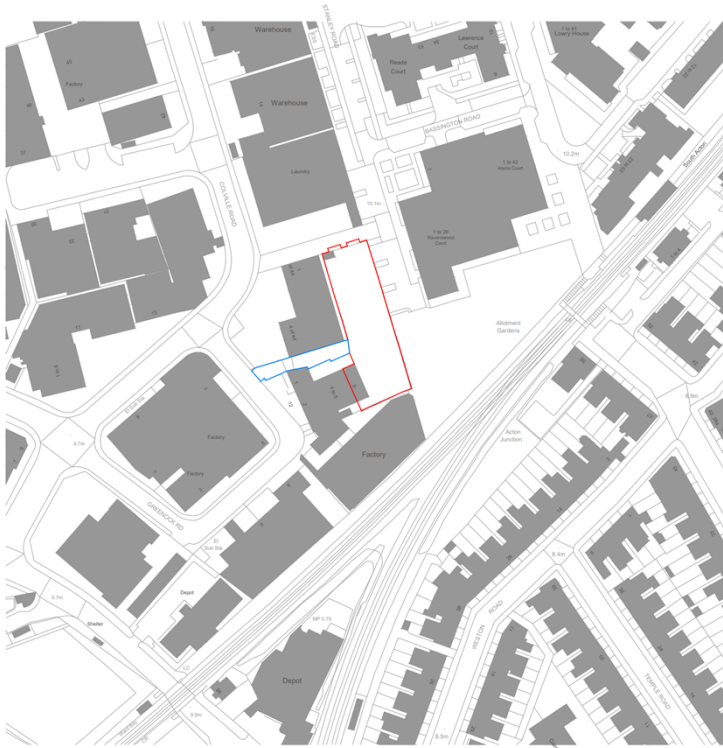


Figure 1: Site Location

The site forms part of a Locally Significant Industrial Site. The proposed development would replace the existing 77 sq m of light industrial floorspace with modern industrial space at ground, upper ground and first floor levels resulting in a floorspace gain of 717 sq m (GIA). As such, the proposed development would result in intensification of the LSIS site and provide additional industrial capacity in accordance with London Policy E7 and Policy E6 of the Reg19 Draft Ealing Local Plan.

The development would exceed the 15 storeys height limit and 300 HR/ha residential density target set by the South Acton Industrial Masterplan for this area. However, this proposal would result in a number of public benefits which improve the function, quality or amenity of the masterplan area, as follows:

- a net gain of 717 sq m of modern industrial floorspace and 25-40 more local jobs;
- improved access and servicing arrangements with the adjoining site;
- public realm improvements and tree planting on Stanley Road outside the development;
- 42 affordable flats (35% by HR) of which 19 would be for social rent.

The proposal has attracted a very large number of objections from local residents and other local groups, over 570 for the original and revised schemes combined. These have raised a wide range of issues including overdevelopment of a small site, the building being too high, visually intrusive and out of character with area, adverse visual impacts on local views, daylight, overlooking and overbearing effects on nearby dwellings, adverse sunlight and wind impacts on the adjoining allotments, inadequate provision of amenity space, restricted emergency vehicle access affecting fire safety for a high building, increased strain on community facilities and already overcrowded local public transport, erosion of the industrial estate and local employment, and adverse wind tunnel effects.

The scale and design have evolved through pre- application and post application negotiations with the GLA, planning officers and the Ealing Design Review Panel. This has led to substantial revisions from the original scheme. These include reducing the taller building by 6 storeys and the shoulder building

by a single storey, reducing the number of flats from 210 to 140, changing the housing mix to provide fewer studios and more larger family sized units, changing the scheme from Build to Rent to conventional market sale/affordable units, providing every flat with its own balcony and access to communal roof terraces, increasing the proportion of dual aspect units to 50% with no single aspect north facing units, and setting back the building from the eastern and western site boundaries by a further 1.5m.



Figure 2: View from Stanley Road

The proposed part 10 and part 17 storey development is considered as a tall building and conflicts with Ealing and London Plan policies in that it is not on a site is not identified as appropriate for tall buildings, and not in a town centre or an opportunity area. However, it has been brought forward through a plan-led approach. The scheme has also been assessed against the design criteria of London Plan Policy D9. The proposal would accord with many of these criteria and some of the guidelines in the new Ealing Housing Design Guidance.

This scheme is being assessed against the recently ratified South Acton LSIS Masterplan that was initiated by Council. The proposal is therefore consistent with the principles set by both Policy E7 of the London Plan, as well as Policy E6 of the Reg 19 Draft Ealing Local Plan. The new Masterplan sets out locations suitable for co-location, determines appropriate heights, concentrates focus on the delivery of good quality industrial space, and outlines necessary public realm improvements that will be required to accommodate the emerging residential community within the area. It is considered that the proposal conforms to the principles of the Masterplan, as will be outlined within this report.

Consideration of the scale of this development also needs to take account of the emerging townscape in the surrounding area, including the context of the Acton Gardens masterplan and various tall, new buildings recently approved nearby. While the proposed building would not obviously meet the aims of the Acton Gardens Master Plan, it can be argued the proposed building would reflect a changing townscape picture in the wider area of South Acton where taller buildings are becoming more prevalent.

In terms of impact on views and townscape, the submitted visual impact appraisal considers that the proposed development would have no effect on some representative views and at worst a moderate and beneficial effect on others. It also notes that emerging schemes along Bollo Lane and nearby

would be visible from most of these views and will reduce the visual impact. It further argues that the development would provide a new feature not uncharacteristic of the townscape of South Acton, that its varied building form means that it would be perceived as two buildings, helping to break up its overall mass within views and that it would visually improve the townscape around South Acton station. It would also provide an active frontage to Stanley Road, improve the streetscene and provide natural surveillance onto the surrounding streets.

Based on the submitted Heritage Assessment, there would be no harmful effect on the setting of any heritage asset in the surrounding area.

It is not considered the proposal would result in unacceptable overlooking to adjoining residential or industrial properties given the separation distances involved. There will be some adverse impacts on the outlook and on sunlight to balconies of some existing flats in Ravenswood Court. On balance, based on the BRE guidance, the proposals are not considered to have impacts on the daylight or other amenity of nearby properties to a level that would justify refusal.

The proposed mix of unit sizes is considered acceptable in this location since 9% of flats would be 2 bedrooms / 4 person units and three bedroom / 5 person units suitable for family accommodation, and a further 38% would be 2 bedroom/ 3 person units.

Following significant revisions, the scheme would now provide 42 affordable flats, 35% of the total by habitable room. The tenure mix would now be 56% social rent and 44% intermediate. This is very close to the Council's preferred tenure mix of 60% social rent and 40% intermediate and considered acceptable by the Council's Housing officers. It can also be argued that a more flexible approach to tenure should apply here due to viability factors and the constraints of a small site.

Some 50% of the flats would now be dual aspect, including all of the 3 bedroom units, and none of the single aspect units would be solely north facing. This can be considered acceptable given the constraints of the site. Within the constraints of this urban location, all the flats are considered to have acceptable levels of daylight. Subject to further measures required by planning conditions, the proposed residential units would provide adequate environmental conditions and adequate living conditions in terms of floor space, layout and visual outlook.

All proposed flats would have private amenity space to meet London Plan standards in the form of balconies. In addition, 410 sq m of outdoor communal amenity space is provided on the 10th and 17th floors and the roof terraces would contain 254 sq m of playspace for children under 5. This level of amenity and children's playspace provision would fall below Council standards within an area of district and local park deficiency, and S106 contributions have been agreed for improvements to local parks and children's play spaces.

There would be no loss of trees arising from the proposals. 15 new trees would be planted in the public realm area beside the site and 3 existing trees along Stanley Road would be temporarily removed and relocated within the site once the new building is complete.

The Urban Greening Factor for the scheme is 0.25, which is below the London Plan target of 0.4 and would not normally be acceptable. Although an intensive green roof, green wall, permeable paving and additional planting are proposed, the size constraints of the site, along with the competing need for plant and amenity space, make it difficult to meet this target. A range of other greening mechanisms are proposed but the 15 semi-mature trees and new shrub planting to be planted on Stanley Road but cannot contribute towards the UGF score as they are outside the site boundary. Applying some flexibility to reflect these factors, the proposal is acceptable in this regard.

While there are objections that the adjoining allotments will be adversely impacted by overshadowing and increased wind effects, the applicants have submitted information to indicate that, while there would be a significant increase in overshadowing, 95% of allotments would still receive 7-11 hours of sunlight and 5% would receive over 12 hours a day during the plant growing season, which is considered more than adequate for horticulture by the Royal Horticultural Society. The submitted wind report confirms that wind tunneling is not expected in the allotments area as a result of the proposed development and that the proposed development would provide some shelter to the allotments from prevailing winds compared to the existing situation.

No on-site parking is proposed other than 5 disabled parking spaces at ground level, one of which would serve the industrial use. As the site is located in a CPZ, residents of the flats would be prevented from obtaining parking permits via a Section 106 agreement.

Transport Services note that the development could contribute to local parking congestion and various following S106 financial contributions towards highway improvements are required to mitigate road safety and parking problems caused by the development. These include junction improvements on Bollo Lane, an improved pedestrian/cycle bridge across the railway line, review and potential extension of the existing CPZ, cycle infrastructure improvements, footway Improvements, traffic calming and pedestrian crossing improvements and local bus stop improvements. TfL also require a financial contribution towards capacity improvements for local bus services. With the conditions and planning obligations agreed, potential transport impacts arising from the proposal will be satisfactorily mitigated.

Pollution and Technical Services do not object to the proposals on noise or air quality grounds but, because the site is affected by noise and odours from the nearby laundry, seek various conditions including an Environmental Noise assessment, an Air Quality and Dust Management Scheme as well as a S106 contribution towards implementing air quality improvement actions within the Council's Air Quality Action Plan. Appropriate conditions are applied.

Various wind mitigation measures are incorporated in the design of the scheme including landscaping, high hedges at terrace level, tree planting, screens and porous balustrades on balconies. With these in place, a Wind Assessment indicates that wind comfort conditions will be suitable for the intended use for all thoroughfares, existing building entrances, proposed building entrances, station platforms, allotment spaces, proposed amenity terraces and proposed balconies.

In terms of impacts on the operation of the adjoining industrial estate, an Agent of Change report indicates that residents of the scheme would not be adversely impacted by odour, dust, vibration and lighting from surrounding industrial uses but also notes there may be adverse impact on residential occupiers from noise from passing trains, building services plant and general industrial noise. Mitigation measures to address these impacts, including acoustic double glazing for levels 2 to 9 on the southern façade, will be secured by condition.

The proposed energy strategy is supported by the Council's Energy Adviser. The development would be all electric with no gas infrastructure on-site. A communal Air Source Heat Pump distribution loop with dwelling heat exchangers would feed panel radiators and provide domestic hot water, with no storage tanks in dwellings. Photo-Voltaic panels are also proposed. This would result in site-wide CO2 emissions being cut by at least 57.8% and would make the development compliant with the London Plan and Ealing Council requirements.

Overall, the scheme will provide a number of planning and regeneration benefits including a significant increase in the housing stock, provision of a significant amount of modern industrial space, 42 affordable units, S106 and CIL contributions towards infrastructure and play space improvements in the area. These can be considered to outweigh the limited deficiencies of the scheme.

In light of the above considerations, on balance, it is considered that the proposed development can be considered consistent with the aims of the relevant policies of the adopted the Ealing Core Strategy (2012), The London Plan (2021), Relevant Supplementary Planning Guidance, the National Planning Policy Framework (2023), the Ealing Development Management Development Plan Document (2013) and Draft Ealing Local Plan (Regulation 19) 2024 As such, it is recommended for conditional approval subject to S106 and S278 legal agreements.

**Heads of Terms**

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

<b>Contribution Heading</b>	<b>Proposed Contributions</b>
Education infrastructure	£224,906
Healthcare provision	£234,337
Bollo Lane Junction improvements	£30,000
Cycle infrastructure improvements	£40,000
Improved pedestrian/cycle bridge across railway	£25,000
Footway Improvements	£15,000
Bus Service Capacity Improvements	£104,000
Bus Stop improvements	£5,000
CPZ Review	£20,000
Traffic calming/pedestrian crossing improvements	£40,000
Travel Plan Monitoring	£3,000
Renewable & Low Carbon Energy Monitoring	£11,528
Carbon offsetting contribution	£92,657
Air Quality Monitoring	£23,690
Amenity space	£105,900
Children’s Playspace	£ 2,506
Allotments	£16,499
Affordable Industrial Workspace	tbc
Apprentice and Placement Scheme	£12,500
<b>Total Contributions</b>	<b>£1,006,523 + tbc</b>

- Affordable Housing provision of 35% of habitable rooms to comprise 19 social rented (London Affordable Rent) units and 23 shared ownership units;
- An early stage review of affordable housing provision;
- Participation in an Apprentice and Placement Scheme. The Apprentice and Placement Scheme shall provide opportunities across the development, including the construction, design and post construction management of the development. Details of the Apprentice and Placement Scheme including the number of placements details shall be agreed with the Council;

- Restriction of Parking Permits - all the units shall be precluded from obtaining a parking permit and visitor parking vouchers to park within the surrounding Controlled Parking Zones and future CPZs in the area;
- 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.
- Provision of free 3-year car club membership to all residents of the development;
- detailed design of the access from Greenock Road to be funded by the applicant. Deed of easement to be provided by the Council as owner of Greenock Road;
- explore potential to provide car club bays on the application site that are accessible by the public;
- if no scope is identified to provide accessible car club bays on the application site, funding of an Accessible Car Club Bay on-street in the vicinity of the site;
- Implementation of the Travel Plan;
- All contributions to be index linked;
- Payment of the Council's reasonable Legal and other professional costs in preparing and completing the agreement.

AND

- A S278 agreement with respect to public realm and highway improvements required in the immediate vicinity of the site.

AND

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

**Site Description**

The application site is 0.14 ha in area and lies in South Acton to the rear of industrial/commercial properties on the east side of Greenock Road and opposite the Ravenswood Court block of flats on Stanley Road. It currently contains surface car parking, an industrial unit and the south-eastern corner of an adjoining industrial estate. Existing vehicular access is from Greenock Road.

The surrounding area contains a mix of commercial, residential and industrial uses. The site is bounded by a pedestrian access path to the north, with 2 storey industrial buildings beyond this. To the south are 2 storey industrial / commercial buildings, and 2 storey industrial/ commercial uses to the west including a builders' suppliers and a café. To the south-east are allotments, which are designated as a Community Open Space. To the east, across Stanley Road, is part of the South Acton Estate undergoing regeneration to provide some 3,800 new dwellings. Part of this regeneration immediately opposite the site is now complete, with the nearest block known as Ravenswood Court and comprising an 8-10 storey building containing 124 residential units.



The site is not within a conservation area, and neither contains or adjoins any listed buildings. It has no designation in the Local Development Plan other than being part of a Locally Significant Industrial Site (LSIS) and within an area of park deficiency. A Site of Importance to Nature Conservation (SINC) runs along the railway line some 100m south of the site.

The site has low accessibility by public transport with a public transport accessibility level (PTAL) of 1b (on a scale of 1-6 where 6 is excellent) and is within a Controlled Parking Zone (CPZ). South Acton railway station lies 240m to the east, Acton Town station 940m to the north-west, and Chiswick Park station some 900m to the south-east. There are two bus routes running nearby with the nearest bus stop 160m from the site.

### ***Planning History***

The site has several planning decisions relating to the current industrial premises but none of direct relevance to this proposal.

However, it is important to note that this application, when first submitted in December 2019, proposed a 23 storey tower containing 210 flats with 1,011 sq m of industrial space on the lower two floors. This was a build to rent scheme with 37% of flats having private balconies and 63% of flats being single aspect.

In October 2021, following a large number of objections to the original scheme, a revised scheme was submitted for a ground plus part 9 and part 16 storey mixed-use development containing 859 sq m of industrial space on ground, first and second floor levels with 140 flats above. The main changes included reducing the building height from 23 to 17 storeys, reducing the number of flats by 70, increased building setbacks from the eastern and western site boundaries, change from a Build to Rent scheme to one of flats for market sale, providing all flats with a balcony, increasing the proportion of dual aspect units to 50%, a reduction in industrial floorspace, increase in blue badge parking from 1 to 5 spaces, reduced massing and greater design articulation to elevations with a crown to the top of the building, introduction of a second lift core and 2 residential entrances on Stanley Road, and providing landscaping and tree planting to Stanley Road and the northern footpath.

Further revisions were submitted in September 2023 as set out below. These revisions reflected changes to fire safety regulations, the new South Acton Industrial Masterplan and a new planning application for an 18 storey building of flats above ground floor industrial space on an adjoining site at 8-10 Greenock Road (Ref: 231285FUL).

- a second staircase added to each core to provide an additional means of escape in emergencies;
- creation of a party wall condition along the north-west elevation to protect and facilitate the future redevelopment potential of the adjoining 44 Colville Road site;
- redesign of the northern building plan and elevations to respond to the factors above, including relocating windows and balconies to outward facing facades;
- lower level building chamfers previously proposed to the northern corners extended across all upper floors to create corner windows that improve aspect and passive surveillance;
- minor increase in AOD levels of buildings to allow greater floor to floor heights and more generous ceiling heights for services (with overall building storey heights unchanged);

- upper levels of the southern building aligned with lower levels by extending the eastern façade 0.75m outwards (resulting in increase in overall floorspace);
- an increased industrial space plot ratio to 74%;
- a reduction in total habitable rooms and density due to an increase in the proportion of 1 bedroom units, with the proportion of 3 bedroom family units remaining at 9% based on habitable rooms;
- the affordable housing mix changed to a tenure split of 56% social rent and 44% intermediate, with total affordable units provision to be 42 (35% by habitable rooms);
- reconfiguration of the service yard and car parking layout to facilitate a potential vehicular access to the adjoining development at 8-10 Greenock Road.

### ***The Proposal***

This application seeks planning permission for demolition of the existing building and structures, and construction of a ground plus part 9 and part 16 storey mixed-use development comprising industrial space (Use Class E(g)(iii)) on ground, first and second floor levels; with residential units; rooftop amenity space, rooftop plant and lift overruns, landscaping, access, car and cycle parking, plant rooms and all associated ancillary and enabling works. The key elements of the proposed development are now:

- 140 flats made up of 85 x 1 bedroom, 48 x 2 bedroom and 7 x 3 bedroom flats;
- 794 sq m of E(g)(iii) industrial space (formerly B1c);
- 5 disabled parking spaces within the site; and
- 234 long-stay and 7 short-stay cycle parking spaces.

In terms of affordable housing, 42 of the units proposed would be affordable equating to 35% by habitable rooms.

### ***Environmental Impact Assessment***

The applicants have not submitted a request for an EIA Screening Opinion to confirm that the proposed development is not one requiring an Environmental Impact Assessment. Careful consideration has been given to the location, scale and nature of the proposals, which would primarily involve a residential development with a modest industrial/commercial element and take place largely on a 0.14 ha previously developed site within an existing urban area. The site does not contain or closely adjoin any environmentally sensitive areas as defined by the EIA Regulations or areas of high flood risk. The nearest Site of Importance to Nature Conservation (SINC) is some 100m south of the site.

The proposed development also falls below the indicative thresholds for Schedule 2 development, which are 5 ha in site area and 150 dwellings. The proposals also do not, in scale or effect, meet the criteria in Schedule 3 of the EIA Regulations. It is not therefore considered that this proposal is one requiring an Environmental Impact Assessment.

**Consultation:**

**Public Consultation – Summary**

<p>Neighbour Notification</p>	<p>On the original application, Major Site notices were posted with an initial consultation period of 22/01/2020 – 12/02/2020. Over 520 representations were received from local residents. There was one in support of the affordable housing proposed. All others were objections with the main ones as follows:</p> <ul style="list-style-type: none"> <li>• proposed building far too high, visually intrusive and out of character with area;</li> <li>• building out of scale and out of proportion with Acton Garden estate;</li> <li>• higher than tower blocks recently demolished on South Acton estate;</li> <li>• Townscape and Visual Impact appraisal understates visual impact of the building;</li> <li>• overdevelopment of the site and excessive density;</li> <li>• overlooking and overshadowing of nearby dwellings;</li> <li>• all of the one bed flats would be single aspect north facing units;</li> <li>• inadequate separation from Ravenswood and Welbeck Court dwellings with resultant overlooking of windows;</li> <li>• severe impact on single aspect one-bed flats in nearby Stanley Road flats;</li> <li>• lack of open space within scheme in an area of park deficiency;</li> <li>• more flats will increase traffic and parking pressures in area;</li> <li>• insufficient parking proposed within scheme;</li> <li>• inadequate residential infrastructure and local amenities to support such a development;</li> <li>• increased strain on schools, health and other community facilities;</li> <li>• will strain already overcrowded local public transport;</li> <li>• adverse wind tunnel effects and assessment of them inadequate;</li> <li>• impact on sunlight will harm use of nearby allotments;</li> <li>• visual impact on houses along Weston Road and roads to east will be very severe and intrusive;</li> <li>• height, loss of daylight and wind shear will adversely impact green corridor along the railway line, green spaces and trees in Acton Gardens Masterplan;</li> <li>• lack of access for emergency vehicles will affect fire safety for this high building;</li> <li>• conflict with aims of Acton Gardens Masterplan to deliver quality medium rise housing;</li> <li>• will result in loss of 9 disabled parking spaces on Stanley Road;</li> <li>• erosion of the Industrial Estate;</li> <li>• light industrial units will not be viable due to lack of vehicle access and loading bay space;</li> <li>• road safety risk for increased number of pedestrians;</li> <li>• flats would be impacted by emissions from adjoining industrial uses;</li> <li>• occupants of this mainly rented scheme will be transient with no commitment to the local area or community;</li> <li>• 3 weeks is insufficient time to respond to such a significant development proposal.</li> </ul>
-------------------------------	--

There were also 2 representations in support of the original scheme on the basis of:

- new building would improve an unsightly industrial site;
- regeneration of the area and increase in housing stock.

Further consultation took place on the revised scheme with site notices posted between 8.12.2021 and 29.12.2021. A further 27 objections were received the main points being:

- proposed building too high and out of keeping with area;
- will change the character of the area;
- high tower will loom over neighbouring buildings with overbearing effect;
- overdevelopment;
- excessive density in a location with poor PTAL;
- adverse impacts on local views;
- erosion of the industrial estate leading to loss to local employment;
- impacts on privacy and light to Welbeck Court and Ravenswood Court;
- will lead to significant increases in traffic;
- lack of public green space in the proposal and will increase pressure on other open space;
- negative impacts on the allotments with 6 hours inadequate sunlight in summer;
- will increase adverse wind tunnel effects;
- increased pressure on local community services, parking and transport
- deliveries will increase congestion and pollution in the area;
- high-rise buildings are proven to be much more polluting than low-rise.
- no decision should be made without an independent assessment of the applicant's Daylight and Sunlight Impacts on Neighbouring Properties;
- no decision should be made until Ealing Council's policy on tall buildings is published and implemented;
- no decision should be made until a full AMR and Five Year Housing Land Supply and Trajectory has been published;
- high building in this location conflicts with Acton Gardens masterplan strategy;
- not clear how delivery, trade, and private vehicles would be prevented from using the end of Stanley Road and creating an unsafe pedestrian environment;
- inadequate access and turning area for fire engines beside the tall building;
- lack of amenity space unacceptable in area of park deficiency and cannot be acceptably mitigated by S106 contribution.

Six further representations were submitted when re-consultation took place between 04.10.2023 and 25.10.2023 on the additional revisions to install a second fire staircase. One of these was no objection. The objections can be summarised as:

- loss of sunlight on neighbouring buildings

	<ul style="list-style-type: none"> <li>• sunlight and daylight conditions of the single aspect flats in Ravenswood Court and Welbeck Court will be severely and negatively impacted</li> <li>• loss of sunlight to allotments</li> <li>• all the one bedroom flats would be single aspect north facing units</li> <li>• substantial over-development of a very small site</li> <li>• no increase in open space provision for increased residents in area</li> <li>• building is completely out of scale and proportion with the Acton Gardens Estate.</li> <li>• the building will be very visible and intrusive and not in keeping with the context and emerging urban grain of the area</li> <li>• high rise residential development will conflict with aims to enhance South Acton industrial Estate, a Locally Significant Industrial Site</li> <li>• views from all roads to the east will be badly affected by the scale of the building and the impact on South Acton allotments will be very severe.</li> <li>• flats in the proposed blocks will have a clear view into bedrooms and dining/kitchen spaces of Welbeck Court and Ravenswood Court</li> <li>• increased residential development within an LSIS will lead to loss of local industrial firms</li> <li>• funneling of wind caused by the new building will affect growth of vegetation in the allotments and safety of residents in nearby buildings</li> <li>• increased pressure on already busy Chiswick Park and Acton Town tube stations</li> <li>• increased pressure on local car parking</li> </ul>
<p><b>External Consultation</b></p>	
<p>Ealing Civic Society</p>	<p>Objected to original scheme on following grounds:</p> <ul style="list-style-type: none"> <li>• design of tower block is very bland with none of the interest or variety of architectural styles in the nearby Acton Gardens Estate;</li> <li>• the unit mix, with few 3-bedroom units, does not respond to the local housing need,</li> <li>• many of the proposed units continue to be single aspect, creating unacceptable living conditions;</li> <li>• significant shortfall in amenity space since the rooftop provision is considered inadequate, particularly for small children, and no on-site play space is available for over-5s;</li> <li>• lack of surrounding community infrastructure;</li> <li>• proposed green screen at ground level abutting the allotments, unless conditioned to be maintained, would present a potential liability.</li> </ul> <p>No further comments on revised scheme.</p>

<p>Kew Gardens</p>	<p>Objected to original proposal on basis of possible visual impact of 22-storey tower as seen from the Kew Gardens World Heritage Site; the Townscape and Visual Impact Appraisal does not contain verified views taken from within Kew Gardens and should include views from the Great Lawn, to the south west of the Orangery, and from the Temple of Aeolus.</p> <p>No comments received on revised proposals.</p>
<p>Health &amp; Safety Executive (HSE)</p>	<p>Raise concerns on lack of fire hydrants within 90m of the building entrance and require additional fire hydrant provision; also concerned on lack of information on functional status of the existing fire hydrant near the site.</p>
<p>Acton Green Residents Association</p>	<p>No response.</p>
<p>Acton Community Forum</p>	<p>No response.</p>
<p>South Acton Residents Action Group</p>	<p>No response.</p>
<p>South Acton Allotment Gardeners Society</p>	<p>Objected to original scheme on grounds that it would cause a serious loss of sunlight on much of the South Acton West allotment site in conflict with Ealing’s Adopted 2004 Plan for the Environment, and that allotments need much more sunlight for cultivation of vegetables and fruit than estimated by the applicant’s sunlight study.</p> <p>Objects to revised proposal on basis of:</p> <ul style="list-style-type: none"> <li>• over development of 140 flats on the tiny footprint 0.15 ha</li> <li>• new residents will place greater pressure on existing amenity spaces;</li> <li>• undermines Ealing Council's and Acton Gardens Development's vision of a sustainable neighbourhood;</li> <li>• 17 storeys out of keeping, scale, proportion with Acton Gardens Estate. and landscape and buildings to the east and south of the railway;</li> <li>• adverse visual impact from a 17 storey wall of concrete within 1.5 metres of the allotments;</li> <li>• will cause significant loss of sunlight to much of the South Acton Allotment west site; the BRE standard is not a horticultural standard for cultivation of vegetables and fruit during the growing season;</li> <li>• will cause increased shading from 14:00 until sunset for up to 90% of the allotment plots in summer; the overshadowing report does not cover beyond 15:00 in winter or accurately reflect the degree of shadowing;</li> </ul>

	<ul style="list-style-type: none"> <li>• the proposed building will create new canyoning and vortex effects, greatly increasing the adverse 'wind tunnel' effects, not conducive to gardening;</li> <li>• removal of the existing slatted concrete wall on the western boundary of the allotment site will increase the prospect of damaging wind effects at the site;</li> <li>• wind reports are based on limited wind tunnel tests and conjecture formulated at 'workshops' and insufficient to give assurance of limited wind effects;</li> <li>• distance between the eastern façade of the building and the allotment site is only 1.5m and removal of existing concrete boundary walls on west boundary of the allotments will adversely affect the privacy, peaceful enjoyment of the allotments and make the site less secure; request a solid wall of the same height along the boundary line;</li> <li>• concerns on safety for users of the allotments during construction activities and subsequent maintenance of a 17 storey building, and impact if fire-fighting access needed.</li> <li>• increased parking pressures on limited road spaces which are heavily used;</li> <li>• removal of 9 parking spaces in Stanley Road during the Construction Phase of the development would affect allotment plot holders visiting the site with a vehicle and residents of Ravenswood Court;</li> <li>• 'turning space' at southern end of Stanley Road is beside the allotment entrance and access point for the disabled access plot - placing construction offices there will restrict vehicle movements, including fire engines;</li> <li>• landscaping at southern end of Stanley Road does not fully consider surface water drainage requirements and will increase the risk of flooding to inside the allotment entrance and the disabled access plot.</li> </ul>
<p>Ealing Central and Acton MP</p>	<p>No response.</p>
<p>GLA</p>	<ul style="list-style-type: none"> <li>• delivery of 140 flats is supported.</li> <li>• increase in industrial capacity plot ratio to 74% is welcomed and should confirm if this is greater than the existing capacity on site and local consideration of the South Action Industrial Master Plan; this provision should be secured with adequate floor to ceiling heights, access and servicing arrangements, suitably sized lifts and uses within classes E(g)iii, B2 and B8.</li> </ul>

	<ul style="list-style-type: none"> <li>• 35% affordable housing is proposed by habitable room with a 56/44% tenure split between social rent and intermediate; subject to the appropriate light industrial floorspace, affordability and eligibility criteria being secured, this complies with the Fast Track Route criteria;</li> <li>• general site layout does not raise strategic concerns and has moved in a positive direction; overall reduction in height but still exceeds the draft South Acton masterplan height limits; as scheme does not comply with London Plan Policy D9 Part B, full consideration should be given to Part C; the architecture does not raise strategic concerns;</li> <li>• any off-site play-space should be clearly accessible and inclusive and to be secured by the Council;</li> <li>• Agent of Change considerations will be assessed at Stage II;</li> <li>• views not yet provided to assess impacts on Royal Botanic Gardens Kew Gardens World Heritage Site (and associated listed buildings); any harm identified needs to be outweighed by public benefits of the scheme for GLA to consider. [<i>Planning Officer: this is assessed in Heritage Report</i>]</li> <li>• any green walls/vertical climbers should be removed in the interest of fire safety and combustible materials; the revised Fire Statement appears to be missing a declaration of compliance in line with Fire Safety LPG.</li> <li>• Circular Economy, Whole Life Carbon and energy matters remain largely unchanged from previous situation;</li> <li>• the Urban Greening Factor is 0.25, below the 0.4 London Plan target but could be accepted given the site constraints; would encourage this to be captured by S106 contributions.</li> <li>• SuDs and water efficiency methods should be given further consideration and secured.</li> </ul>
Heathrow Airport Ltd.	No safeguarding objection.
NATS	No safeguarding objection.
HS2 Ltd.	No response.
NHS Property Services	Require contribution of £234,337 towards healthcare infrastructure in the area.
Environment Agency	No response.
Thames Water Utilities	No objection with regard to foul water sewerage network infrastructure capacity but requires condition on surface water wastewater such that no flats are occupied before network upgrades required to accommodate the additional flows from the development have been completed, or a housing



	and infrastructure phasing plan has been agreed with Thames Water. Also require various informatives to be added.
London Ambulance Service	No response.
London Fire & Emergency	No response.
London Underground Infrastructure Protection	No comment.
Historic England (GLAAS)	No archaeological requirement
Ministry of Defence	No safeguarding objection to original proposal but requested condition to ensure that the MOD is notified of when and where cranes, which may affect air traffic safety, will be erected.
Metropolitan Police/ Design Out Crime	Noted rear of development lacks natural surveillance and active frontage and a vehicle gate and pedestrian gate will be required and certified to LPS1175 SR:2; the cycle stores should be enclosed in a secure building. Recommends destination controlled lifts and a comprehensive access control strategy along with single leaf communal doorsets and entry systems. Pleased that revised plans have taken on board previous recommendations but request a condition to require Secured by Design accreditation.
Network Rail Infrastructure Ltd.	No response.
Transport- for London	<ul style="list-style-type: none"> <li>• as vehicle access is from the privately owned Greenock Road, need to demonstrate that the proposed development has rights of access;</li> <li>• pedestrian access from Stanley Road is via a private car park or pedestrian passage between Stanley Road and Colville Road and a high quality environment to the pedestrian access points needed with rights of access demonstrated;</li> <li>• the Active Travel Zone (ATZ) assessment is from 2019 so unclear if impact of this development on the surrounding active travel network has been appropriately assessed; a night-time ATZ should be undertaken;</li> <li>• car free development with some disabled parking is supported but and restriction on parking permits and contribution towards reviewing parking controls should be secured via a S106;</li> <li>• a Parking Design and Management Plan, secured through an appropriate mechanism, should demonstrate how a further 7% of dwellings can be given a disabled person parking bay when demand arises;</li> </ul>

	<ul style="list-style-type: none"> <li>• slight increase in long-stay cycle parking spaces required; it should be demonstrated that the ‘worse-case’ scenario in regard to cycle parking provision for the proposed non-residential use can be accommodated;</li> <li>• cycle parking to be designed to accord with London Cycle Design Standards;</li> <li>• proposal acceptable in strategic traffic terms;</li> <li>• S106 contribution of £104,000 to be secured towards bus service enhancements to mitigate increased bus trips from scheme residents;</li> <li>• Delivery and Service Plan to be secured by condition and include consideration of management of home deliveries;</li> <li>• further thought needed on Delivery and Service Plan regarding how the scheme works with the adjoining site as it appears to be tight with some encroachment on the public realm;</li> <li>• full Travel Plan for all uses to be secured with targets to align with the Mayor’s strategic mode shift target, and measures to focus on sustainable and active travel modes;</li> <li>• Construction Logistics Plan to be secured by condition.</li> </ul>
<p><b>Internal Consultation:</b></p>	
<p>Building Control Services</p>	<p>No response.</p>
<p>Regulatory Services (air pollution)</p>	<p>No objection on air quality but require conditions on Ventilation Strategy Report, Non Road Mobile Machinery, diesel generators and an Air Quality and Dust Management Plan; S106 contribution of £32,180 sought towards implementation of air quality improvement measures in the London Borough of Ealing’s Air Quality Action Plan.</p>
<p>Regulatory Services (noise)</p>	<p>With regard to original scheme, the submitted Noise report provides insufficient information about the noise environment. The site is affected by noise and odours from the nearby laundry. No objection on noise but required an updated Environmental Noise report, and various conditions relating to noise mitigation, lift noise, insulation between flats and between flats and industrial uses, hours of operation of the commercial/industrial uses, and provision of a Construction/Demolition Management Plan.</p> <p>On the revised scheme, noted that the new acoustic report indicates higher ambient noise levels (LAeq) were measured during 2018 than in August 2023 probably because recent measurements were carried out during summer holidays when many people are away and everything is much quieter. No objections raised but revised conditions recommended.</p>
<p>Environmental Services (Contaminated land)</p>	<p>No objection but require conditions on site investigation, remediation and verification.</p>

Waste and Street Services (Refuse)	No response.
Landscape & Tree Officer	<p>Welcomed scheme changes which provide a far better amount of amenity provision but scheme is deficient in external amenity space, public open space, children’s play space and allotment space and S106 contributions sought towards all of these totalling £171,068. Conditions requested on details of children’s play areas including safety surfacing and equipment, hard and soft landscaping, boundary treatment, Landscape Management Plan, green and brown roof construction, specification and maintenance schedule. sustainable urban drainage systems.</p> <p>No further comments on revised scheme.</p>
Flood Risk Officer	No response.
Transport Services	<p>No objections but seek following S106 obligations/contributions:</p> <ul style="list-style-type: none"> <li>• scheme residents to be denied residents’ parking permits;</li> <li>• provision of car club free membership to all residents for 3 years;</li> <li>• £178,000 sought towards junction improvements, traffic calming measures, cycling infrastructure, improved footbridge over railway, CPZ review, footway and bus stop improvements and travel plan monitoring;</li> </ul> <p>Conditions also requested for submission of delivery/servicing plan, construction logistics plan, parking management plan, proposed parking bays to be provided with electric charging points and submission of a plan showing the internal layout of the proposed road.</p> <p>No further comments on revised scheme.</p>
Highways Manager	No response.
Housing	<p>Noted the original scheme was not eligible for fast track approach as it proposed 35% affordable housing but a tenure split of 40% for rent / 60% intermediate and the Council’s requirement is 60% for rent / 40% intermediate.</p> <p>For the revised scheme. supports the tenure split of 56% social rent (LAR) and 44% intermediate and 35% affordable units by habitable room; also supports size mix of the social rented homes including 7 x 3 bedroom homes; requests the intermediate units are available to a <i>range</i> of incomes and not just aimed at those at the top of the £90,000 income cap.</p>
Education Services	Require S106 contribution of £224,907 towards education infrastructure.
Regeneration	<p>Requires developer to provide a Local Employment &amp; Training plan and including:</p> <ul style="list-style-type: none"> <li>• S106 contribution of £12,500 for coordinating and monitoring training and employment opportunities.</li> <li>• apprenticeships during construction phase</li> </ul>

	<ul style="list-style-type: none"> <li>• 11 work experience opportunities for 16+ years old</li> <li>• developer to work with Councils' brokerage service to set up the above opportunities;</li> <li>• notification of all job, apprenticeship and work experience vacancies at levels 4 and below to LB Ealing's job brokerage service;</li> <li>• 25% of all vacancies to be filled by Ealing residents with a long-term connection to the borough;</li> <li>• non-negotiable penalty of £10,000 per apprenticeship if apprenticeship opportunities not created.</li> </ul> <p>No further comments on revised scheme.</p>
Energy/ Sustainability Adviser	Supportive of Energy Strategy; requires S106 contributions towards low-carbon/renewable energy monitoring and for Carbon Dioxide Off-setting. This is detailed within the Heads of Terms. Conditions also required on Whole Life-Cycle Carbon Assessment, Circular Economy, post construction energy equipment monitoring, implementation of the approved sustainable design and construction measures and on energy monitoring.
Strategic Planning	No response.
South Acton Councillors	<p>Objection to original scheme by Cllrs. Blacker, Sabiers and Johnson on grounds of:</p> <ul style="list-style-type: none"> <li>- inadequate provision of affordable housing;</li> <li>- lack of private amenity space with less than half of units meeting the requirement;</li> <li>- shadowing of windows and balconies of Ravenswood Court properties and shared amenity spaces for Ravenswood and blocks at Acton Gardens;</li> <li>- significant impact on daylight to South Acton allotments;</li> <li>- poor monolithic design and not the exceptional architectural quality required for a tall building.</li> </ul> <p>No response on revised scheme.</p>
Southfield Councillors	No response.

Given the very large number of objections and the wide range of issues raised in them, comments on them are made within relevant sections of the report.

It is also noted that the applicant carried out pre-application and post-application discussions with planning officers since November 2018. Following this, the applicant engaged in pre-application dialogue with local residents and other key stakeholders throughout the design evolution stage of the project. This consultation process also included two public exhibition days, local councillor briefings, two meetings with Ealing Civic Society, a meeting with the Ealing Allotment Partnership, two rounds of Public Consultation Webinars in May and September 2021 and two sessions with the Ealing Design Review Panel in April and October 2021.

**Relevant Planning Policies:**

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

**Reasoned Justification:****Main Issues**

The main issues in assessing this proposal are the principle of the development which involves mainly residential development on an existing industrial site, the quantum of development, the design and impact on the character and appearance of the adjoining 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 the Community Infrastructure Levy.

**Principle of Development**

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

However, the site forms part of a Locally Significant Industrial Site (LSIS). Ealing Core Strategy Policy 1.1 (C) seeks to promote business and enterprise by securing the stock of employment land and encouraging regeneration and renewal.

London Plan Policy E7(indicates development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 in selected parts of LSIS sites. It notes that, in LSIS sites, the scope for co-locating industrial uses with residential and other uses may be considered but this should be part of a plan-led or masterplanning process. This should also be subject to the industrial activities on-site and in surrounding parts of the LSIS not being compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation, the intensified industrial, storage and distribution uses being completed in advance of any residential component being occupied and appropriate design mitigation being provided in any residential element relating to safety and security, access, design quality, public realm, visual impacts, vibration and noise and air quality.

The proposed development involves the demolition of units 6 and 12 Greenock Road, comprising 77 sq m of industrial floorspace. The proposed development would replace this with 794 sq m of light industrial floorspace at ground, upper ground and first floor levels. This would result in a net increase in floorspace of 717 sq m. As such, the proposed development would result in intensification of the LSIS site and provide additional industrial capacity in accordance with Policy E7 and Policy E6 of the Reg19 Draft Ealing Local Plan.

The initial GLA Stage 1 report on the original application indicated that it could be supported in principle despite, at the time, the absence of a plan-led or masterplanned approach to the consolidation and release of the wider LSIS. With regard to the revised scheme, the GLA support the increase in industrial capacity to a 74% plot ratio but want this provision to be secured to reflect London Plan

policies regarding floor to ceiling heights, access and servicing arrangements, suitably sized lifts and the uses falling within classes E(g)iii, B2 and B8.

In response, the applicants note that the scheme comprises a single double height unit extending to 77 sq m GEA with better servicing arrangements so that the proposed development provides much greater industrial capacity than the existing 6% and confirm that the proposal is for light industrial only (use class E(g)iii). This use would be secured by condition.

As noted above, Policy E7 requires such development in LSIS locations to be delivered as part of a plan-led process. This is reiterated by Policy E6 of the Draft Ealing Local Plan (Reg19) which states that “mixed intensification may be suitable on LSIS in cases where a masterplan is agreed within Ealing”. Similar forms of mixed use development have been allowed within the local area along Bollo Lane and Stirling Road, which have included 2-10 Roslin Road and 29-39 Stirling Road (192130FUL and 204553FUL), 1 Stirling Road/1-9 Colville Road And 67-81 Stirling Road (214611FUL and 232800FUL) and 3-15 Stirling Road (214991FUL). These applications were considered within the context of a Framework Masterplan developed by Hawkins/Brown, which set out basic design parameters that guided development of this urban island area. This application site, however, falls outside the defined area of that Framework Masterplan.

**South Acton LSIS Masterplan**

Since the approval of these applications nearby, significant pressure on further development within the LSIS has occurred. In response, the Council has developed, in consultation with landowners and developers in the area, a Masterplan for the South Acton Industrial Estate in line with Policy E7 of the London Plan and Policy E6 of the Ealing Draft Local Plan.

Ealing Council commissioned this masterplan, prepared by Haworth Tompkins in collaboration with other development partners in April 2023. Its overall aims were to:

- provide a Framework for industrial-led development to create a successful place;
- support the assessment of future planning applications within the LSIS;
- protect and enhance diverse local industrial employment space;
- give confidence to businesses, landowners and developers to make decisions.

The masterplan was developed in consultation with the LBE project team, including officers from the Council’s Planning and Regeneration teams, as well as many external stakeholders, including TFL, the GLA, local landowners and developers. A number of stakeholder workshops were carried out in June, July and September of 2023, with feedback provided and considered.

The Masterplan process began with establishing the baseline, including the site’s history, existing and emerging context, site character, streetscape, existing land uses and total floorspace, types of businesses, transport connections, access, parking, connectivity and public realm and green space. This resulted in design guidance and an overall masterplan proposal.

A key element of this Masterplan is to establish where co-location of industrial and residential uses would be appropriate. A zoning option was considered as the most appropriate method of identifying where such mixed-uses should be concentrated and where sites should be restricted to pure industrial uses. The preferred approach is shown in the plan below, with the sites appropriate for co-location shown in blue and those restricted to industrial uses in red.



Figure 4: Masterplan Zoning Option for Co-Location (Blue), Solely industrial (Red) and Residential (Yellow)

Advantages of this option include the ability for the pure industrial and co-located areas to be clearly separated by road, better opportunities for placemaking on the east west route to South Acton Station and preventing piecemeal co-location schemes by clearly defining the appropriate spaces for mixed-use development. This proposal falls within the co-location zone and is therefore in accordance with the broad principles of the Masterplan.

The Masterplan also defines appropriate building heights and densities. Guidance limits for height and density were based on review of approved and emerging schemes within the area, and establishing principles through a Benchmarking exercise with account taken of the distinct lack of green space within the LSIS. Based on an assessment of local green space requirements, a density target of 300 dwelling units/ha was considered appropriate. The density of this proposed development, at 1,000 units/ha, would significantly exceed this target, and also exceeds the densities of other recently consented schemes in the area.

The Masterplan also identifies areas of the LSIS where public realm improvements could be delivered, including potential spaces for future pocket parks or public squares which would meet the placemaking objectives of the Masterplan and increase the amount of green space. The small footprint if this application site restricts its potential to provide more open space. These are considerations that would need to apply to any development of other sites within the co-location zone in future.

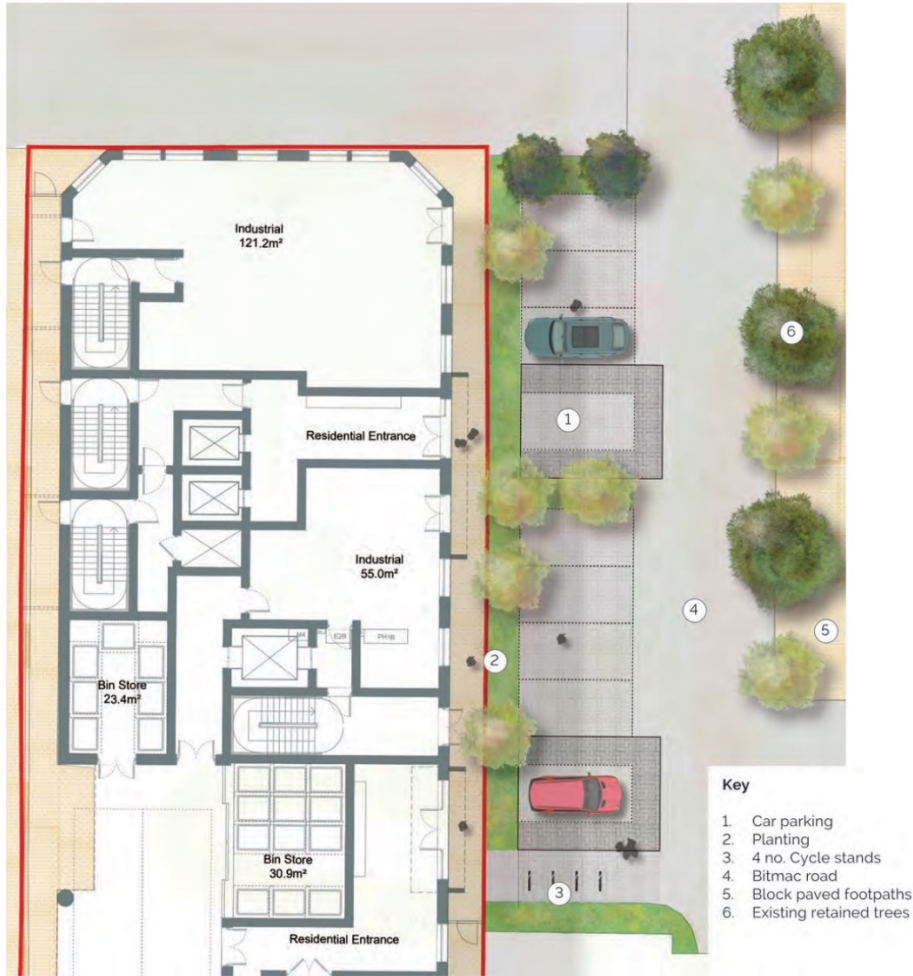


Figure 5: Proposed Public Realm Improvements

In addition, maximum building heights are identified for parts of the Masterplan area as shown in the plan below:



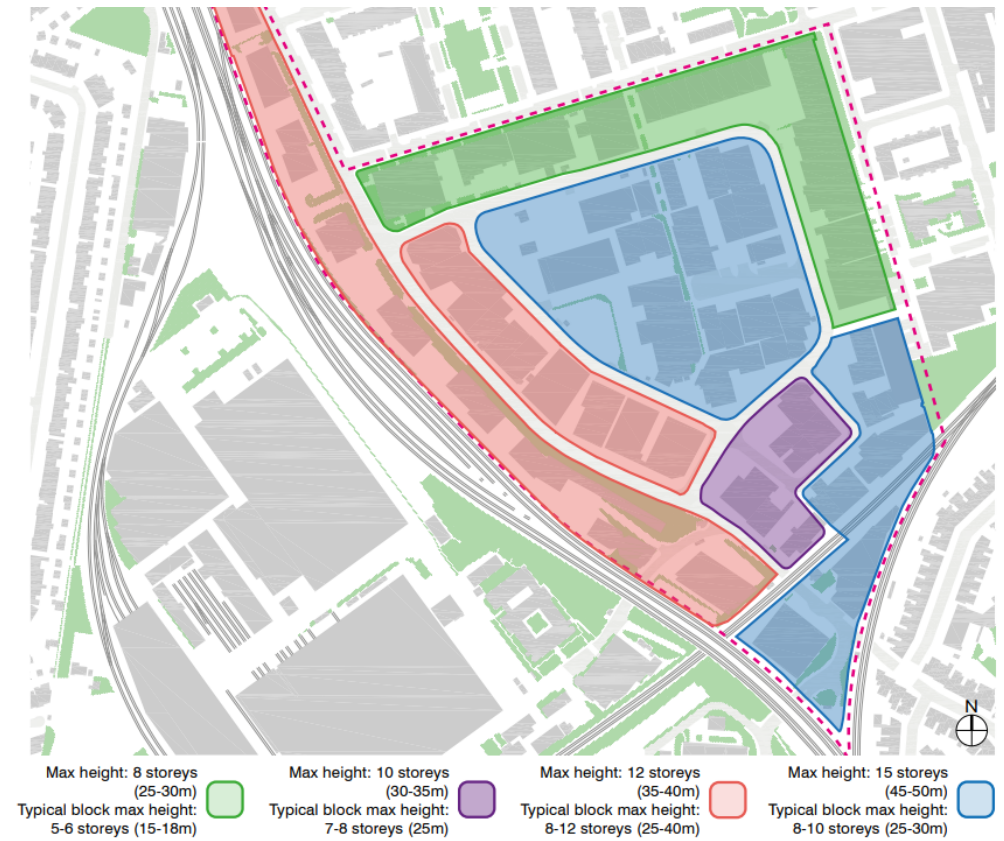


Figure 6: Masterplan Building Height Limits

The area shaded in blue, in which this application site lies, should have maximum building heights of 15 storeys, with a typical block height of 8-10 storeys. The proposed development, with a height of 17 storeys, would exceed this maximum height. However, the Masterplan states that schemes that breach these thresholds by a limited margin may be acceptable, but only where schemes are:

- delivering successful industrial intensification
- meet other relevant plan policies; and
- secure additional benefits that improve the function, quality and amenity of the masterplan area.

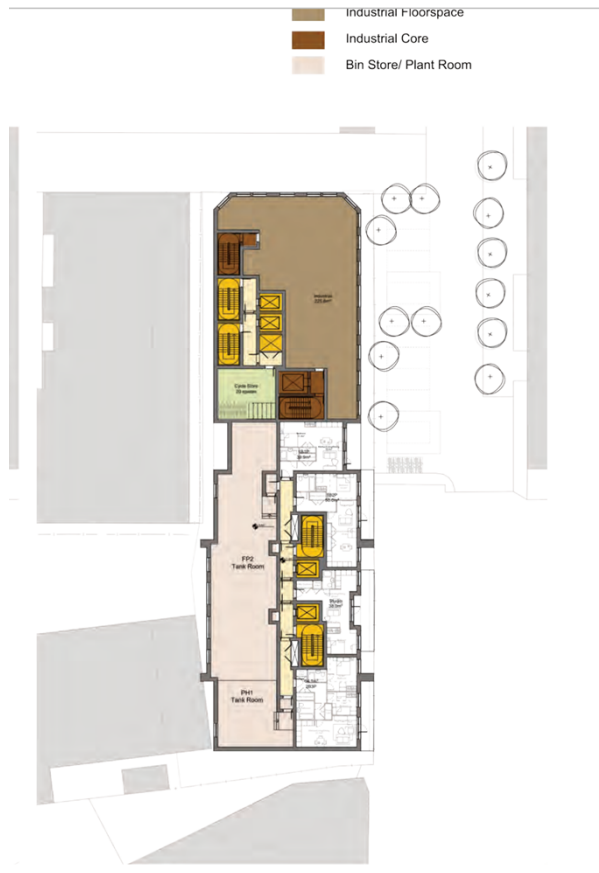


Figure 7: Proposed Ground Floor Showing Industrial Space and Off-street servicing area

In terms of industrial intensification, this proposal would result in a substantial uplift in the amount of industrial floorspace from 77 sq m to 794 sq m, a total gain of 717 sq m, or an almost 10 fold increase. The existing industrial premises are also old and in poor condition. The new industrial space would be provided on ground, first and second floor levels, allowing for maximum flexibility for the space to be subdivided for different occupants, or allow a large space for a single occupant. The scheme would also deliver internal floor-to-ceiling heights of 3.4 to 4.3m, and a double height loading area, which will be attractive to a wide range of occupants.

In accordance with London Plan Policy, the proposed development would also increase employment opportunities on site. It is estimated that existing buildings on the site have capacity for only 2-3 FTE jobs at typical employment densities. The proposed development would deliver the potential for between 25 to 40 FTE jobs, in more modern, efficient and functional space. Therefore, the proposal would not only increase the amount of available floorspace, it would also increase the employment potential of the site, aligning with the Council Plan 2022-2026 to create good quality jobs.

The applicant indicates that the proposed light industrial (formerly B1c) floorspace, on the advice of local agents with specialist knowledge of the market sector, has been designed to target flexible and creative industries and provide commercial floorspace for SME/small industrial/craft/co-maker spaces that can be easily adapted to accommodate a variety of different uses. They consider this use class is the most appropriate for the existing constrained site, as it is unlikely to warrant the need for a large yard space to support business activities or customer car parking.

The scheme complies with other requirements of the Masterplan in that:

- off street loading bays / vehicle servicing are provided for industrial units with adequate off-street servicing;
- the facade character would align with principles in the masterplan with an acceptable frontage design acceptable including brickwork, a gridded façade and an active street frontage;
- some street greening proposed.

Overall, this proposal would result in a number of public benefits which improve the function, quality or amenity of the masterplan area, as follows:

- a net gain of 717 sq m of modern industrial floorspace and 25-40 more local jobs;
- improved access and servicing arrangements with the adjoining site;
- public realm improvements and tree planting on Stanley Road outside the development;
- 42 affordable flats (35% by HR) of which 19 would be for social rent.

On balance, the proposal can be considered to comply to a reasonable extent with the South Acton Industrial Masterplan. It is therefore considered acceptable in land use terms and consistent with sections 5, 8 and 11 of the National Planning Policy Framework (2019); policy E7 of the London Plan (2021) and policies 1.1 (a) (b) (e), 1.2 (b), 2.1 (a) (c), 2.10 of the adopted Ealing Core Strategy (2012).

### ***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 2023 (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.

The proposed 140 residential units would have a range of sizes with more smaller 1 bedroom units (53%) but also with 47% larger, family-sized 2 and 3 bedroom units, as shown below.

<b>Quantum of Proposed Residential Provision</b>	
1 bedroom / 1 person	16 (11%)
1 bedroom / 2 persons	69 (49%)
2 bedrooms / 3 persons	44 (31%)
2 bedrooms / 4 persons	4 (3%)
3 bedrooms / 5 persons	7 (5%)
<b>Total</b>	<b>140 (100%)</b>

Policy H10 makes clear schemes should generally consist of a range of unit sizes with an appropriate mix of unit sizes to be assessed taking into account factors such as local evidence of need; delivering mixed and inclusive neighbourhoods; delivering a range of unit types at different price points; the need for additional family housing and the role of 1-2 bed units in freeing up existing family housing; a higher proportion of 1-2 bedroom units being more appropriate on sites near town centres or stations or with higher public transport access.

In this context, the proposal contains 60% of 1 bedroom units and the application site is not close to a town centre or station and has relatively poor public transport access. The proportion of 1 bedroom units has increased from 52% in the previous version of the scheme, with a reduction in the number of 2 and 3 bedroom units.

The GLA Stage 1 report on the original proposal indicated that the then 7.6% proportion of family size accommodation within the scheme, all of it affordable housing, was acceptable, noting the constraints and transport accessibility of the site. The GLA have not commented on the mix in the revised scheme, which contains a higher proportion of family sized housing.

On balance, the proposed 8% provision of 2 bedrooms / 4 person units and three bedroom / 5 person units along with the 31% of 2 bedroom/ 3 person units that would also be suitable for some family accommodation is considered acceptable in this location.

**Affordable Housing**

Policies H5 and H6 of the London Plan seek to maximise the delivery of affordable housing, setting a strategic target of 50% affordable housing. Policy H5 and the Mayor’s Affordable Housing and Viability SPG also set a strategic target of 50% affordable housing. For Locally Significant Industrial Sites and Non-Designated Industrial Sites appropriate for residential uses Policy H6 indicates that the 50% threshold for fast track consideration may reduce to 35% where the scheme results in no net loss of industrial capacity, which is the case here.

The Ealing Core Strategy sets a borough-wide strategic target of 50% affordable housing. Policy 3A of the Ealing Development Management DPD requires 50% affordable housing provision with a 60/40 split of social or affordable rented accommodation to intermediate provision. With respect to tenure mix, the Ealing SHMA indicates that affordable housing should contain a split between rented and intermediate housing.

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.

Unit Size	Market Units	Affordable Units
1 bedroom /1 person	16	0
1 bedroom /2 person	51	18
2 bedroom /3 person	31	13
2 bedroom /4 person	0	4
3 bedroom /5 person	0	7
<b>Total Units</b>	98 (70%)	42 (30%)
<b>Habitable Rooms</b>	211 (65%)	115 (35%)

Of the proposed 140 flats in this development, 42 units would be affordable, comprising 18 x one bedroom units, 17 x 2-bedroom units and 7 x 3 bedroom / 5 person units. 35% of units by habitable room would be affordable, as set out above.

The Council’s Housing section objected to the proposed affordable housing tenure mix in the previous scheme, which was 42% for social rent and 58% intermediate. This was because, although it would provide 35% affordable housing, it did not meet the Ealing policy requirement for 60% for rent and 40% intermediate. The Housing section wanted the 40% element to be mainly London Affordable Rent units given is a severe shortage of social and London Affordable Rented accommodation in Ealing, and shared ownership is not seen as a genuinely affordable product with no shortage of this type of accommodation in Ealing.

The applicants were requested to provide more London Affordable Rent units in place of the proposed 60% intermediate element, with an alternative of replacing half the intermediate units with London Living Rent (LLR) units and/or Discounted Market Rent units at LLR rent levels. The applicants did not accept this approach in the previous scheme. They argued that, given the extensive amendments made including an overall loss of 70 units, a 60% social rent/40% intermediate tenure split was not possible given viability concerns, site constraints on the building footprint, and the need to provide efficient internal layouts with separate cores to meet Registered Provider requirements. They also indicated that the scheme would be unviable with the Council’s preferred tenure mix and the proposal reflected the lowest profit level at which the applicant was prepared to develop.

The applicants submitted a Viability Assessment of the scheme. This was reviewed by the Council’s viability advisers, Gerald Eve in May 2023, who noted that the proposal did not include a policy compliant mix of tenure with 40% social and 60% shared ownership. They concluded that the offer of 35% affordable housing with this tenure mix is not the maximum reasonable that can be provided and that an identified surplus of £1.5m would enable the scheme to delivery 35% affordable housing with a 60% social and 40% intermediate mix in accordance with Ealing policy.

Following this, the scheme was revised so that the affordable tenure split would now be 56% Social Rent and 44% Intermediate by habitable room, as shown below. The applicants explain that, through the reconfiguration of the floor plans to accommodate the second stairs, they have sought to prioritise social rent units to meet Council standards.

Unit Size	Social Rent	Intermediate
1 bedroom /1 person	0	0
1 bedroom /2 person	0	18
2 bedroom /3 person	8	5
2 bedroom /4 person	4	0
3 bedroom /5 person	7	0
<b>Total Units</b>	19 (45%)	23 (55%)
<b>Habitable Rooms</b>	64 (56%)	51 (44%)

The GLA note that the revised scheme’s latest affordable housing offer would comply with the Fast Track Route criteria subject to the appropriate light industrial floorspace, affordability and eligibility criteria being secured.

The Council’s Housing section supports the revised tenure split of 56% social rent (LAR) and 44% intermediate units in the revised scheme and 35% affordable units by habitable room. It also supports the size mix of the social rented homes including 7 x 3 bedroom homes but requests the intermediate units are available to a range of incomes and not just aimed at those at the top of the £90,000 income cap.

It is acknowledged that the small site may well provide constraints on building footprint and viability, which could support a more flexible approach to the affordable housing tenure mix. On balance, the latest affordable housing offer is considered acceptable given the constraints of the 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.

Paragraph 123 of the NPPF seeks to ensure that developments make optimal use of the potential of each site, while paragraph 118 supports upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene and is well designed.

A building of up to 17 storeys, with a 10 storey shoulder building, is proposed but the application site has not been specifically identified in the Ealing development plan as an area in which tall buildings would be suitable, noting the requirements of Policy D9 of the London Plan.

The GLA Stage 1 report in 2019 on the original 23 storey scheme indicated that the elevations did not currently appear to successfully mitigate the impact of a proposed development on this scale, and the development would appear as a single large building with long floorplates. The suggested approach of varying colours and materials was not considered sufficient to articulate the significant mass of the proposed building. However, the scheme has changed significantly since then.

That scheme was also subject to review by the Ealing Design Review Panel (DRP) on two occasions, the last in October 2021 which commented on a scheme similar to that in this revised application. The main comments of the Panel were:

- development of the building proportions, relationship between the higher and lower blocks, and symmetrical articulation were seen as positive changes, with articulation particularly improved, and the depth of elevation, crown and cruciform plan adding to the scheme;
- some tension remains between the two blocks and should consider options for these to be more distinct, complementary forms;
- the scheme still has a relatively high proportion of single aspect one-bed and studio units and should explore introducing more larger units to help provide more dual aspect homes;
- the reduction in units per core, shortened corridor lengths and improved proportion of dual aspect flats were seen as positive enhancements to the design;
- the industrial units are quite small and awkward in plan with consideration given to their flexibility and viability as well as their impact on the active frontage to Stanley Road;
- should explore ways to enhance the relationship of the ground floor uses with the public realm;
- the functionality of the service yard and undercroft at the rear was questioned and the potential for conflict between different users and the management of this space need to be addressed, including the relationship between pedestrian and vehicular movement in this area;
- access and the relationship of the rooftop spaces to the internal spaces should be considered further, particularly in relation to the circulation cores, common areas and individual homes;
- further clarity needed on the layout of the roof terraces to better understand their usability as well as practicalities of access and safety, the approach to balustrade/guarding design and usability;
- the adequacy of play-space provision was questioned given the density of the scheme;
- concerns were raised about the green screen alongside the allotment boundary and implications for maintenance, access and design of supporting systems need to be addressed;
- the scheme could be improved by an enhanced connection to the allotments, and the internal arrangement of spaces, as well as proximity to the boundary here, should be reconsidered;

- further development of the landscape design, street tree provision and planting choice should be considered, as well as surface treatment and opportunities for informal play at street level.

Since 2019, the main design revisions to the building can be summarised as follows:

- the taller building has been reduced by 6 storeys and the shoulder building has been reduced by a single storey;
- the building has been set further back from the eastern and western site boundaries;
- the overall massing now features greater articulation with steps in the building and roofline to add depth and with balconies provided to all flats;
- the massing has also been articulated with a large set-back in the middle in order to visually define two buildings, whilst the tall building would have a defined central bay and two shorter flanking bays to break up the longer face of the building and emphasise its vertical proportions;
- the primary material is now proposed to be high-quality brick that reflects the surrounding context with glazed terracotta to be used as an accent material on the tall building;
- the top of the building now features a 'crown' to finish and provide interest to the development;
- to provide better integration with the adjoining allotments, planters at the base of the tall building is proposed to provide a green backdrop to the allotments.
- the industrial use is consolidated at the base of the shoulder building and provided with large vertical openings to provide an active frontage to Stanley Road;
- creation of a party wall condition along the north west elevation to protect and facilitate the future redevelopment potential of the adjoining 44 Colville Road site;
- redesign of the northern building plan and elevations, including relocating windows and balconies to outward facing facades;
- lower level building chamfers extended across all upper floors to create corner windows that improve aspect and passive surveillance;
- minor increase in AOD levels of buildings to allow greater floor to floor heights and more generous ceiling heights for services (with overall building storey heights unchanged);
- upper levels of the southern building aligned with lower levels by extending the eastern façade 0.75m outwards (resulting in increase in overall floorspace).

The applicants also indicate the design was revised to take account of the DRP comments as follows:

- the public realm at ground floor level now provides more generous footpaths and arrival space around the building entrances and includes landscape enhancements with 15 new trees;
- green screens, formed by raised planters at ground level with stainless steel wires or mesh structure to the above balconies, are proposed to provide a more green and interesting backdrop to the allotments and soften the visual appearance of the building in that location; this would



incorporate climbing plants that are evergreen, fast-growing, low-maintenance and suitable for a partially shade Eastern aspect;

- the provision of play-space within the site will be limited to under-5s only and provided at roof terrace levels 10 and 17 due to the spatial and operational constraints of the public realm at ground level; for safety reasons, these spaces would be informal in character rather than having traditional play equipment;
- the terraces at level 17 would include moveable furniture in order to provide flexibility of use for the residents;
- the arrangement of plant has been revised to provide more generous and clear roof terraces;
- the applicants confirm that accessibility to the amenity spaces will be provided to all the housing tenures and via the two cores.

These revisions did not respond to all DRP comments and there is still a relatively high proportion of single aspect one-bed and studio units.

The design of the scheme has improved significantly following various revisions. The taller building would have a well-defined base, central element and crown. The wider elevations of the tall building would comprise three bays to break up the massing and give it a vertical emphasis. The elevations would also be broken up by projecting balconies with the central section having semi-recessed balconies to add depth to the facade. The lower building would have a similar design approach to the tall building but without a crown structure and with an increased number of vertical frame elements. It would also have different coloured materials to distinguish it from the taller building.



Figure 8: East Elevation to Stanley Road

Overall, in terms of design and general appearance, the scheme can be considered acceptable. The scale of the building is considered further below.

**Materials**

The main facing material would be a grey / brown multi-stock brick to reflect other brick buildings nearby. Residential entrances would have a double height metal portico and curtain wall glazing. The industrial entrance at the base of the smaller building would have large vertical openings and metal frames. The central section of the tall building would be clad in glazed Terracotta tiles with white and ivory tones. This would be generally acceptable. However, a condition requires approval of external materials.

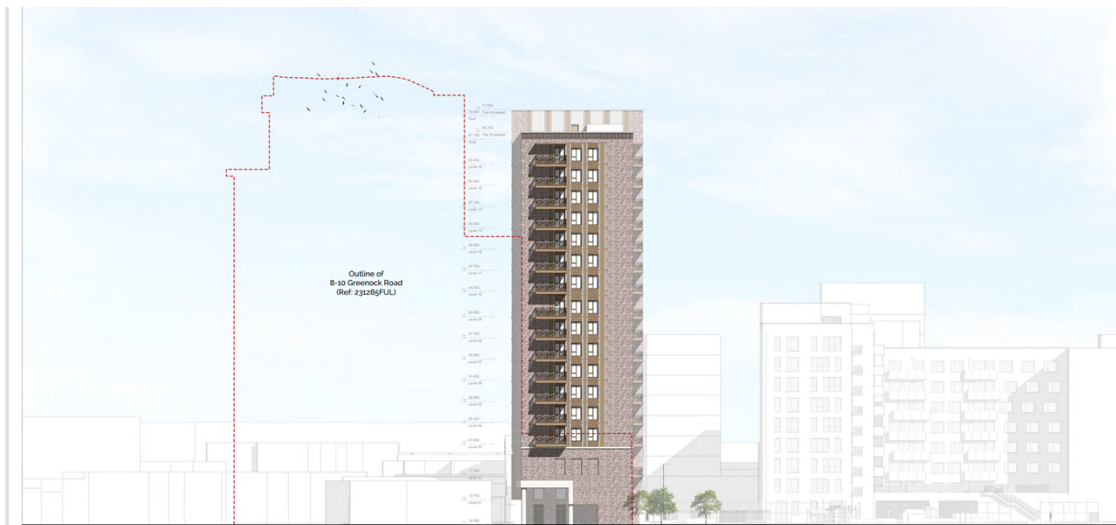


Figure 9: View from south

**Scale of Buildings**

London Plan Policy D9 indicates that tall buildings should be part of a plan-led approach and 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.

The proposed development of up to 17 storeys can be considered as a tall building and the site is not identified in the Ealing Development Plan as appropriate for tall buildings, nor brought forward through a plan-led approach. It is also not in the Central Activity Zone, an opportunity area, an area of intensification or a town centre. The scheme has therefore been assessed against the Policy D9 design criteria which are 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 would not lie close to any heritage assets and the submitted Heritage Assessment indicates that the proposed development would cause no harm to the World Heritage Site or its significance; it also concludes there would be no harmful effect on the setting of any heritage asset in the surrounding area including conservation areas, listed buildings, and registered parks and gardens;
- 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:** following revisions, the top of the building is considered well designed; based on the submitted visual impact assessment, it is not considered that it would adversely affect local or strategic views and would be seen in the context of other tall buildings approved nearby;

- 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 proposed building would appear fairly large and dominating in some mid-range views but would be seen in the context of the 10 storey Ravenswood Court nearby and is improved by design changes such as brick facades to reflect local context and recesses in the massing and roofline to give a more elegant and vertical appearance;
- d) **individually or as a group, to reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding:** the applicant argues that a tall building on this site would create a sense of arrival at South Acton station, mark the southern tip of the Acton Gardens masterplan and form a connection between Stanley Road and the emerging neighbourhood of taller buildings along Bollo Lane to the west.
- e) **architectural quality and materials to be of an exemplary standard:** the architectural quality of the building is considered to be of a reasonable standard and it would make a contribution to the local townscape; the Ealing Design Review Panel noted positive changes to building proportions, relationship between the higher and lower blocks, and articulation although with some areas of improvement indicated;
- 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 building facing Stanley Road would contain two double height entrances to the flats to create a sense of arrival while the pedestrian entrance to the industrial uses would also be from Stanley Road; this would be supplemented by landscaping and public realm improvements on Stanley Road and should create a reasonable relationship with the street.
- g) **Where the edges of the site are adjacent to open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy:** it is not clear that there is a transition in scale to the adjoining allotments although a green wall is proposed to soften this edge;
- h) **not cause adverse reflected glare and minimise light pollution from internal and external lighting:** the proposed materials of brick to most of the elevations along with glazed terracotta are not considered likely to cause adverse reflective glare and no objections have been raised on this point; external lighting within the service yard will be contained by the covered undercroft area while the roof terrace amenity spaces will feature low level lighting.
- i) **noise, wind, daylight, sunlight penetration and temperature conditions around the building not to compromise enjoyment of open spaces around the building:** in this regard, the submitted wind report indicates that various wind mitigation measures are incorporated in the scheme and that long term wind comfort conditions will be suitable for the intended use for all thoroughfares, existing building entrances, proposed building entrances, station platforms, allotment spaces, proposed amenity terraces and proposed balconies; with regard to the nearby allotments, the submitted overshadowing information indicates that these would still receive adequate sunlight hours for growing purposes;
- j) **internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants:** a Fire Statement accompanies the application relating to the revised layout, emergency access and escape routes and facade/materials proposals and a condition will ensure implementation to accord with this.

- 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 Council's transport section consider the proposal will be acceptable in terms on impacts on the transport network with the required S106 contributions to infrastructure;
- 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:** the proposal would provide a net increase of 859 sq m of modern industrial floorspace suitable for small businesses and would support 20 FTE jobs; this space has been designed to form an active frontage on the bottom two floors of the building;
- m) **proposals for tall buildings should positively contribute to the character of the area:** it is suggested that the proposed building would provide a marker for South Acton station, mark the end of a southern vista through Acton Gardens and that the active ground floor uses and public realm enhancements would transform the route into an attractive space connecting the light industrial estate and Acton Gardens.

The proposals have also been considered in the context of the 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 undergoing two rounds of design review by an independent panel and being subject to visual impact testing and 3D modeling of nearby, mid-range and long distance views.

However, it does not appear to 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. Despite the many objections, it is not clear that the scheme would fail to accord with aims to avoid diminishing the quality and amenity of adjacent buildings and outdoor spaces including overshadowing.

In addition, the proposed 17 storey building would exceed the maximum height of 15 storeys identified for this part of the South Acton Masterplan area. However, as noted above, the industrial intensification and public benefits of the proposal can be considered to justify an exception to this target.

On this basis, the proposed tall building would accord with many, if not all, of the London Plan Policy D9 and Ealing design guidance criteria.

### **Scale within the Wider Context**

Consideration of the scale of this development also needs to take account of the emerging townscape in the surrounding area. This needs to consider the context of the Acton Gardens masterplan for this area as well as the various tall, new buildings recently approved nearby.

The masterplan area for Acton Gardens (formerly the South Acton estate) lies roughly between Acton High Street in the north, Bollo Lane in the west, the railway line to the east and South Acton station to the south. It originally consisted of a large council estate of medium to high rise residential blocks of up to 17 storeys built between the 1950s and 1970s. The masterplan for regeneration of the estate involved a 15-year programme over a number of phases, including 2,500 new homes, over half of them affordable, and with an overall vision to reconnect the estate to the wider neighbourhood and to create a pedestrian-friendly environment with a sense of place, and safety and security for its residents.

The 2012 masterplan for the area was largely based on mid-rise development of 6 to 9 storeys. This covers an area broadly to the north and east of the application site.

The 2018 Masterplan and outline permission for the remaining phases introduced additional height to optimize housing capacity while respecting context and surrounding streetscape. It allowed for several 12 storey buildings and one of 20 storeys adjacent to Avenue Park at the centre of the site. The strategy was to locate taller buildings toward the centre of the site to allow for building heights to gradually fall to typical 1-3-storeys in height around the site boundaries. The taller buildings were located at key nodes to flank open spaces and contribute to their setting. This built form was to contribute to wayfinding around the neighbourhood, provide positive reference points and a sense of enclosure. Taller buildings were also positioned away from the lower buildings in the Mill Hill Park Conservation Area and from high points of the area, where lower to mid-height development was proposed.

In this broader Acton Gardens context, the proposed tall building would be located beside an area of open land – the allotments. However, the GLA Stage 1 report noted that whilst there is some logic to placing tall buildings next to public/open spaces of size, the subject allotment does not fall into this category.

The applicants suggest the proposed building would provide a marker for South Acton station, mark the southern tip of the Acton Gardens masterplan and provide a connection between Stanley Road and the emerging neighbourhood to the west. They say the application site borders the only connection between the light industrial estate and Acton Gardens, currently an uninviting and unwelcoming pedestrian footpath running to the north of the site, and that active ground floor uses and public realm enhancements along Stanley Road would transform the route into an attractive space connecting neighbourhoods together.

However, objectors to previous versions of the scheme argued that the proposal did not make a positive or an appropriate contribution to the local context of the Acton Gardens development, which consists of well-lit, well-spaced, predominantly mid-rise buildings. They also note that the proposed building is not in line with the Acton Gardens Master Plan which aimed to deliver quality medium rise housing and sought a reduced building height towards the southern border of the Southfield Ward adjoining 2 storey houses. This visual impact would be exacerbated by the application site being 5m higher than the southern 2 storey neighbourhood. It is further argued that any new building should 'complement rather than compete with its existing surroundings but this proposed development would compete with Ravenswood Court and Welbeck Court, which are currently the tallest buildings in the area with the other blocks nearby all lower. They assert that these elements of the Acton Gardens regeneration were carefully sited, designed with a U shaped layout to the south and limited in height to protect the allotments from loss of light and be less dominant in relation to the 2 storey houses to the south; the proposed building would ignore these factors.

Account also needs to be taken of a number of recently approved (some awaiting S106 Agreements) tall developments in the general area including:

- **TfL land at Bollo Lane:** up to 25 storeys of business floorspace, flexible commercial uses, and 200 dwellings;
- **TfL land at Bollo Lane:** 8 blocks of 8 - 18 storeys for business uses, flexible commercial space, and up to 700 dwellings;
- **29-39 Stirling Road / 2-10 Roslin Road:** two buildings of 15 storeys and up to 11 storeys of mixed-use development and 149 flats;

- **3-15 Stirling Road:** two blocks of up to 10 and 14 storeys in industrial-led, mixed used development with 88 flats on upper floors;
- **1 Stirling Road / 1-9 Colville Road and 67-81 Stirling Road:** two buildings of 11 and 20 storeys for mixed use development of commercial floorspace and 237 flats;
- **93 Bollo Lane:** up to 11 storeys mixed use scheme with 96 flats and light industrial floorspace;
- **100 Bollo Lane:** 3-14 storeys of mixed use development with 112 flats and business floor space.

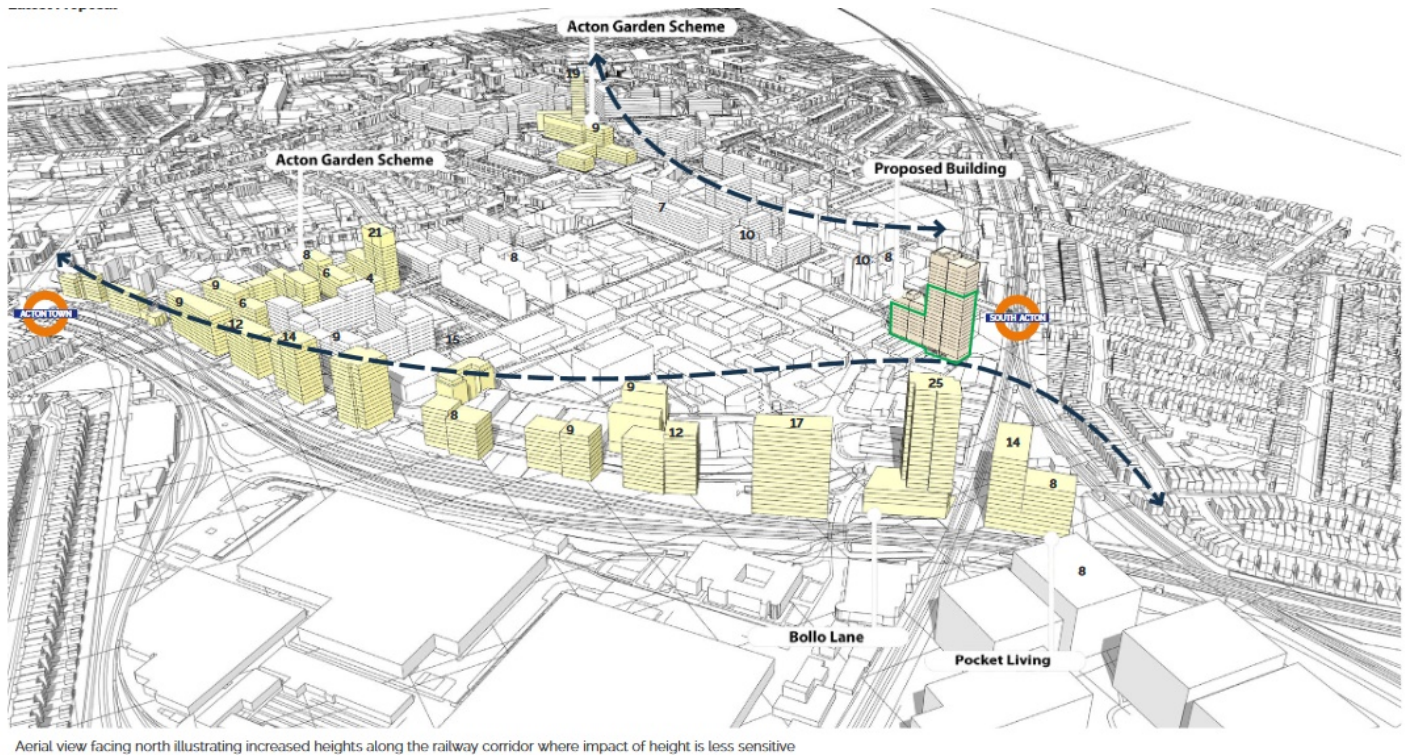


Figure 10: Approved/ proposed schemes in South Acton

These developments largely lie to the west and south-west of the application site and within 150-200m of it as shown on the diagram above. Many are concentrated along Bollo Lane with this area and the industrial estate to the west of the application site undergoing significant change with increases in building height.

The applicants argue that a tall building on the application site could form a connection between Stanley Road and the emerging neighbourhood of taller buildings along Bollo Lane to the west. The height of the shoulder element would relate to the scale across the road at Ravenswood Court with the taller element responding to the emerging tall buildings to the west within the South Acton industrial estate. They also argue this will create a new landmark building for South Acton Station, and reflect the form and scale of the emerging built environment in the surrounding area, including the TfL development on Bollo Lane. It is also asserted that the proposed building would be subservient to the 25 storey tower on the TfL site, with a lower overall height and a slimmer profile.

Objectors argue, however, that the TfL development and others along Bollo Lane are some distance away from this site and largely within their own distinct corridor unrelated to the application site. They

assert these schemes have significantly more space between buildings and provide significantly more outside amenity space and improvements to the public realm for residents and the existing community. They also note that the 100 Bollo Lane development has part of the building set back and substantially reduced in height towards the south.

Overall, the proposed building would not appear to accord particularly well with the aims of the Acton Gardens Master Plan. The site is significantly separated from the Bollo Lane corridor and its potential role as a connection between taller buildings further north in the Acton Gardens area is not particularly obvious. It can, however, be argued the proposed building would reflect a changing townscape picture in the wider area of South Acton where taller buildings are becoming more prevalent and this is recognised by the more recent South Acton Industrial Masterplan.

**Visual Impact**

London Plan Policy D9 requires tall buildings to be assessed in terms of their visual impact within long-range, mid-range and immediate views. A Townscape and Visual Impact Appraisal accompanies the application.

By way of context, the South Acton Industrial Estate to the north-west of the site includes small to medium sized units of one to three storeys in height. The area to the east and north-east has been redeveloped as part of the Acton Gardens regeneration, which includes the 10 storey apartment block Ravenswood Court and Welbeck Court.



*Figure 11: View looking south along Stanley Road*

The Townscape and Visual Impact Appraisal notes that existing views of the site are largely restricted to its immediate context due to the surrounding built form and limited structures within the site itself. It identifies 10 representative viewpoints from which the proposed scheme would be visible and assesses the impacts on views from these points. These viewpoints are:

- 1- South Acton Park,
- 2- Kingswood Road,
- 3- Bollo Bridge Road,
- 4- Whelan Road,
- 5- Bollo Lane – junction with Colville Road,
- 6- Bollo Lane – level crossing,

- 7- Cunnington Street,
- 8- Acton Green Common,
- 9- Gunnersbury Park,
- 10- Gunnersbury Cemetery.

The Appraisal considers that the proposed building would improve the townscape situation of the townscape character area within which the site lies, which is characterised as “industrial and railway infrastructure” with a low townscape value. This is because the proposal would remove a low quality building and replace it with a building of higher quality. It would also provide an active frontage to Stanley Road and the public right of way that links it to Greenock Lane, which is considered to improve the street scene and provide natural surveillance onto the surrounding streets.

It concludes that the proposed development would lead to the following residual, direct, permanent effects on the representative views as follows:

- Moderate and beneficial effect - representative views 5 and 6
- Moderate to minor and beneficial effect - representative views 2 and 7
- Minor and beneficial effect - representative views 3 and 4
- Minor and neutral effect - representative views 9 and 10
- No effect- representative views 1 and 8

It also notes that emerging schemes along Bollo Lane and nearby would be visible from most of these representative views and will reduce the visual effect of the proposal on some of the views.

The Appraisal concludes that the development would provide a new feature within views from the surrounding visual receptors that is not uncharacteristic of the townscape of South Acton, that its varied building form means that it would be perceived as two buildings, helping to break up its overall mass within views and that it would visually improve the townscape around South Acton station.

### ***Heritage Impacts***

London Plan Policy HC1 requires development proposals that affect heritage assets and their settings to ‘conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings’. London Plan Policy HC2 further states that development, in World Heritage Sites and their settings should conserve, promote and enhance their Outstanding Universal Value.

A Heritage Assessment accompanies the application. This notes that there are no heritage assets on the site and it does not lie within or adjoin a conservation area. While there are a number of heritage assets in the wider area around the site, most are over 500m away. These include parts of the Mill Hill, Gunnersbury, Acton Green and Thorney Hedge conservation areas. The nearest listed building is the Grade II listed Bollo Lane Junction Signal Box some 250m to the south. The Kew Gardens World Heritage Site lies 3km to the south-west. The Grade II\* Gunnersbury Park and Gardens of Special Historic Interest lies some 750m to the east.

Kew Gardens objected to the original application on the grounds of potential visual impacts on the World Heritage Site since no verified views had been assessed from within Kew Gardens and views from the Great Lawn, to the south-west of the Orangery, and from the Temple of Aeolus should be assessed. It has not commented on the revised proposals.

The GLA Stage 1 report on the original scheme noted that the location and significant height of the proposed building had potential to cause adverse impacts on the view, context and setting of items of heritage significance including Chiswick Park, Kew Gardens (World Heritage Site) and Gunnersbury



Park and that the impacts on these key heritage assets had not been dealt with in the submitted documents.

The latest Heritage Assessment assesses these views but concludes that the magnitude of change to the World Heritage Site would be negligible, and the proposed development would have a minor neutral effect with no harm to the World Heritage Site or any effect on any element of its setting that contributes to its significance. This is because the proposal would not be visible from Broad Walk, Kew Gardens and therefore represents no harm to this view. From the Temple of Aeolus, the proposal would be visible above the horizon but would sit to the left of the axial view and would be partially covered by tree planting in the mid distance and joined by the approved massing of the TfL Bollo Lane scheme.

With regard to other heritage assets, the Heritage Assessment concludes that:

- there would be a minor to moderate effect on the setting of three listed buildings / listed building groups - Chiswick Park and Acton Town underground stations and the Gunnersbury Park grade II group - and a moderate effect on the Gunnersbury Park grade II\* group. In all cases the effect would be neutral and would not harm any element of setting that contributes to their significance.
- the effect on the nearest conservation areas would range from negligible to minor to moderate, with a minor to moderate effect on the Gunnersbury Conservation Area in the London Borough of Hounslow.
- with regard to registered parks and gardens, there would be a negligible and neutral effect on the Chiswick House Park and Garden and a minor to moderate and neutral effect on Gunnersbury Park.
- with regard to locally listed buildings, there would be a minor and neutral effect on the locally listed Frank Pick House and negligible effects on others.

The overall conclusion is that there would be no harmful effect on the setting of any heritage asset in the surrounding area of the application site. There is no obvious reason to dispute this finding.

### ***Overlooking and Overbearing Impacts on nearby Dwellings***

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 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 of the site are industrial buildings, used as laundry, equivalent to 2 storeys in height but with no facing windows and with a separation distance of 18m. No significant adverse impacts on amenity would be expected to arise here.

Immediately to the west lie various industrial buildings of 1-2 storeys and fronting on to Colville Road. These would be separated from the proposed development by just over 3m. These buildings do not appear to have any facing windows and it appears unlikely that significant impacts on their amenity would arise.

To the south and south-west are other industrial buildings of 1-3 storeys in height and fronting on to Greenock Road. These would be separated from the proposed development by 4m to the south and 6m to the south-east. The southern industrial units have a vehicle loading bay facing the application site. The industrial units to the south-east do have windows in their facing elevation but given the

industrial nature of their operations, it appears unlikely that unacceptable impacts on their amenity would arise here.

However, there is now a planning application on 8-10 Greenock Road immediately to the south of the site. This proposes an 18 storey building with flats above ground floor industrial and café space. On the lower floors, the separation distance between the buildings would be 9m but these would be industrial units so no daylight or overlooking issues arise. On the upper floors, residential windows in the adjoining Greenock Road development would be separated from this scheme by some 21m. Moreover, windows/balconies in the adjoining schemes would not be facing each other and would be at an acute angle to each other. No overlooking appears likely here.

To the south-east is an area of allotments adjoining the railway line. The proposed development would appear to come within 1m or so of the western edge of these allotments. While no issues of residential amenity arise here, the various other potential impacts on the allotments are considered separately below.

The closest existing residential properties are the dwellings in Ravenswood Court lying immediately to the east of the site across Stanley Road. This is a 9 storey block of flats, which has windows and balconies facing the application site.

There are a large number of objections from local residents on the grounds of adverse impacts on light, overshadowing of nearby dwellings/amenity areas and overlooking of some windows from the proposed high building. Many of these are from residents of Ravenswood Court but also from Welbeck Court, Acacia Court and Reade Court, blocks of flats adjoining it.

In the revised scheme it would now be separated from the proposed development by some 18.7m. The applicants also note that the number of flats proposed along the eastern side of the development has also been reduced. This separation distance would normally be considered acceptable to prevent unacceptable overlooking.

Balconies are proposed in the western elevation of the new development and these would face existing balconies in Ravenswood Court. These are projecting balconies which would reduce the effective separation distance between them to 17.3m. While the resultant separation distance is marginally below the 18m ideally sought, facing balconies across a street with lower separation distances are found in other parts of Ealing. In addition, screens are proposed to the new balconies and combined with the separation distance, on balance, these should adequately mitigate unacceptable overlooking.

However, a 17 storey building this close to existing windows could be considered to have an overbearing effect on outlook from some Ravenswood Court flats. Many of these are single aspect dwellings which only face west and their windows and the outlook and only view from their balconies would be obstructed by the proposed 17 storey building. A point made by objectors is that the applicant emphasises the excellent views to be obtained from the west-facing flats of the proposed development, but these would be achieved by removing similar existing views from residents of Ravenswood and Welbeck Court.

While there will clearly be some adverse impacts on the outlook of some existing single aspect flats in Ravenswood Court, on balance, it is not considered the proposal would result in unacceptable overlooking to adjoining residential or industrial properties.

***Impacts on Daylight***

With regard to impacts on light, 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.

There have been a large number of objections from local residents on the grounds of adverse impacts on light and overshadowing of nearby dwellings/amenity areas as a result of the proposed high building. These come particularly from residents of Ravenswood Court, Welbeck Court and Acacia Court, which lie just across Stanley Road from the development.

A Daylight/Sunlight assessment of impacts on neighbouring properties accompanies the application and assessed daylight and sunlight effects on 17 neighbouring buildings which were considered close enough to be relevant for daylight and sunlight assessment. This used the Vertical Sky Component (VSC) and No Sky Line (NSL) tests indicated by BRE Guidance. The Vertical Sky Component (VSC) test was first applied. This measures the amount of sky visible at a specific point on the window, reflecting the amount of daylight received. If windows achieve a VSC below 27% and have existing levels of sky visibility reduced to less than 0.8 times their former value, there would be a 'noticeable' impact to daylight.

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

On this basis, the assessment found that the following 8 properties would be fully compliant with BRE recommendations for daylight and would therefore not experience significant impacts: Nos. 2 -6, 10, 14, 20, 24 and 28 Weston Road.

The remaining 9 properties were assessed to experience changes to their levels of daylight and sunlight: 57 -59 Kingswood Road, Nos. 8, 12, 16, 18, 22 and 26 Weston Road and flats in 1-26 Ravenswood Court. The losses of daylight were assessed as more than the 20% recommended by BRE Guidance.

For these terraced houses along Weston Road and Kingswood Road, the reductions in light based on the VSC and NSL tests were assessed as minor and unlikely to significantly affect the tested rooms. Most of the windows were assessed as being compliant with BRE targets. Only one window, mainly at ground level, in most of these dwellings would be affected and in each case the impact was assessed as minimal. It was concluded that there would be no noticeable loss of light within these dwellings.

For Ravenswood Court, due to the largely underdeveloped nature of the application site, the assessment considered it appropriate to use an alternative 'mirror massing' baseline, as opposed to comparing light levels as existing with those after the proposed development. This approach is suggested by BRE for situations where new development would be close to an existing higher building and assumes it would not be unreasonable to develop an adjoining site to at least match the height of the existing building opposite it. Using this approach, it concluded there would be changes to daylight and sunlight for a number of rooms within Ravenswood Court (including Welbeck Court).

A total of 72 rooms, served by 117 windows, were assessed for potential alterations in daylight. Of these, 50 rooms were found to be fully BRE compliant for both the VSC and NSL measures. Of the total 22 affected rooms, one is an open-plan living/kitchen/dining room, three are living rooms and 18

are bedrooms. It notes that the majority of these would be bedrooms located opposite the proposed development site and considers this type of room less sensitive to daylight losses.

The only combined living, kitchen and dining space affected is indicated to be a room at ground floor level. However, this is a dual aspect room and only the windows facing the proposed development would experience a reduction in VSC levels. In addition, the assessment indicates the NSL level within this room would remain very good (99%) and therefore the overall daylight alterations to it were considered minimal and acceptable.

The assessment also indicates that three living rooms in Ravenswood Court, on the 7<sup>th</sup> and 8<sup>th</sup> floors facing the proposed development, would experience reductions in levels of daylight and sunlight. However, it indicates that most of these living rooms already experience low levels of light under the VSC, NSL and PSH tests due to the presence of inset balconies. While some other lower facing windows would also have a reduction in light, these serve dual aspect rooms with side windows so that overall light in the room is considered adequate.

Of the 18 bedrooms which would have a daylight reduction (on the VSC test), the assessment indicates 8 would be dual aspect bedrooms and these would also have secondary windows not facing the application site. In addition, it notes they all meet the BRE criteria for the NSL test and therefore the daylight effects experienced by these 8 bedrooms as a result of the proposed development were considered only minimal and overall acceptable.

The remaining 10 bedrooms affected have a single window facing the proposed development and would see a reduction in their daylight levels on both VSC and NSL measures. These rooms are on the first to 10<sup>th</sup> floors and directly opposite the proposed development. To test whether the daylight quality of these bedrooms would be meaningfully altered as a result of the proposed development, a supplementary daylight assessment (Average Daylight Factor) was undertaken. The recommended ADF levels for bedrooms is 1%. This further assessment found that, on this measure, the retained daylight levels would be in line with BRE guidance for all of the affected 18 bedrooms. On this basis, the assessment concludes that the daylight reductions on the VSC and NSL tests indicated above are considered minor and these bedrooms would remain adequately provided with daylight.

Overall, the assessment concludes that daylight and sunlight effects upon the existing neighbouring properties can be considered acceptable and in line with the flexibility allowed for within the BRE guidance and the London Plan Housing SPG.

A separate Daylight Assessment has been provided to assess daylight impacts on the proposed development at 8-10 Greenock Road using the spatial Daylight Autonomy (sDA) method as set out in the latest BRE Guidance. This indicates that 97% of the 345 rooms would meet relevant sDA recommendations with the Stanley Road development in place. The 11 rooms falling short are 9 living/kitchen/ dining rooms (LKDs) and 2 bedrooms. These rooms fall just marginally short of the recommended levels and all combined LKDs achieve at least the minimum recommendation for living areas so are considered well daylighted for their primary function as living spaces. Overall, this assessment concluded that the Stanley Road development would not materially affect the daylight quality of the proposed residential accommodation at 8-10 Greenock Road.

With regard to sunlight, all living rooms facing within 90 degrees of due south had their windows tested for sunlight. The nearby dwellings on Weston Road and Kingwood Road to the south of the proposed development would experience no sunlight impacts. Within Ravenswood Court, 24 out of the 25 assessed living rooms were assessed as fully compliant with BRE guidance. The one room which failed this test is on the 8th floor but is located behind a balcony which obstructs most of the direct

sunlight reaching the inset window and the baseline sunlight level is already below the BRE recommendation.

An objection from local residents asserts that the applicant's Daylight/Sunlight Assessment should not be accepted as it contains omissions, incorrect room classifications causing false conclusions and confirmation bias with regard to selected measures and misleading language. These objection points and the applicants' response to them are set out below:

- the assessment omits an entire block of flats (Welbeck Court) approximately 20m away: the applicants respond that Welbeck Court was not omitted but assessed as part of Ravenswood Court and the results are provided in the report; this is correct;
- the assessment states that most rooms facing the new development are bedrooms which is incorrect since 1/3 of the rooms are living rooms/kitchens and 1/3 are combined bedroom/office-studies: the applicants responded that the approved plans for the existing building do not indicate the bedrooms for use as office-studies; on that basis, 22% of the rooms assessed are living rooms, 13% are dual-aspect Living/Kitchen/Diners and 65% are bedrooms; of the 22 rooms where daylight is affected when compared to the mirror-massing baseline, 4 are living spaces and 18 (82%) are bedrooms, so it is correct that most of the affected rooms are bedrooms;
- the assessment claims that some facing rooms are already below required light levels due to inset balconies but this is not the case according to planning documents for Acton Gardens Phase 3.1 which indicates daylight levels are well above the required standard: the applicants responded that their own assessment of existing conditions for these flats found that current VSC levels for the living rooms behind inset balconies range from 17.0% at 1st floor to 17.9% at 8th floor, which is significantly below the BRE criteria of 27% despite an unobstructed outlook, so that the current low levels of daylight are a function of the inset balconies.
- the assessment supports this claim of minimal daylight impact by misclassifying rooms and assuming existing reduced light levels, all based on only a desk top study and clearly without having established the true room classifications of the existing Phase 3.1: the applicants responded that a highly detailed 3D computer model of Ravenswood/Welbeck Court was created from the most accurate information available in the public domain, namely detailed plans, sections and elevations submitted to support the Reserved Matters Application for Acton Gardens Phase 3.1 and downloaded from the Ealing Council planning portal; they note that this method for assigning room uses is industry standard practice for daylight and sunlight assessments accompanying planning applications; they also reject any misclassification of rooms for the reasons indicated above.
- the objectors carried out a basic analysis of a representative 1-bed flat in Ravenswood Court floor 5 and the estimated values and daylight impact [of the proposal] all fall severely sort of required BRE standards: the applicants responded that there were a number of fundamental errors in the objector's calculation;
- the objectors note that documents for the proposed development indicate the west-facing apartments in it will have the benefit of direct sunlight from afternoon onwards but do not mention that this direct sunlight will be removed from the residents of Welbeck Court and Ravenswood Court which have west facing balconies: the original Daylight/Sunlight Assessment did not assess such overshadowing impacts on adjoining balconies, only on the allotments; the applicants acknowledged that, given the westerly orientation of the facade and the balconies' current outlook over an existing underutilised site, it was inevitable that a reduction in sunlight to these balconies would occur. However, an Overshadowing Assessment was subsequently carried out for the 8

west facing balconies in Ravenswood Court and this indicates that on 21<sup>st</sup> March, all 8 balconies would receive full sunlight until 13:00; on 21<sup>st</sup> June all 8 balconies would receive full sunlight until 15:00 when 1 balcony would be in shade with 6 balconies in shade by 17:00 but full sunlight would then be received by all balconies from 19:00 onwards.

Objectors also requested the Council commission an independent daylight/sunlight assessment of the scheme. However, it was considered that there was sufficient internal expertise available in this field for planning officers to review the applicant’s assessment adequately, and this was done.

On balance, based on the BRE guidance and having considered the points made by objectors, the proposal is not considered to have unacceptable impacts on the daylight of nearby properties to a level that would justify refusal. It would appear to have some impact on sunlight to adjoining balconies in Ravenswood Court but again it is not clear that this impact would be sufficient to justify refusal.

**Impact on Allotments**

London Plan Policy G1 aims to protect and enhance London’s network of green and open spaces, and green features in the built environment and accompanying text emphasises the objectives of promoting mental and physical health and wellbeing and...supporting food growing.

The South Acton Allotment Gardens Society has objected to the revised proposals on the basis that the proposed building would cause a significant loss of sunlight to much of the South Acton Allotment west site. They emphasise that the BRE Guidance is not a horticultural standard for cultivation of vegetables and fruit, especially during the growing season from March to October. They also note that there would be increased shading from 14:00 until sunset for up to 90% of the plots in Summer, as indicated by the Daylight/ Sunlight Impact Study pages 72-87 and 82-83, and that this assessment does not cover the period beyond 15:00 in Winter or accurately reflect the degree of shadowing.

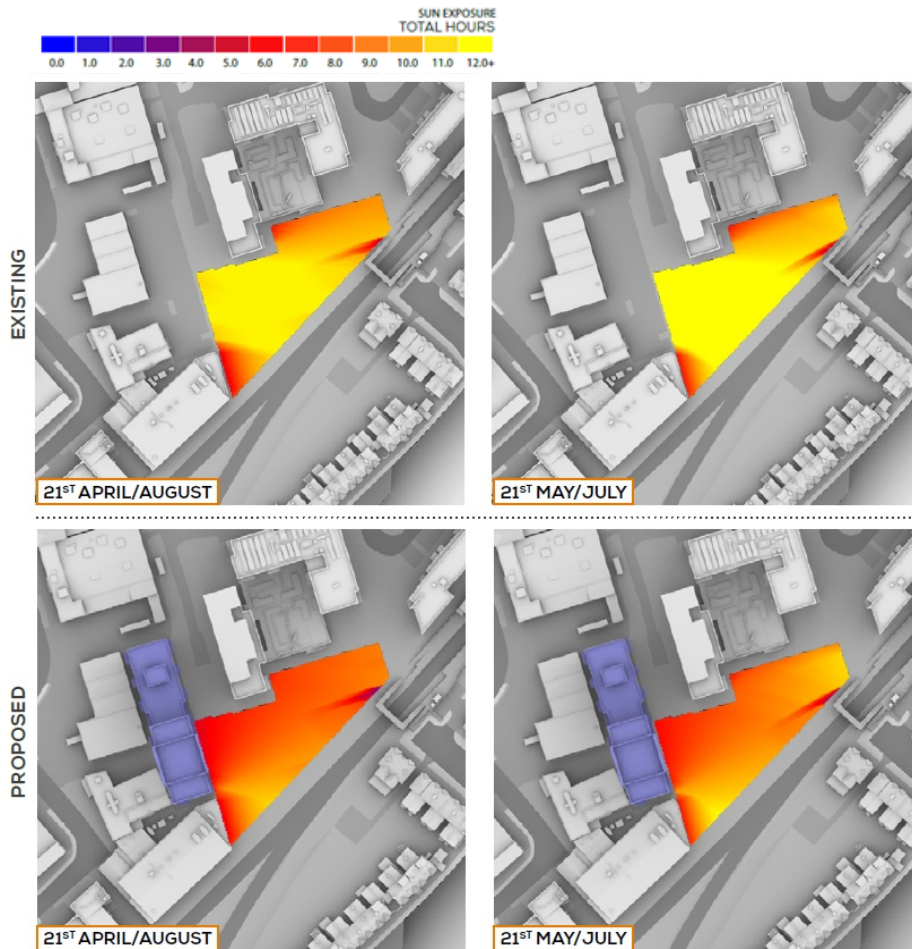
The South Acton Allotment Gardeners Society objects to the proposal and asserts that it will cause:

- significant loss of sunlight to much of the South Acton Allotment west site;
- the BRE standard is not a horticultural standard for cultivation of vegetables and fruit during the growing season;
- increased shading from 14:00 until sunset for up to 90% of the allotment plots in summer; and the overshadowing report does not cover the period beyond 15:00 in winter or accurately reflect the degree of shadowing.

The applicants do not accept the objector’s assertion that the assessment does not accurately reflect the degree of shadowing, arguing that the assessment provided is accurate and goes above and beyond the standard overshadowing assessments suggested by the BRE guidance.

The applicants’ response is that, while there will be an increase in shading from 14:00 in summer, the table below provides a summary of the area of shading between 14:00 and sunset on the summer solstice. This indicates that parts of the allotments are already shaded by surrounding buildings although it is clear that the proposal will significantly increase the area overshadowed.

Time on 21 June	% of Allotments shaded by Existing Surroundings	% of Allotments shaded by Proposed Development	Total % of allotments shaded
14:00	6%	10%	16%
15:00	10%	25%	35%
16:00	22%	48%	71%
17:00	30%	62%	91%
18:00	42%	56%	97%



**Overshadowing of Allotments**

The applicants also assert that shading of the allotments in the afternoons is unavoidable if the application site is to be developed, because even a modest 5 storey building on it would result in a similar degree of shading. In this context, the submitted Daylight/Sunlight assessment contains an overshadowing assessment for the allotments area. This examines shadowing patterns on an hourly and monthly basis. These assessments indicate that, although minor additional shadows would be cast by the proposed development upon a small north-western portion of the allotments area, the sunlight exposure would still remain very similar and good throughout the year.

It also notes that the majority of shadow cast upon the allotments during the growing season would result from the first 5 storeys of the proposed development, so that any increase in massing within the

development site would see overshadowing of this magnitude when compared to the existing underdeveloped site. It further notes that daily cumulative studies undertaken on the 21st of each month from March to September (the growing season) demonstrate that the vast majority of the allotments area would receive a minimum of 6 hours of sun daily, weather permitting, for the majority of the growing season.

Additionally, the applicants indicate that their review of the impact the nearby Acton Gardens developments have had upon the Jerome Tower Allotments on the corner of Enfield Road and Osborne Road shows that the retained levels of sunlight within the South Acton allotments would exceed those of the Jerome Allotments.

Part of the South Acton Allotment Gardeners Society objection is that the BRE standard is not a horticultural standard for cultivation of vegetables and fruit during the growing season. In this context, the Royal Horticultural Society identifies required growing conditions for fruit and vegetables based on the number of sunlight hours received by allotments. This indicates that most common fruit and vegetables require Full Sun although about half can manage with Partial Shade. Full Sun is defined as more than 6 hours of direct sun per day at midsummer and Partial or Semi Shade as 3-6 hours of direct sun per day at midsummer.

Further analysis provided by the applicant indicates the number of sunlight hours received by the allotments with and without the proposed development. Without the proposed development, approximately two thirds of the allotments area receives over 12 hours of sunlight between 21 May-21 July, with the remainder receiving 7-11 hours per day. With the proposed development in place, for the same period, this would change to something like 95% of the allotments area receiving 7-11 hours of sunlight per day and only 5% receiving over 12 hours per day. While this would be a significant change, all of the allotments area would still receive more than adequate sunlight for horticulture based on the Royal Horticultural Society definition above.

The South Acton Allotment Gardeners Society also objects on the basis of wind tunnel effects on the allotments arguing that the development will create new canyoning and vortex effects, greatly increasing the adverse 'wind tunnel' effects, which are not conducive to gardening. It also indicates that the distance between the eastern façade of the building and the allotment site is only 1.5m and removal of the existing slatted concrete wall on the western boundary of the allotment site will increase the prospect of damaging wind effects at the site. It further notes that the submitted wind reports are based on limited wind tunnel tests and conjecture formulated at 'workshops' and are insufficient to give assurance that wind effects will be limited.

The submitted Wind Assessment report does not specifically assess impacts on the allotments. It only notes that the allotments to the south-east of the proposed development would be suitable for sitting and standing use during the summer season, one category calmer than the existing baseline scenario.

However, further submissions by the applicants indicate that wind tunnelling is not expected in the allotments area as a result of the proposed development. The analysis in the submitted Wind Microclimate Report shows the wind conditions, with mitigation measures, would be suitable for standing use on the allotments. This also shows that the proposed development would provide an element of shelter to the allotments from prevailing winds compared to the existing situation since the strong wind exceedance measured in the baseline case would be eliminated by the development.

Overall, on the basis that the overshadowing and wind assessments by the applicants accurately reflect the likely impacts, and there is no other analytic evidence to the contrary, the proposed development would not result in unacceptable impacts on the allotments.



**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 140 residential units proposed, the table below sets out the range of floor areas provided per unit, and compares these with the minimum size requirement. Comparison is also made with the good practice flat sizes in the London Plan Housing Design Standards (2023).

Type/Size of Units	Unit Sizes	Minimum Required	Good Practice Size
1 bedroom / 1 person	38.0 m <sup>2</sup>	37-39 m <sup>2</sup>	43-41 m <sup>2</sup>
1 bedroom / 2 persons	50.0 – 54.8 m <sup>2</sup>	50 m <sup>2</sup>	55 m <sup>2</sup>
2 bedrooms / 3 persons	61.1 – 72.7 m <sup>2</sup>	61 m <sup>2</sup>	67 m <sup>2</sup>
2 bedrooms / 4 persons	70.0 m <sup>2</sup>	70 m <sup>2</sup>	77 m <sup>2</sup>
3 bedrooms / 5 persons	86.8 m <sup>2</sup>	86 m <sup>2</sup>	97 m <sup>2</sup>

This shows that all the proposed residential units would meet the minimum spatial requirements of the London Plan in terms of floor area but would fall below the Good Practice recommended sizes. Based on the typical flat layouts submitted, 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.

Policy 7B of LBE’s Development Management DPD states: “Good levels of daylight or sunlight are levels that are appropriate to the uses proposed for internal rooms and external spaces within the curtilage of the building. In the case of residential development, for example, dual aspect dwellings are strongly encouraged in all developments and single aspect dwellings are unlikely to be acceptable where they are north facing”.

In this context, 70 of the proposed 140 units would be dual aspect dwellings, 50% of the total. This is an improvement on the previous scheme’s 67 units (48%) and the original scheme (63%). None of the single aspect units would be north facing and none would have 3 bedrooms. The development could be considered not to comply with London Plan Policy D6 since dual aspect dwellings would not provide the majority of units. Policy D6 also notes that dual aspect units provide a choice of views and that the design of single aspect dwellings must demonstrate that the orientation enhances amenity, including views.

In response, the applicants note that many of these single-aspect units would enjoy views over the adjacent allotments, or have long-distance views to the west and are shallow and wide so that the habitable spaces within them would have high levels of sunlight/daylight. The eastern and western elevations of the taller element would also allow for semi-recessed balconies which give oblique views from within the apartments while providing useful mitigation against overheating. They further argue that the purpose of London Plan Policy D6 in minimizing single-aspect units is to avoid low-quality units with poor daylight / ventilation and the submitted reports show that all the single aspect units would still receive good natural light and be well ventilated so that the spirit of Policy D6 is adhered to. A significant number of the single aspect units would face east towards the 10 storey Ravenswood Court building and their views would be more limited. It is worth noting that the similar developments recently approved along Bollo Land have generally been able to provide predominantly dual aspect units.

The building would now be served by two separate single cores with two staircases and 2-3 lifts in each and the number of flats served by a core would be no more than 5 for the northern core and 8 for the southern core.

A Daylight/Sunlight Assessment accompanies the application. This assesses levels of daylight and illuminance for all 326 habitable rooms within the proposed development, using the spatial daylight autonomy (sDA) methodology based on the latest BRE Guidance. This sets illuminance targets (measured in lux) to be achieved for over 50% of the space for more than half of the daylight hours in the year.

This found that 296 (91%) proposed habitable rooms, would have sDA daylight levels that meet or exceed the BRE recommendation for their room use. Of the 30 rooms falling short of this recommended level, 19 are open-plan living/kitchen/ dining rooms (LKDs), 10 are bedrooms and one is a studio. 120 (86%) of the 140 living spaces (LKDs & studios) would meet or exceed the BRE recommendation of 200lux within half the room for half the daylight hours within a year. A further 4 living spaces that fall short of the recommendation for rooms with a kitchen, would meet or exceed the BRE recommendation of 150lux for living rooms and were therefore considered to have acceptable daylight for their primary function as living spaces.

The 15 remaining LKDs and one studio with lower levels of daylight would all be on the lowest floors (up to 7th floor) on the eastern elevation and obstructed by the Ravenswood Court building. However, 5 of these 15 rooms would achieve the recommended illuminance for half the year within the front third of the room where the living room is located. Moreover, these living rooms would have large windows to maximise daylight and are located behind balconies, which provide valuable private amenity space but also obstruct daylight. A judgment needs to be made on the balance of these factors.

176 (95%) of the 186 bedrooms meet or exceed the BRE recommendation of 100lux within half the room for half the daylight hours within a year. The 10 bedrooms with lower levels of daylight would all be located on the lowest levels (3rd to 6th floor) on the eastern elevation, opposite Ravenswood Court. Five of these would achieve the recommended illuminance for half the year within the front third of the room. However, all 10 bedrooms would be beneath a balcony which restricts daylight but again provides important private amenity space.

Overall, the Assessment concludes that future occupants will be provided with a high standard of daylight and considers levels of daylight to be excellent for a scheme of this scale and location within an area undergoing regeneration. It also confirms that these findings would not be changed by development of the proposed scheme on the adjoining site at 8-10 Greenock Road.

In terms of sunlight, 136 (97%) of the 140 proposed living spaces would see at least 1.5 hours of sunlight on the appropriate dates. The other 4 are all served by windows not oriented within 90-degrees of due south and with a balcony located above their north-easterly facing window, so that access to sunlight is more restricted. The Assessment concludes the flats would have a high standard of sunlight.

Given that the BRE Guidance advises that its guidelines should be interpreted flexibly and applied sensitively to higher density developments such as this, there are no obvious reasons to dispute these findings.

On this basis, it is considered the proposed residential units would offer an acceptable 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’.

A total of 14 flats (10%) would be designed as wheelchair dwellings to meet Building Regulation requirements for Part M4(3). The proposal would therefore meet the requirement of Policy D7.

In addition, all entrances would provide level access into the building and internal spaces are designed to be suitable for use by people with disabilities. The roof terraces would be fully accessible. Five car parking spaces would be provided for drivers with disabilities, accessed from Greenock Road and the cycle stores would accommodate large/cargo cycles.

**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 of the flats would be provided with private external amenity space in the form of a balcony, with the sizes indicated below.

<b>Unit Type/Size</b>	<b>No. of units</b>	<b>Minimum Required</b>	<b>Private Amenity Space provision</b>
1 bedroom / 1 person	16	5 sq m	5.0 – 16.4 sq m
1 bedroom / 2 persons	59	5 sq m	5.0 – 11.5 sq m
2 bedrooms / 3 persons	53	6 sq m	6.0 – 11.5 sq m
2 bedrooms / 4 persons	4	7 sq m	7 sq m
3 bedrooms / 5 persons	8	8 sq m	8 sq m
<b>Total</b>	<b>140</b>		

In addition, a total of 410 sq m of outdoor communal amenity space is provided in terraces on the 10th and 17th floors. This has been reduced from 473 sq m as a result of the additional stairs in each core. The two smaller roof terraces on level 17 would provide communal spaces with moveable furniture and informal play provision.



Figure 12: Proposed Level 10 Roof Terrace

The 10th floor roof terrace is designed to be a more family-focused amenity space with a series of outdoor rooms connected by raised planters and seating. The 17th floor roof terrace would also have planting and seating areas as well as providing residents with views to the south and west.

The Council’s Landscape section noted that for a development of this size, some 2,100 sq m of private amenity space would be required but only some 1,311 sq m of private/communal amenity space is proposed. This means the development is short of amenity provision by 789 sq m.

The applicants argue that there are a number of public open space areas within a reasonable distance of the site. These include Bollo Brook Park (0.5 km away), West Park (0.5km), South Acton Playground (0.5km) and Acton Green Common (1.1 km). However, the site lies within an area of district and local park deficiency and there has been considerable new housing development in this general area which will also place demands on these existing open spaces.

Some objectors argue that the lack of amenity space in this scheme, in an area of open space deficiency, should make it unacceptable and that S106 contributions cannot create new local open space to serve residents of the development where available land for it does not exist. However, the Council’s Landscape section accept that this shortfall in amenity space and public open space can be mitigated by a S106 contribution of £105,900 to fund improvements to the existing South Park, Mill Hill Park (Avenue Road Park) and Bollo Brook Park.

The latest Daylight/Sunlight Assessment assessed the communal roof terraces on the 10th and 17th floors for overshadowing. The BRE guidance recommends that, for an area to be adequately sunlit, at least half of it ought to see at least two hours of sunlight on 21st March. The results show that the main roof terrace at 10th floor would have 73% of its area with at least 2 hours of direct sunlight and the

southern terrace on the 17th floor would have 72% with at least 2 hours. The northern terrace on the 17th floor would have 50% of its area with at least 2 hours of sunlight on 21st March. In addition, the assessment indicates that very good sunlight levels will be experienced during the summer period and the vast majority of all three amenity spaces will enjoy at least six hours of sunlight.

On this basis, the quality of the private amenity space provision for the flats can be considered acceptable.

The Ealing Development Management Plan DPD requires 1.7m sq m of allotment space per person, so that a total of 471.4 sq m would be required within this development. As none has been provided, a S106 contribution of £16,499 is sought.

On balance, with S106 contributions to mitigate on-site shortfalls, the current proposals for amenity and allotment space can be considered acceptable and to meet the objectives of the National Planning Policy Framework, policies D6 and S4 of the London Plan (2021) and 7D of the adopted Ealing Development Management DPD (2013).

### ***Children's Playspace***

London Plan Policy S4 requires development proposals to provide play and informal recreation space based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and Policy S4 expect a minimum of 10 sq m per child to be provided in new developments.

Based on the GLA child yield calculator, the revised scheme is estimated to require a total of 290 sq m of dedicated children's play space on the site. The proposed roof terraces at levels 10 and 27 would provide 254 sq m of playspace for under 5s but the scheme as a whole would fall short in provision. This area has been reduced from 263 sq m as a result of the additional stairs in each core. This shortfall of 36 sq m means a S106 contribution of £2,506 would be required for improvements to local play facilities.

The GLA Stage 1 report on the original scheme indicated that the quality and design of equipment provided in play areas must be secured by planning conditions and that the applicant must demonstrate that all playspace is available to all children within the development and not segregated by tenure. In response, the applicants have confirmed in the Design and Access Statement Addendum that all residents would have access to the amenity areas and playspaces.

Subject to such contributions to mitigate the shortfall, the proposal can be considered to provide acceptable children's play space and meet the objectives of the National Planning Policy Framework, policy S4 of the London Plan (2021) and policy 7D of the adopted Development Management Development Plan Document (2013).

### ***Landscape & Trees***

An Arboricultural Impact Assessment accompanies the application. This indicates that there are no trees on the application site and therefore there would be no loss of trees arising from the proposals. However, there are 3 small groups of trees and 2 individual trees in close proximity on adjoining land beside the site that are assessed as moderate and low-quality trees. The assessment concludes the proposed development would have no impact on nearby trees. It also sets out protection measures for new trees being planted.

A total of 15 new trees are proposed to the public realm area beside the site, the locations of these to be confirmed. The three existing trees along the west side of Stanley Rd would be temporarily removed

and relocated within the site once the new building is complete. No comments have been received from the Council's Tree Officer.

In these circumstances, the proposals are considered acceptable given that conditions have been applied requiring details to be submitted of the hard and soft landscaping, boundary treatment, landscape management, tree planting, tree protection, green and brown roof construction and specification and maintenance schedule, and sustainable urban drainage systems to be implemented on site.

### ***Urban Greening***

London Plan Policies G1 and G5 identify urban greening as a fundamental aspect of site and building design with features such as street trees, green roofs, green walls, rain gardens, wildflower meadows, woodland, and hedgerows to be considered for inclusion and opportunities for ground level urban greening to be maximised. The scheme should also seek to achieve the Urban Greening Factor target, which is based on the amount of green infrastructure delivered within the landscape and on buildings. A target score of 0.4 is recommended for predominately residential developments.

In this case, with the intensive green roof, green wall, permeable paving and additional planting proposed, the Urban Greening Factor is indicated to be 0.25. This falls well below the London Plan target and would not normally be acceptable. The applicants argue that the size constraints of the site, alongside the competing need for plant and amenity space, make it difficult to meet the Urban Greening Factor target. They note that to improve the score close to 0.4 would require extending lawn and planting areas so that much of the roof level amenity space would become inaccessible to residents.

The applicants also note the range of other greening mechanisms proposed including green screens, flower rich perennial planting and permeable paving. They also point to the 15 large semi-mature trees to be planted within the parking area on Stanley Road along with 44 sq m of new shrub planting, which cannot contribute towards the UGF score as they are outside the site boundary.

Overall, while the proposal clearly does not comply with London Plan policies on urban greening, it can be argued that some flexibility should be applied due to site constraints and the new planting proposed just outside the site boundary.

### ***Transport & Parking***

Policy T6 of the London Plan (2021) indicates that car-free development should be the starting point for all development proposals in places well-connected by public transport. Policy T6.1 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.

The Public Transport Accessibility Level (PTAL) of the site is 1b (low) and it is in a Controlled Parking Zone (CPZ).

The existing vehicle access from Greenock Road would be retained and used for deliveries and servicing of both residential and industrial elements. Two servicing bays are proposed within an external undercroft area sized to allow for deliveries and refuse collection. It would also give access to the proposed on-site Blue Badge parking spaces. The transport assessment includes track plots for the largest vehicles expected to access the site and demonstrates that such vehicles can suitably turn and leave the site in a forward gear.

The latest revisions include reconfiguration of the service yard and car parking layout to facilitate a potential vehicular connection to the adjoining development at 8-10 Greenock Road.

The development proposes no on-site parking other than 5 disabled parking spaces at ground level, one of which would serve the industrial use.

The primary access for pedestrians and cyclists would be from Stanley Road with a secondary access for pedestrians and cyclists from Greenock Road.

The applicant indicates that the existing access road from Greenock Road would be upgraded and provide a separate pedestrian and cycle path to the site to minimise conflicts with vehicles. The footway along the western side of Stanley Road would be widened and a pedestrian passage provided between Stanley Road and Colville Road to improve pedestrian access. The detailed design of the access road would be funded by the applicant and this secured by a S106 Agreement.

Transport Services indicate a 'car free' development would be acceptable subject to addressing any adverse impacts. As the site is located in a CPZ, residents of the flats would need to be prevented from obtaining parking permits via a Section 106 agreement.

In addition to a restriction on resident parking permits to scheme residents, the developer has agreed to provision of free car club membership to all first occupants of the flats. This would be secured via a S106 Agreement.

Transport Services also note that the development will contribute to local parking congestion. As the development is in a Controlled Parking Zone, it could be developed as a low car housing by denying resident parking permits for the future residents. However, they note that the required number of disabled parking bays have not been provided and, if these cannot be provided, this needs to be justified. Creation of a home zone environment along the proposed internal roads is also requested. In addition, the following S106 financial contributions towards highway improvements have been identified to mitigate the road safety and parking problems caused by the development.

- £30,000 towards improvements on Bollo Lane junctions (between Gunnersbury Lane and Weston Road); this is to mitigate a road safety problem along Bollo Lane, which will be worsened by the additional pedestrian and cyclist trips from the development;
- £40,000 towards strengthening traffic calming measures on residential roads around the development including entry treatments at junctions and additional speed tables on adjacent junctions; this would be to mitigate accident levels around the application site;
- £25,000 towards improving the pedestrian/cycle bridge across the railway near South Acton Station; this reflects that a significant number of pedestrians and cyclists from this development are likely to use this bridge;
- £40,000 towards improving cycle infrastructure near the development; this is to promote a modal shift to cycling whilst reducing local accident risk;
- £15,000 to replace footways on both sides of Colville Road near the development; this reflects that more than 1,000 pedestrians per day from this development will use these footways;
- £20,000 towards reviewing and implementing the existing controlled parking zone and waiting restrictions near the development; this is to mitigate the impact of parking congestion on nearby roads;

- £5,000 towards improving bus stops near the application site; this is to mitigate increased demand at the existing bus stops near the site which are already congested at peak times;
- £3,000 towards Travel Plan monitoring.

In addition, conditions are requested requiring:

- proposed parking bays to be provided with electric charging points;
- submission of a Delivery and Servicing Management Plan (DSP);
- submission of a parking management plan;
- submission of a Construction Logistics Plan (CLP);
- submission of a plan showing the internal layout of the proposed road.

The GLA Stage 1 report indicated that the proposal would generate increased bus demand in peak periods and noted capacity issues on route 440 and the importance of this route in terms of direct access rail stations and key destinations along the route. TfL's comments on the latest revised scheme request a S106 contribution of £104,000 for bus service enhancements.

TfL also notes that the Active Travel Zone (ATZ) assessment dates from 2019 and query whether impacts on the active travel network have been appropriately assessed; given the site's current predominant industrial nature, they recommend a night-time ATZ should be undertaken.

However, the applicant has responded that a follow-on site visit in 2023 confirmed no significant change to the pedestrian and cycle environment to warrant an updated ATZ. They argue that the key barrier to walking and cycling within the industrial estate in the evening and night-time periods is the lack of active frontages within the industrial estate. The estate is subject to various planning applications for residential development that will increase activity and provide active frontages in the evening. Outside of the estate, the key routes to Chiswick Park, South Acton and Acton Town Stations are on streets with regular street lighting and run through residential streets with no blind corners. There are also street lighting at regular intervals throughout the industrial estate. For the above reasons, the applicant considers a night-time ATZ is unnecessary and it has not been undertaken.

TfL suggest that, since Greenock Road is privately owned, it should be demonstrated that the proposed development has rights of access. The applicant responds that this road is owned and maintained by Ealing Council while the applicant owns the service road from Greenock Road so that there should be no issue in terms of rights of access.

TfL also note that, as pedestrian access from Stanley Road appears to be via an existing private car park or from the pedestrian passage between Stanley Road and Colville Road., a high-quality environment to the pedestrian access points should be created and it should be demonstrated that the proposed development has rights of access. The applicant responds that Stanley Road is also owned and maintained by Ealing Council and has a footway and crossing facility connecting to the site's frontage, where a brand new footway will be implemented as part of the development.

TfL comment that, since Greenock Road is privately owned, it would also be useful to understand the measures that will be implemented to ensure that residents from the development do not park on this road. However, as noted above, this road is owned and maintained by Ealing Council. In addition, double yellow lines on it prevents parking throughout the day while it also forms part of the South Acton Industrial CPZ which is in force Monday-Friday 8am-6pm.

With regard to Delivery and servicing, TfL note that the scheme design allows for a one-way delivery and servicing route with the adjoining site at 8-10 Greenock Road and that delivery and servicing



vehicles would be able to enter and exit the site in a forward gear. However, they consider further thought is needed on how this would work with the adjoining site as it appears to be tight with some encroachment on the public realm. In response, the applicant commits to working with the adjacent site to improve vehicle circulation and manage the arrangement between the two sites, and this would be secured as part of the discharge of planning conditions relating to the Delivery & Servicing Plan.

In accordance with the Healthy Street approach outlined in the London Plan, TfL also sought contributions via S106 and S278 agreements are required with respect to public realm and highway improvements in the vicinity of the site. A Parking Design and Management Plan, secured through the appropriate mechanism, should also demonstrate how a further 7% of flats could be provided with a disabled person parking bay as and when demand arises. A condition is applied to secure this.

In terms of cycle parking, Table T5 of the London Plan (2021) requires cycle parking at least in accordance with minimum standards set out in Table 10.2. This requires 1 space per 1 person/1 bedroom dwelling, 1.5 spaces per 2 person/1 bedroom dwelling and 2 spaces for all other dwellings. Requirements for the industrial and commercial space are based on floorspace. Overall, the proposed residential development would require 236 long stay cycle spaces and the industrial element 4 long stay spaces.

In this context, a total of 230 long stay cycle parking spaces and 5 short-stay visitor spaces are proposed for the flats. The long stay residential cycle store would be provided at first and second floor levels of the building with a mix of accessible spaces, Sheffield stands and two tier racks and able to accommodate non-standard bikes. These cycle stores would be accessed via a dedicated cycle lift. The cycle stores would be secured with fob access and lit by movement sensor lighting.

For the industrial space, 4 long stay cycle parking spaces would be located within the industrial units. In addition, 2 short stay visitor spaces will be located near the industrial entrance.

This level of provision would meet London Plan cycle parking standards and is therefore considered acceptable. However, TfL request a condition to be applied requiring cycle parking to be designed to accord with London Cycle Design Standards. This condition has been applied.

Several objectors raise concerns on road safety issues and access for emergency vehicles. They note the proposal will lead to a large local increase in population with resultant increases in delivery vehicles etc. They indicate the end of Stanley Road is designed to allow vehicles, including emergency vehicles, to turn around and it is unclear how this will be maintained with the new development. Also, although Stanley Road is to be predominantly pedestrian, with vehicle access from Greenock Road, it is unclear how this would be enforced to prevent excessive numbers of delivery, trade, and private vehicles using the end of Stanley Road and creating a dangerous public space for pedestrians. However, Transport Services consider these issues can be controlled through appropriate measures in a Travel Plan, which would be subject to approval.

Overall, with the recommended conditions and S106 obligations, the proposal would be acceptable in terms of transport and highways and consistent with section 9 of the National Planning Policy Framework (2023) and Policies T4, T5 and T6 of the London Plan (2021).

### **Ecology**

A preliminary ecological assessment accompanies the application. This notes that the site is not part of any statutory or non-statutory designated nature conservation site. The Gunnersbury Triangle Local Nature Reserve (LNR) and Site of Metropolitan Importance for Nature Conservation (SMINC) lies approximately 450m south of the site and the Silverlink Metro and Duding Hill Loop railsides Site of

Borough Grade II Importance for Nature Conservation (SBINC) runs some 100m to the south.

The assessment concludes that the application site consists entirely of buildings and hardstanding, with no semi-natural habitats except for those encroaching from the adjacent allotments. It contains habitats of value at site level only. Various recommendations are also made:

- to limit disturbance to the South Acton Allotments, adequate protection to prevent accidental damage or pollution should be implemented with no works or storage of materials in the designated protected area;
- with regard to breeding birds, where the proposed works require the removal of scrub on or immediately adjacent to the site with potential to support breeding birds, this should be carried out from September to February, to avoid harm to breeding birds during the main breeding season;
- in the unlikely event that any other protected species are found during site clearance or construction, works should stop immediately and advice sought from a suitably qualified ecologist;
- enhancing the wildlife value of the roof by inclusion of areas of biodiverse roof on the new building, with a low-nutrient biodiverse roof recommended which includes additional habitat features such as varied substrate depths and types, deadwood and/or rubble piles and temporary pools;
- site landscaping should include climbing plants on a support structure to provide vertical nesting habitat and foraging resources for birds and invertebrates; plants should comprise native species or non-native species of recognised wildlife value and either deciduous or evergreen species;
- provision of nesting opportunities for birds with two woodcrete Schwegler 1B hole-front bird boxes suitable for house sparrow and other hole-nesting bird species integrated into the development; these boxes should be installed in a sheltered recess at roof level, out of direct sunlight, adjacent to the allotments.

A condition is applied to require these recommendations to be implemented.

### ***Environmental Pollution***

London Plan policies D14 and SI 1, Ealing Development (or Core) Strategy policies 1.1 (e) and (j); Ealing Development Management policies 5.21 and 7A are relevant with regard to noise and air quality issues.

The site adjoins an industrial estate with some industrial traffic which could give rise to noise and air quality impacts for the proposed residential units. An Environmental Noise Report and an Air Quality Assessment accompany the application.

The Noise Report notes that, in order to achieve the relevant internal noise limits for flats, it will be necessary to use acoustic double glazing for levels 2 to 9 on the southern facade of the building, while the rest of the building can incorporate thermal double glazing. It also notes that noise levels at the amenity space on Level 10 would be adequate as they would be below the 55 dB recommended level.

Regulatory Services have reviewed the submitted Noise Report and consider it provides insufficient information about the noise environment, particularly because the site is affected by noise and odours from the nearby laundry. No objection is raised on noise grounds but an updated Environmental Noise report is required, as well as various conditions relating to noise mitigation, lift noise, insulation between flats and between flats and industrial uses, hours of operation of the commercial/industrial

uses, and provision of a Construction/Demolition Management Plan. These conditions have been applied.

With regard to air quality, the submitted Air Quality Assessment concludes that, with appropriate mitigation in place, the air quality impacts of the construction phase would not be significant as a range of best practice mitigation measures would be implemented to reduce dust emissions. With regard to the operational phase, taking account of the proposed emergency plant, it considers that the proposed development will not lead to unacceptable air quality for residents and its impact would be not significant. It also asserts that the proposed development would meet the London Plan's requirement for new developments to be at least 'air quality neutral'.

Regulatory Services do not object to the proposals on air quality grounds but seek conditions requiring approval of an Air Quality and Dust Management Scheme and a Ventilation Strategy, restrictions on emissions from any non-road mobile machinery and approval of details for any new installed diesel generators. Also, as the whole borough is an Air Quality Management Area, a S106 contribution of £23,690 is required towards implementing air quality improvement actions within the Council's Air Quality Action Plan.

In relation to contaminated land, Regulatory Services have no objections but given the current industrial use, require conditions requiring site investigation, followed by remediation and verification if required.

### **Wind Effects**

London Plan policy D3 indicates developments should create a comfortable pedestrian environment with regard to levels of sunlight, shade and wind. Policy D8 requires new developments to consider microclimatic considerations, including wind. Policy D9 requires wind conditions around tall buildings to be carefully considered and not compromise comfort and the enjoyment of open spaces around the building.

A Wind Assessment accompanies the application and assesses the revised scheme along with other proposed developments nearby, include 8-10 Greenock Road. It notes that the following measures are included in the design as embedded wind mitigation measures:

- tree planting comprising 2 x 10m evergreen, 8x 7m deciduous and 3x 5m deciduous trees;
- 1.5m high hedges at terrace level on top of the planters;
- 1.3m 50% porous balustrades on balconies at north west and south west corners of the development;
- 1.1m 50% porous balustrades on all other balconies;
- a 50% porous 2.5m tall cage at the south of site;
- a 2.1m high, 30% porous gate at the north west corner of the site.

The Assessment concludes that, with these measures in place -

- conditions on the Level 10 terrace would be suitable for a mix of sitting and standing in all seasons and suitable for the intended use.
- conditions on the Level 17 terraces would be suitable for a mix of sitting and standing in winter and for sitting in summer and suitable for the intended use.
- conditions on all balconies would be suitable for either sitting or standing in all seasons and suitable for their intended use.

- all principal proposed entrances would be suitable for sitting in all seasons and for their intended use;
- all principal off-site entrances would be suitable for either sitting or standing in all seasons and their intended use;
- South Acton station platforms would be suitable for sitting in all seasons and for their intended use.
- the South Acton East Allotments would be suitable for a mix of sitting and standing in winter and sitting in summer and for their intended use.

It adds that the cumulative effect of future developments nearby will result in generally calmer conditions around the site and conditions will remain suitable for the intended use.

There are a number of residents' objections relating to adverse wind tunnel effects, particularly on the adjoining allotments and asserting that the applicant's assessment is flawed. However, there is no evidence to support this assertion and, as noted above, the Wind Microclimate Report and Addendum indicate that the proposed development would help reduce wind speeds over the allotments.

### ***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 strategy and notes that an Overheating/Cooling analysis with proposed mitigation measures has been carried out. It is accepted that the size and type of development is not suitable for Combined Heat and Power (CHP) and that there is no available "Clean" district heat network (DHN). The development would be all electric with no gas infrastructure on-site. A communal Air Source Heat Pump distribution loop with dwelling heat exchangers would feed panel radiators and provide domestic hot water, with no storage tanks in dwellings. Photo-Voltaic panels are also proposed.

At the current design stage the overall site-wide CO<sub>2</sub> emissions will be cut by at least 70.41% against BR Part L 2021 (using SAP 10.2 conversion factors), with 7.09% through “Lean” efficiency measures, and 63.31% through “Green” renewable energy. There is a shortfall of 975.3 tonnes CO<sub>2</sub> (over 30 years) in the zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £92,657.

The proposed energy and sustainability strategies are considered generally acceptable but conditions are required as well as a S106 contribution (£8,618) towards low-carbon/renewable energy monitoring. Any carbon shortfall will be addressed through a S106 carbon offsetting contribution.

Various conditions are also sought on the Circular Economy, Whole Life-Cycle Carbon Assessment, post construction energy equipment monitoring, implementation of the approved sustainable design and construction measures and on energy monitoring.

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

### ***Circular Economy***

To comply with Policy S17 of the London Plan, a Circular Economy Statement has been submitted. This sets out targets for minimising demolition waste, excavation and construction waste and for recovery of building materials. Key measures include efficient design to reduce the quantity of materials required, designing for longevity and reusability, development of a resource management plan and a waste management strategy. A condition is applied to require implementation of the development in line with the measures set out in the Statement.

### ***Agent of Change***

Policy D13 of the London Plan (2021) states that:

- the responsibility for mitigating the impacts from existing noise and other nuisance-generating activities or uses falls on the proposed new noise-sensitive development;
- development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue without unreasonable restrictions being placed on them;
- new noise and other nuisance-generating development near residential and other noise-sensitive uses should mitigate and manage noise impacts for neighbouring residents and businesses.

The GLA Stage 1 report on the original scheme noted that the proposal would be close to the boundaries of adjacent sites with industrial uses and the proposals needed to be designed to ensure that the function of neighbouring industrial uses is not compromised, in accordance with Policy D13 of the London Plan.

An Agent of Change report accompanies the application. This indicates that residential occupiers would not be adversely impacted by baseline conditions of odour, dust, vibration and lighting from surrounding industrial uses but also notes there may be adverse impact on residential occupiers from noise from passing trains, building services plant and ‘general industrial noise. The GLA Stage 1 Report required the mitigation measures to address these impacts, as set out in the Noise and

Vibration Report, to be secured by condition. These include acoustic double glazing for levels 2 to 9 on the southern façade. A condition has been applied to secure this.

With this mitigation in place, the proposal would be acceptable in this regard.

### ***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.

### ***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 140 flats, the total refuse/recycling storage provision required would be broadly equivalent to 12,500L of refuse and 12,500L of recycling bins.

Separate storage areas for residential and industrial refuse would be provided on the ground level of the building. For the flats, a secure storage area for bins would contain 25 x 1,100L bins, which would be adequate capacity. To reduce the size of the bin store, a managed bin storage arrangement is proposed. This involves making three bins for general waste, recycling and food waste available for residents to access and use at any one time, and when full these would be rotated by building management into a storage area for full bins behind.

The refuse and recycling strategy for the flats is also based on a twice weekly collection. The first collection would be made by the local authority and the second collection by a private contractor. This strategy allows for the amount of bin provision to be reduced and take up less space on the ground floor.

The bin storage area for the industrial use would be located within the northernmost ground floor unit, with access to the service yard provided via a walkway along the western site boundary that has a minimum width of 1.5m.

All refuse and recycling would be collected on site within the service yard with vehicular access taken from Greenock Road. Swept path analysis for the service yard layout confirms that there are sufficient turning zones and clear head height for refuse vehicles.

On this basis, the scheme would be acceptable in terms of London Plan policy SI7.

***Drainage and Flood Risk***

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

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

The site lies in Flood Zone 1 (low probability of flooding) and the proposed development appears at low risk of flooding from all sources. A Flood Risk Assessment, Drainage Strategy and SUDS Information have been submitted with this application.

The submitted Flood Risk Assessment indicates that the proposed development would be safe, would not increase flood risk elsewhere and the residential use is considered appropriate in a Flood Zone 1 area.

The submitted Drainage Strategy concludes that:

- as the existing site is developed brownfield, the proposals will not increase the existing 100% impermeable area and hence storm water runoff but the surface water runoff rate of water from the site would decrease overall;
- a Sustainable Drainage Scheme (SuDS) is proposed to manage surface water run-off from the development site in line with current best practice;
- due to the limited site area and density of development, the SuDS solutions are more limited but the primary attenuation would involve an underground storage tank with controlled discharge to the existing adopted storm drainage;
- the attenuation facility has been designed on the basis of a run-off flow of 5l/s for all events up to and including the 100 years plus 40% climate change event;
- the foul drainage discharge would be connected to the existing adopted foul sewer immediately to the north of the development;
- the proposed development can be implemented in a sustainable manner without increasing the flood risk either at the site or to any third-party land.

The GLA Stage 1 report noted that the surface water drainage strategy for the original scheme did not comply with Policy SI.13 of the London Plan, as it did not give appropriate regard to the drainage hierarchy. It sought further details should be provided on how SuDS measures at the top of the drainage hierarchy would be included in the development along with additional information on SuDS maintenance.

In response, the applicants noted that details on SuDS measures at the top of the drainage hierarchy are provided in the Drainage Strategy Report Rev 01 dated 17/06/2020, which includes a summary of the SuDS selection process, and provides a typical maintenance schedule for the attenuation and flow control devices proposed on the site.

The GLA Stage 1 report also indicated that the development did not meet the requirements of Policy SI5 of the London Plan with respect to water consumption targets and should be amended accordingly.

The applicants' response was that, as a speculative development, the proposed building would only provide capped connections to the industrial unit and it would then be the responsibility of the tenant to install water consuming appliances as part of their fit-out. Water consumption requirements would be dealt with as part of a Green Lease Agreement and the following requirements would be included within this Agreement, resulting in a 45% improvement over the BRE baseline building equivalent to BREEAM Excellent):

- WC's: 3 litre / 4.5 litre dual flush
- WHB Taps: 4 litre / min @ 3 bar pressure
- Showers: 8 litre / min @ 3 bar pressure
- Kitchenette Taps: 5 litre / min @ 3 bar pressure
- Dishwashers: 10 litre / cycle

Thames Water raised no objection with regard to foul water sewerage network infrastructure capacity but requires a condition on surface water wastewater such that no flats are occupied before network upgrades required to accommodate the additional flows from the development have been completed, or a housing and infrastructure phasing plan has been agreed with Thames Water. It also requires various informatives to be added.

Conditions are therefore applied on surface water wastewater as well as to require submission and approval of a drainage design for SUDS features and a drainage management plan for SUDS components.

On this basis, with the above conditions, measures can be implemented to make the scheme acceptable in terms of drainage and flooding.

***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:

- S106 contribution of £12,500 for coordinating and monitoring training and employment opportunities.
- apprenticeships during construction phase
- 11 work experience opportunities for 16+ years old
- developer to work with Councils' brokerage service to set up the above opportunities;
- notification of all job, apprenticeship and work experience vacancies at levels 4 and below to LB Ealing's job brokerage service;
- 25% of all vacancies to be filled by Ealing residents with a long-term connection to the borough;
- non-negotiable penalty of £10,000 per apprenticeship if apprenticeship opportunities not created.

These commitments would be secured via the S106 Agreement.



**Community Infrastructure Levy (CIL)**

In accordance with the Community Infrastructure Levy (CIL) regulations the commercial elements of the development would normally be liable to pay CIL at £60 per square metre. Affordable housing is not liable to CIL payments.

The proposed development involves 140 residential units, an increase of 10,962 sq m of residential GIA floorspace and a net gain of industrial floorspace of 717 sq m following demolition of the existing industrial building. However, some 4,965 sq m of the residential floorspace would be in affordable dwellings which are exempt from CIL. The proposed development would therefore be liable for a CIL payment based on a net additional 6,726 sq m of floor space. The amount is estimated to be in the order of £403,000 subject to indexation but the final figure would be confirmed by the Council's CIL collections officer.

**Fire Safety**

Large schemes may require a number of different consents before they can be built. Building Control approval needs to be obtained to certify that developments and alterations meet building 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.

In this context, a Fire Statement accompanies the application. As requested by the GLA, conditions are applied to secure the implementation and monitoring of measures identified in the Fire Statement.

Local residents have objected to the proposal on the grounds that the site is at the bottom end of Stanley Road, which is a narrow dead-end. Following the Grenfell Fire Inquiry, they say that London Fire Brigade (LFB) now require 5 engines to attend a fire for a block the height of this proposal. While the application has provided a fire assessment (attached), the residents say this lacks any review of impacts on existing buildings and LFB's ability to affect a successful evacuation of them. They suggest an important aspect noted in the Grenfell Inquiry report was the inability to deploy vehicles used for external capabilities on 3 sides of the building, a situation similar to that present at Stanley Road.

The applicant's fire consultant has provided the following response to these points:

- the submitted fire statement is based upon the current Regulations and not against the Grenfell Fire Inquiry Report but if matters raised in that Report become regulations in the future, these would be followed; this point is therefore not relevant at this time.
- the lack of emergency vehicle turning space in Stanley Road is a current condition that the new building will not alter or make worse;
- the current Fire Regulations only call for one fire tender to be considered, not five, and do not call for 3 sides of a building to have fire vehicle access;
- the approach to access for a fire tender is noted as acceptable in the fire statement based upon current Regulations and there is access to the west side of the building (sized to accommodate a bin lorry) which could also be used by the fire brigade.

London Fire Brigade has been consulted on this application and the residents' specific objection points raised with them. However, no response has been received.

The Health & Safety Executive (HSE) raised concerns on the apparent lack of fire hydrants within 90m of the proposed building entrance and requires additional fire hydrant provision. It is also concerned on the lack of information on the functional status of the existing fire hydrant near the site. However, the applicants have submitted information from Thames Water to confirm that the hydrants are in place and operable.

On this basis, there is nothing to indicate that the proposals would not comply with current fire regulations.

### **Conclusions**

The proposed development will provide a significant amount of new dwellings and an increase in modern industrial space within an industrial area and affordable dwellings would form 35% of the proposed flats.

This would be achieved by providing a large amount of development in a tall building on a very small, constrained site and this results in some viability issues and a number of conflicts with policy. These include a deficiency of amenity space and children's playspace on the site, an Urban Greening Factor below the London Plan target, a high proportion of single aspect flats, and some impacts on outlook from nearby dwellings. As with other schemes, some of these deficiencies can be mitigated by S106 contributions towards improvements to local open space and transport infrastructure.

There have been a large number of objections to the proposal from local residents, mainly related to its height being excessive and out of keeping with the regenerated Acton Gardens area, adverse impacts on light and overlooking to nearby dwellings and overshadowing and wind impacts on the adjoining allotments. After careful review, it is not considered that impacts on daylight of nearby dwellings or on the allotments would justify refusal.

The scheme has been assessed against the recently ratified South Acton LSIS Masterplan, and generally conforms to its principles, including being appropriately located within an identified co-location zone, on the southern portion of the industrial area. Whilst there would be a limited breach in the heights identified within the Masterplan, with 17 storeys exceeding the 15-storey requirement, it is considered that there are significant public benefits to the scheme that justify this breach by a 'limited margin'. However, the proposal would accord with many, if not all, of the London Plan Policy D9 and Ealing design guidance criteria for tall buildings and its wider visual impact is considered acceptable.

In forming a recommendation on this scheme, a balance needs to be considered between the deficiencies highlighted above and the scheme's benefits for the surrounding area, which can be summarised as:

- provision of modern industrial units with a large increase in industrial floorspace;
- an increase of some 25-40 local jobs;
- increasing the housing stock by 140 flats;
- provision of 42 affordable dwellings;
- improvements to the public realm along Stanley Road.

On balance, therefore, if some flexibility can be accepted towards the scheme's deficiencies and its housing and industrial benefits set against these, it can be recommended for approval subject to conditions and S106 and S278 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 in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

***Public Sector Equality Duty***

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

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

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

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

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

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

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

**APPENDIX 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:

GRE-HTA-A-0001 Rev P2, GRE-HTA-A-0050 Rev P2, GRE-HTA-A-0150 Rev P2, GRE-HTA-A-0151 Rev P2, GRE-HTA-A-0152 Rev P2, GRE-HTA-A-0153 Rev P2, GRE-HTA-A-0154 Rev P2, GRE-HTA-A-0210 Rev P2, GRE-HTA-A-0211 Rev P2, GRE-HTA-A-0212 Rev P2, GRE-HTA-A-0213 Rev P2, GRE-HTA-A-0260 Rev P2, GRE-HTA-A-0261 Rev P2, GRE-HTA-A-0262 Rev P2, GRE-HTA-A-0310 Rev P2, GRE-HTA-A-0311 Rev P2, GRE-HTA-A-0312 Rev P2, GRE-HTA-A-0313 Rev P2, GRE-HTA-A-0318 Rev P2, , GRE-HTA-A-0320 Rev P2, GRE-HTA-A-0326, GRE-HTA-A-0327, GRE-HTA-A-0328, GRE-HTA-A-0329, GRE-HTA-A-0330, GRE-HTA-A-0331, GRE-HTA-A-0332, GRE-HTA-A-0333, GRE-HTA-A-0334, GRE-HTA-A-0335, GRE-HTA-A-0336, GRE-HTA-A-0337

Planning and Affordable Housing Statement, prepared by DP9 Ltd; Townscape & Visual Impact Appraisal, prepared by Arc; Historic Environment Assessment, prepared by MOLA; Arboricultural Impact Assessment, prepared by Landmark Trees; Air Quality Assessment, prepared by Air Quality Consultants; Preliminary Ecology Appraisal, prepared by the Ecology Consultancy; Geo-Environmental Desk Study, prepared by WSP; Energy Statement (including overheating), prepared by Twin Earth; Sustainability Strategy (including Ealing sustainability checklist), prepared by Twin Earth; Noise and Vibration Assessment, prepared by Sandy Brown; Statement of Community Involvement, prepared by Four Communication; Commercial Assessment Report, prepared by CFC Commercial; and Agent of Change Assessment, prepared by Trium (all documents submitted November 2021)

Design and Access Statement Addendum, prepared by HTA; Statement of Community Involvement Addendum, prepared by Four Communications; Townscape and Visual Impact Appraisal, prepared by Arc; Heritage Statement, prepared by Gareth Jones Heritage Planning; Energy Statement Addendum, prepared by Twin & Earth; GLA Consultation – Energy Memo, prepared by Twin & Earth; Sustainability Statement Addendum, prepared by Twin & Earth; Whole Lifecycle Carbon Report (including Appendix B GLA spreadsheet), prepared by Twin & Earth; Circular Economy Statement, Prepared by Twin & Earth; Air Quality Assessment Addendum, prepared by Air Quality Consultants; Archaeological Desk-Based Assessment Report Addendum, prepared by Museum of London Archaeology; Drainage Strategy Statement of Conformity (including June 2020 Drainage Strategy), prepared by WSP; Geo-Environmental Desk Study Statement of Conformity, prepared by WSP; Arboricultural Impact Assessment Statement of Conformity, prepared by Landmark Trees; and Commercial Assessment Report Statement of Conformity, prepared by CF Commercial (all documents submitted October 2021)

Planning Application Form, prepared by DP9 Ltd (September 2023); Community Infrastructure Levy Additional Information Form, prepared by DP9 Ltd (September 2023); Planning Application Drawings,

prepared by HTA (August 2023); Schedule of Accommodation, prepared by HTA (August 2023); Design and Access Statement Addendum, prepared by HTA (August 2023); Townscape and Visual Impact Appraisal Addendum Note, prepared by Neaves Urbanism (August 2023); Heritage Assessment Statement of Conformity, prepared by Gareth Jones Heritage Planning (August 2023); Flood Risk Assessment, prepared by RMA Environmental (August 2023); Transport Assessment, prepared by Caneparo (August 2023); Travel Plan, prepared by Caneparo (August 2023); Delivery and Servicing Plan, prepared by Caneparo (August 2023); Outline Construction Logistics Plan, prepared by Caneparo (August 2023); Energy Statement Addendum, prepared by Twin & Earth (August 2023); GLA's Carbon Emission Reporting spreadsheet, prepared by Twin & Earth (August 2023); Sustainability Statement Addendum, prepared by Twin & Earth (August 2023); Whole Lifecycle Carbon and Circular Economy Addendum, Prepared by Twin & Earth (August 2023); Air Quality Assessment Statement of Conformity, prepared by Air Quality Consultants (August 2023); Archaeological Desk-Based Assessment Report Addendum, prepared by Museum of London Archaeology (August 2023); Planning Fire Safety Statement, prepared by Hilson Moran (August 2023); Fire Statement Form, prepared by Hilson Moran (August 2023); Ventilation Statement, prepared by Hilson Moran (August 2023); Daylight and Sunlight Report – Impact on Neighbouring Properties, prepared by GIA (August 2023); Daylight and Sunlight Report – Internal, prepared by GIA (August 2023); Wind Microclimate Assessment Report, prepared by GIA (August 2023); Preliminary Ecological Appraisal (PEA) Statement of Conformity, prepared by Temple Group (August 2023); Noise and Vibration Assessment Statement of Conformity, prepared by Sandy Brown (August 2023); and; Agent of Change Assessment Statement of Conformity, prepared by Trium (August 2023).

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 within the development shall be submitted to and approved in writing by the local planning authority before any part of the super structure of the development is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The development shall be implemented only in accordance with these approved details.

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies D3 and D6 of the London Plan (2021) and the National Planning Policy Framework (2023).

### 4. Hard/ Soft Landscaping and Boundary Treatment

Details of hard/soft landscape works, tree planting and boundary treatment for the site shall be submitted to and approved in writing by the local planning authority before any part of the super structure is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The scheme shall include comprehensive details of the full planting specifications (size, species and numbers), the positions of all planting, ground preparation for tree planting, and staking/tying methods where applicable. The development shall be implemented only in accordance with these approved details. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area and amenity of prospective occupiers, and in accordance with policies G5 and

G7 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2023).

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 (2023).

6. 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 (2023).

7. Cycle Parking

The approved cycle parking facilities shall be designed to accord with London Cycle Design Standards and fully implemented in accordance with these standards 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 (2023) and policy T5 of the London Plan (2021).

8. Cycle Management Plan

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

Reason: To promote sustainable patterns of transport, in accordance with Section 9 of the National Planning Policy Framework (2023) 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 useage 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 (2023), 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 a planning application.

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e) (g) and 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7.A of the Ealing Development Management Development Plan Document (2013), policies D6 and T4 of the London Plan (2021), and the National Planning Policy Framework (2023).

11. Deliveries/collections times

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

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e) (g) and 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7.A of the Ealing Development Management Development Plan Document (2013), policies D6 and T4 of the London Plan (2021), and the National Planning Policy Framework (2023).

12. Transport and/or commercial/industrial/cultural noise sources

Prior to commencement of the development (excluding demolition, initial site clearance and ground works), a noise assessment shall be submitted to the Council for approval in writing, of external noise levels from transport and industrial/ commercial/ cultural sources, having regard to the assessment standards of the Council’s SPG10, including reflected and re-radiated noise where appropriate. 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) and resulting internal noise levels, specified in SPG10. Best practicable mitigation measures shall also be implemented in external amenity spaces to achieve criteria of BS8233:2014. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Ealing Interim guidance SPG 10 ‘Noise and Vibration’.



### 13. 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, namely, kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall be based on standards of the Council's SPG10 and the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Interim guidance SPG 10 'Noise and Vibration'.

### 14. Separation of commercial/industrial and communal uses and facilities from dwellings

Prior to commencement of the development, (excluding demolition, initial site clearance and ground works), details shall be submitted to the Council for approval in writing, of an enhanced sound insulation value of at least 10dB/ 15dB/ 20dB, as necessary above the Building Regulations value for residential use, of the floor/ ceiling/ walls separating dwellings from commercial/ industrial and communal areas and facilities. Where non-domestic 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: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Interim guidance SPG 10 'Noise and Vibration'.

### 15. Noise insulation to Lifts

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 enhanced sound insulation of lifts and lift shafts, in accordance with noise limits specified in Table 5 BS8233:2014. 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 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Interim guidance SPG 10 'Noise and Vibration'.

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

- a) 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 the external rating noise level emitted from plant/ machinery/ equipment in any one location and mitigation measures as appropriate, as measured at/ calculated to the nearest and most affected noise sensitive premises. The measures shall ensure that the external rating noise level LAeq emitted from plant/ machinery/ equipment 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 in surrounding premises. The assessment shall be made in accordance with BS4142:2014, with all machinery in any one location operating together at maximum capacity. Details of any noise mitigation measures shall be submitted for approval.
- b) A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Interim guidance SPG 10 'Noise and Vibration'.

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

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

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site and occupiers of nearby properties, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Interim guidance SPG 10 'Noise and Vibration'.

18. Use of industrial/commercial units

Prior to occupation of commercial/industrial units at the development, details shall be submitted to the Council for approval in writing of 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.

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 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2023) and Interim guidance SPG 10 'Noise and Vibration'.

19. Demolition Method Statement and Construction Management / 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),
- vehicle access and 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 considerate complaints procedure,
- public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works, in case of emergencies, enquiries or complaints.

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 SI1, T4, T6 and D14 of the London Plan (2021), the National Planning Policy Framework (2023), 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 and to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

20. Sustainable Design and Construction Standards

- A) Upon the first occupation of each residential unit within the approved development, the approved dwellings shall incorporate sustainability measures as detailed in the approved Sustainability Statement Addendum by Twin & Earth (October 2021) and the Sustainability Statement Addendum by Twin & Earth (August 2023);
- B) Upon the first use of each non-residential unit within the approved development, the approved non-residential spaces shall incorporate sustainability measures as detailed in the approved Sustainability Statement Addendum by Twin & Earth (October 2021) and the Sustainability Statement Addendum by Twin & Earth (August 2023).

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).

21. Water Efficiency

- A. Prior to occupation of each residential unit within the development, the approved dwellings shall incorporate and maintain water saving measures that will meet water efficiency standards with a maximum water use target of 105 litres of water per person per day.
- B. Prior to occupation of each non-residential unit within the development, the approved non-residential unit shall incorporate and maintain water saving measures that will reduce the water consumption as detailed in the approved Sustainability Statement Addendum by Twin & Earth (October 2021) and the Sustainability Statement Addendum by Twin & Earth (August 2023).

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

**22. Energy & CO2 Emissions**

- 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 CO<sub>2</sub> emissions of at least 70.41% (equating to 77.35 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2021 and using SAP 10.2 emission factors. These CO<sub>2</sub> savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Twin & Earth in August 2023 (v1) including:
  - i. Lean, energy efficiency design measures to achieve an annual reduction of at least 6.25% equating to at least 6.46 tonnes in regulated carbon dioxide (CO<sub>2</sub>) emissions over BR Part L 2021 (using SAP 10.2 conversion factors) for the residential development, and at least 20.69%, equating to at least 1.33 tonnes, over Part L 2021 for the non-residential space (using SAP 10.2 conversion factors).
  - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 15.3 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 63.31%, equating to 69.55 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2021 (using SAP 10.2 conversion 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 overheating mitigation measures detailed in the dynamic Overheating Analysis. Any later stage version shall be compliant with CIBSE guidance Part O (TM59/Guide A) 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.

23. Post-construction energy equipment monitoring

In order to implement Ealing Council DPD policy E5.2.3 (post-construction energy equipment monitoring), and key parts of London Plan policy SI2 ("be Seen"), the developer shall:

- a) Enter into a legal agreement with the Council to secure a S106 financial contribution, 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 CO<sub>2</sub> Condition(s).
- b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency 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/low-carbon 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.

24. Post-construction energy use monitoring ("be Seen")

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

- a) 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.

#### 25. Whole Life-Cycle Carbon Assessment

- a) Prior to the Commencement of Construction (excluding demolition, site clearance, site investigation and site remediation) 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](mailto:ZeroCarbonPlanning@london.gov.uk). The owner should

use the post construction tab of the GLA’s WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA’s WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

- c) The Development shall implement the measures identified in the WLC Assessment prepared by Twin & Earth in August 2023 (v1). Modules A1-A5 should achieve 736 KgCO<sub>2</sub>e/m<sup>2</sup>, and B1-C4 (excluding B6/B7) 508 KgCO<sub>2</sub>e/m<sup>2</sup>, with a total carbon emissions baseline scenario (over 60 years) of 927 KgCO<sub>2</sub>e/m<sup>2</sup> (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.

26. Security features

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

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

27. Ventilation Strategy

Prior to the commencement of the superstructure of the development hereby approved, a Ventilation Strategy Report shall be submitted to and approved by the Local Planning Authority. The report will contain details for providing fresh air ventilation, the supply should be located away from sources of local pollution.

The report shall also include the following information:

- a) Details and locations of the ventilation intake locations of all floors
- b) Details and locations of ventilation extracts locations of all floors

The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the 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).

28. 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 "Statement of Conformity: Land at Stanley Road, Ealing" dated August 2023. 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).

### 29. Non-Road Mobile Machinery

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

Reason: 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).

### 30. Diesel Generators

Prior to their operation, details on all new installed diesel generators demonstrating compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) must 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 ensure Ealing Council 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.

31. 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 Geo-Environmental Phase 1 Desk Study by WSP (November 2019) a site investigation 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 policy1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

32. Remediation Scheme

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

Reason: To ensure the land contamination issues are addressed in accordance with policy1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

33. 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. The verification report submitted shall be in accordance with the latest Environment Agency guidance and industry best practice.

Reason: To ensure the land contamination issues are addressed in accordance with policy1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

34. 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, and to protect ecological interests, in accordance with policy 1.1 (j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D6 of the London Plan (2021), and the National Planning Policy Framework (2023).

35. 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).

36. Refuse Storage

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

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI7 of the London Plan (2021) and the National Planning Policy Framework (2023).

37. 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).

38. Detailed Drainage Design

Prior to the commencement of the superstructure of the development hereby approved, 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).

39. Drainage Maintenance Plan

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

Reason: To reduce flood risk in accordance with the National Planning Policy Framework (2023) and policies SI12 and SI13 of the London Plan (2021).

40. Surface Water

Prior to occupation of any dwellings on the site the applicant shall confirm in writing to Thames Water that either:

- a) all surface water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

41. Piling Method Statement

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

Reason: Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. To ensure the integrity of underground water and sewerage utility infrastructure is not affected, in accordance with policy 1.1 (e), 1.2 (m) and 6.1 of the Ealing Core Strategy (2012), policy SI5 of The London Plan (2021), and the National Planning Policy Framework (2023).

42. Former Lifetime homes standards

90% of the approved residential dwellings shall be designed and constructed to meet Approved Document M (Volume 1: Dwellings), Part M4(2)(Accessible and adaptable dwellings) of Building Regulations 2015, or other such relevant technical requirements in use at the time of the construction of the development.

Reason: To ensure that the development is adaptable, flexible, convenient and appropriate to the changing needs of the future occupiers, in accordance with policy D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

43. 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.

44. Tree Monitoring Plan

The development hereby approved shall be constructed in accordance with a suitable Tree Monitoring Program.

(a) Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring program to include:

- Confirmation of who shall be the lead arboriculturalist for the development.
- Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- Details of induction procedures for all personnel in relation to Arboricultural matters.
- A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
  - Prestart meeting with an Ealing Council Tree Officer
  - Initial implementation/installation of the tree protection measures
  - Approved incursions into construction exclusion zones
  - Final removal of the tree protection measures
- Procedures for dealing with non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement .

(b) Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- Results of each site visit by the lead arboriculturist with photos attached.
- Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London’s environment, air quality and adapting to and mitigating climate change in accordance with policies G4, G5 and G7 of the London Plan (2021), policy 5.10 of Ealing’s Development Management DPD and Ealing’s SPG 9 - Trees and Development Guidelines.

45. Tree Planting and Soil Rooting Volume

Prior to the commencement of any works on site, a suitable scheme of proposed tree planting and tree pits shall be submitted to and approved by the Local Planning Authority. The scheme shall include the following comprehensive details of all trees to be planted:

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

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

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

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London’s environment, air quality and adapting to and mitigating climate change in accordance with policies G4, G5 and G7 of the London Plan (2021), policy 5.10 of Ealing’s Development Management DPD and Ealing’s SPG 9 - Trees and Development Guidelines.

46. Electric Vehicle Charging

The 5 disabled car parking spaces hereby approved shall be fully marked out and the provision of at least one electric vehicle charging point space shall be made prior to the first occupation of the development hereby approved, and this car parking space together with the associated access and internal carriageway shall be kept continuously available for the satisfactory operation of the parking area and shall not be used for any other purpose.

Reason: To reduce emissions of greenhouse gases and to improve local air quality in the interests of health, in accordance with policies SI1 and T6 of the London Plan (2021), policies 1.1(e), 1.1(f), 1.1(j) and 1.2(k) of Ealing’s adopted Development (or Core) Strategy 2012, and the National Planning Policy Framework (2023).

47. 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 (2023).

48. Screening of Terraces

Details of screening to terraces within the development shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats. This screening shall be implemented only as approved and retained thereafter.

Reason: To protect the amenity of occupiers of dwellings within the development in accordance with policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), and the National Planning Policy Framework (2023).

49. Ecology

Prior to commencement of development on the site the recommendations for ecological enhancements set out in the approved Preliminary Ecological Appraisal by the Ecology Consultancy (November 2019) and the Preliminary Ecological Appraisal (PEA) Statement of Conformity by Temple Group (August 2023) shall be fully implemented.

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

50. Fire Safety

The development shall be implemented to comply with the submitted Planning Fire Safety Statement by Hilson Moran (August 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).

51. Circular Economy

- a) Prior to commencement of construction a Circular Economy (CE) statement shall be submitted to the Council for approval that is in line with the GLA CE guidance (March 2022). The Statement should include a CE compliance table that lists the commitments and targets proposed to meet the minimum levels required by London Plan policy SI7.
- b) Prior to completion of construction of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted). This should be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

- c) Specific commitments detailed in the Circular Economy statement produced by Twin & Earth in October (v2), 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).

52. Digital Connectivity

Prior to commencement of the superstructure, 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).

53. Parking Design and Management Plan

Prior to the first occupation of the development a Parking Design and Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. This Plan should demonstrate how a further 7% of dwellings could be provided with a disabled person parking bay as and when demand arises. The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: In the interests of the accessibility of occupiers of the dwellings 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 T6 of the London Plan (2021), and the National Planning Policy Framework (2023).

54. Industrial Use on Ground to Second Levels

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) or the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the ground, first and second floor levels of the development hereby approved shall only be occupied as industrial space as defined by Use Class E(g)(iii)), and not for any other use.

Reason: To ensure that the Council retains control over the quality and provision of any change of use, to ensure the future protection, viability and integrity of the wider Locally Significant Industrial Site in accordance with policies E4, E5, E6 and E7 of the London Plan (2021), policy 4A of the Ealing Development Management DPD (2013) and the National Planning Policy Framework (2023).

55. Nighttime Active Travel Zone (ATZ) Assessment

Prior to first occupation of the development, a Nighttime Active Travel Zone Assessment shall be carried out and submitted to the Local Planning Authority for approval in consultation with TfL and the development shall be implemented to accord with the approved document.

Reason: To promote sustainable patterns of transport and 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 (2023), 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.

**Informatives**

The decision to grant planning permission has been taken having regard to the policies and proposals in National Planning Policy Guidance (2023), 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
- 14 Meeting the challenge of climate change, flooding and coastal change

London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D8 Public realm
- D9 Tall buildings
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D14 Noise
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- HC3 Strategic and Local Views
- HC6 Supporting the night-time economy
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SD6 Town centres and high street
- 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
- T4 Assessing and mitigating transport impacts



T5 Cycling  
 T6 Car parking  
 T6.4 Hotel and leisure uses parking  
 T7 Deliveries, servicing and construction  
 T8 Aviation  
 T9 Funding transport infrastructure through planning

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)  
 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 7C : Heritage  
Policy 7D : Open space

Draft Ealing Local Plan (Reg19) (2024)

Policy DAA: Design and Amenity  
Policy D9: Tall Buildings  
Policy HOU: Affordable Housing  
Policy E3: Affordable Workspace  
Policy E4: Land for Industry, Logistics and Services to Support London's Economic Function  
Policy E6: Locally Significant Industrial Sites  
Policy G4: Open Space  
Policy G5: Urban Greening  
Policy OEP: Operational Energy Performance  
Policy WLC: Whole Life Cycle Carbon Approach  
Policy SI7: Reducing Waste and Supporting the Circular Economy  
Policy FLP: Funding the Local Plan

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
<b>Total <math>L_{Aeq,1hr}</math> for spectrum 16 – 8K Hz</b>	<b>67</b>	<b>64</b>

5. Land contamination:

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

- v. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
  - vi. Verification of Remediation of Land Contamination', Report: SC030114/R1, Environment Agency, 2010
  - vii. Planning Policy Statement 23: Planning and Pollution Control;
  - viii. PPS23 Annex 2: Development on Land Affected By Contamination;
  - ix. Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008
- Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
  - All raw data should be provided in a form that can be easily audited and assessed by the Council (e.g. trial pit logs and complete laboratory analysis reports)
  - on-site monitoring for ground gases with any relevant laboratory gas analysis;
  - Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).
- b. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.
6. This permission does not grant consent for the display of external advertisements at this site which are subject to the Town & Country Planning Control of Advertisements (England) Regulations 2007, and which may need to obtain a separate advertisement consent from the local planning authority under those regulations.
7. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted for the approval of the relevant Health and Safety Enforcement Officer.
8. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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

9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. 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](http://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. 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.

13. Dark smoke and nuisance

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

14. 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.

15. 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.

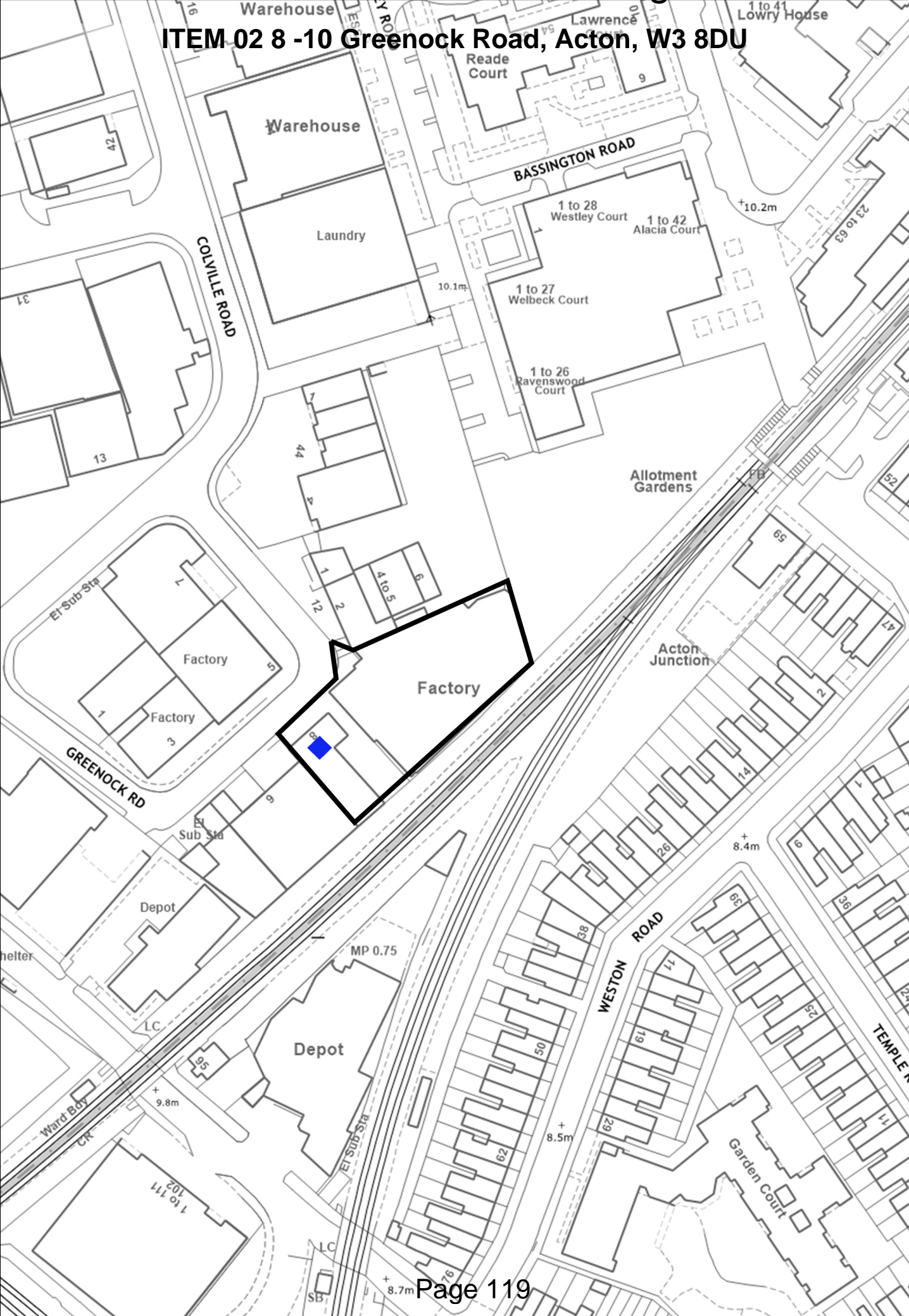
Works to footway

16. 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.

17. Street Numbers

The applicant is advised that the Council is the street naming and numbering authority, and you will need to apply for addresses. This can be done by contacting the Street Naming and Numbering officer, prior to construction commencing. You will need to complete the relevant application form and supply supporting documentation e.g. site layout and floor plans so that official street naming and numbering can be allocated as appropriate. If no application is received the council has the authority to allocate an address. This also applies to replacement buildings and dwellings. Full details of how to apply along with guidance can be found [Street naming and numbering | Street naming and numbering | Ealing Council](#)

ITEM 02 8 -10 Greenock Road, Acton, W3 8DU



This page is intentionally left blank



---

<b>Ref:</b>	<b>231285FUL</b>
<b>Address:</b>	<b>8 -10 Greenock Road, Acton, W3 8DU</b>
<b>Ward:</b>	<b>South Acton</b>
<b>Proposal:</b>	<b>Construction of a stepped building up to 18 storeys, comprising flexible industrial space (Class Eg(iii)/B2/B8), café (Class E) and 124 residential units, with associated off-street servicing areas and blue badge parking, refuse, cycle storage, plant rooms, landscaping and amenity space and associated works (Following demolition of existing buildings)</b>
<b>Drawing numbers:</b>	<b>AP00 P04 (Proposed Ground Floor); AP01 P04 (Proposed First Floor); AP02 P03 (Proposed Second Floor); AP03 P03 (Proposed Third Floor); AP04 P03 (Proposed Fourth – Eighth Floor); AP09 P03 (Proposed Ninth – Eleventh Floor); AP12 P03 (Proposed Twelfth Floor); AP13 P03 (Proposed Thirteenth – Fourteenth Floor); AP15 P02 (Proposed Fifteenth Floor); AP16 P02 (Proposed Sixteenth – Seventeenth Floor); APB1 P02 (Proposed Basement); APRF P02 (Proposed Roof Plan); 0250 P03 (Proposed North Elevation); 0250 P03 (Proposed East Elevation); 0253 P03 (Proposed West Elevation); 0900 rev D (Illustrative Landscape Plan); 2900 rev D (Ground Floor General Arrangement); 2901 rev E (Podium Level General Arrangement); 2902 rev E (Roof Terrace Level General Arrangement); 2903 rev D (Planting Strategy Plan rev D);</b>
<b>Supporting Documents:</b>	<b>Air Quality Assessment (IDOM, March 2023); Daylight, Sunlight and Overshadowing Assessment (HTA, March 2023); Design Access Statement (HTA, March 2023); Energy and Overheating Assessment (HTA, March 2023); Whole Life Carbon Assessment (March 2023); Wind Microclimate Assessment (Ecolytik, March 2023); Geo Environmental Assessment Phase 1 (IDOM, March 2023); London Plan Fire Statement (BB7, March 2023); Planning Gateway One Fire Statement (BB7, March 2023); Environmental Noise Assessment (IDOM, March 2023); Sustainability Statement (HTA, March 2023); Healthy Streets Transport Assessment (RPS, March 2023); Agent of Change Assessment (IDOM, March 2023); Drainage Strategy and SUDS Management Statement (IDOM, March 2023); Economic and Industrial Assessment (Iceni Projects, March 2023); Schedule of Accommodation (HTA, Ref: DVP-GRE); Statement of Community Involvement (London Communications Agency, March 2023); Visual Impact Appraisal (Neaves Urbanism, March 2023); Affordable Housing Statement (Newsteer, March 2023); Heritage Statement (GJHP, March 2023); Planning Statement (Newsteer, March 2023); Travel Plan (RPS, March 2023); Circular Economy Statement (HTA, March 2023); Delivery and Servicing Plan (RPS, March 2023); Outline</b>

**Construction Logistics Plan (March 2023); We Made That Study Analysis (DVP-GRE)**

**Type of Application:** Major - Full Planning Application

**Application Received:** 23 March 2023

**Report by: Joel Holland Turner**

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

**TABLE OF CONTENTS**

Executive Summary: .....3

Recommendation: .....6

Site Description: .....7

The Proposal: .....9

Consultation: .....10

    Public: .....10

    Design Review Panel and Community Review Panel .....16

    Internal Consultation: .....18

    External Consultation .....19

Planning Policies: .....22

Background and Principle of Development .....23

South Acton LSIS Masterplan .....23

Affordable Workspace .....29

Agent of Change .....31

    Noise .....31

    Vibration .....32

    Dust .....32

    Odour .....32

    Lighting .....32

Housing Land Supply .....32

Local Character and Design .....33

Tall Buildings .....38

Impacts on Heritage.....43

Housing Mix .....45

Affordable Housing .....46

Quality of Accommodation .....47

Amenity Space.....49

    Communal Open Space .....49

    Children’s Play Space .....51

    Landscaping and Urban Greening .....53

Impact on Allotments .....54

Impact on Neighbouring Properties .....54

    Daylight .....55

    Sunlight .....55

    Overshadowing .....56

    Overlooking .....56

Transport Considerations.....56

Impact on the Railway.....59

Refuse and Recycling Storage .....59

Energy and Sustainability .....59

Environmental Health.....61

    Noise .....61

    Air Quality.....61

    Contaminated Land.....61

Crime Prevention .....61

Conclusion:.....62

Human Rights Act:.....62

Appendix A .....64

    Description of the conditions/reasons:.....64

    Informatives:.....78

**Executive Summary:**

This application seeks full planning permission for the demolition of the existing industrial building and the construction of a mixed-use building, up to 18-storeys in height, with two shoulders that have heights of 12 and 15 storeys respectively. The scheme would accommodate, at ground, first and part second storey levels, industrial space with a cumulative floor space of 2,159sqm, which is an uplift from the existing 1,750sqm. At part second floor and above, the building would accommodate 124 residential homes.

The application site is located within a relatively isolated part of the South Acton LSIS, with most of the mixed-use developments that have been approved or under construction focused toward Bollo Lane. It should be noted that there is another application pending consideration within the vicinity of the site, known as 'Land Opposite Ravenswood Court, Stanley Road' (195284FUL).

Nevertheless, whilst the application site located in the southern portion of the LSIS, it is also within relative proximity to residential development that is focused around Stanley Road and Palmerston Road. The development follows the same principles of the co-location of industrial and residential uses, as afforded by Policy E7 of the London Plan, that the applications that are focused more toward Bollo Lane have followed.

The industrial spaces that are proposed as part of this scheme are considered to be well designed, with off-street servicing of these spaces provided by an internal road. This will allow larger vehicles to directly access the internal industrial spaces, making it attractive to a number of different occupiers that fall within the required E(g)(iii)/B2/B8 use classes that have been secured by condition.

Whilst a number of the mixed-use schemes within the LSIS have been brought forward as part of a superseded Hawkins/Brown Masterplan, the application site does not fall within the parameters set by this former Masterplan. In any case, the Council-initiated South Acton LSIS Masterplan provides more comprehensive guidance for development within the LSIS. The creation of this Masterplan provides in principle acceptance to the principle of development within this location, in line with Policy E7 of the London Plan, as well as Policy E6 of the Reg19 Draft Ealing Local Plan.

The Masterplan sets out locations suitable for co-location, determines appropriate heights, concentrates focus on the delivery of good quality industrial space, and outlines necessary public realm improvements that will be required to accommodate the emerging residential community within the area. Whilst the development would be located within an area that would be the focus of the co-location of industrial and residential uses, it is noted within the report that the proposed 18 storeys would breach the recommended height limits in this location of 15 storeys.

In this instance, the Masterplan states that breaches of the height by a "limited margin may be acceptable", where certain criteria are fulfilled. The benefits of the scheme include requirement for Greenock Road to be brought to an adoptable standard, a new one-way system for the currently unadopted road, increased footpath widths, street trees, lighting and more defined loading and parking areas. In addition, the scheme would deliver additional open space beyond what has been identified within the Masterplan. This would enable the other sites that have been identified as suitable for co-location to also be brought forward at a future date. The mechanism for the delivery of this road will be achieved through Grampian-style obligations within the legal agreement (as outlined within the Heads of Terms), preventing the various stages of the development process from proceeding until certain milestones have been met. It is considered that the significant benefits that the scheme would deliver for the local area provide adequate justification for a marginal breach of the height limits outlined by the Masterplan.

The Agent of Change principle has been assessed and subject to the recommended conditions, it is considered that the industrial uses on surrounding sites and the residential uses proposed can reasonably co-exist. It is considered that the proposal would ensure that the introduction of more sensitive uses to the area would not compromise the continued operation and viability of the LSIS.

The proposed residential homes would all meet the requirements of Policy D6 of the London Plan, Policy LV3.5 and 7D of the Ealing Development Management DPD, the Mayors London Housing Design Standards LPG and Policy DAA of the Reg19 Draft Ealing Local Plan. Future residents would be afforded good quality living conditions, with compliant floor spaces, good access to daylight and sunlight and appropriate conditions have been recommended with respect to noise and air quality.

The scheme would deliver a good Affordable Housing offer, with a total provision of 36.5% by Habitable Room (34.7% by unit). The tenure split would be 60/40 in favour of the London Affordable Rent over Shared Ownership. Whilst this is below the objectives of Policy HOU of the Reg19 Draft Ealing Local Plan, which seeks a tenure split of 70/30 in favour of low rent housing products, it is consistent with the requirements of current adopted policy, which seeks a tenure split of 60/40.

The design of the development is considered to be of high quality. The existing buildings are generally poor and provide no architectural merit. The proposed development would provide a building that implements strong articulation and variation to promote visual interest. The scheme has a well-defined base, middle and top, and the architectural expression of the building uses design and high quality materials to provide a reference to the industrial heritage of South Acton. The subtle nuances in design, including wider fenestration at the buildings base, provide a clear delineation of the different uses within the scheme, but at the same time provides a strong design link through the whole façade. The scheme has been assessed against Tall Buildings and Heritage policies, with the conclusion being that the site is appropriate for a tall building and the impact on heritage assets within long range views constituting 'less than substantial harm'.

Of notable concern, which was particularly raised throughout the consultation period, is the impacts of the proposal on neighbouring properties, as well as the allotment gardens. The submitted Technical Assessment has been thoroughly scrutinised and it is considered that the impacts on surrounding residents and the allotment gardens would not be substantial and are on the whole, acceptable.

The scheme would be car-free, provide adequate cycle parking provision and would promote a modal shift to more sustainable forms of transportation. The application site is located close to the South Acton Underground Station (Overground "Mildmay Line"), as well as within walking distance of the Acton Town Underground Station (Piccadilly and District Lines). Whilst it is noted that current conditions around the site means that accessibility is poor, the combination of the delivery of an adoptable Greenock Road, as well as public realm improvements identified within the Masterplan (to which the applicant will financially contribute) would provide better safety and accessibility for future residents.

Council's Energy Consultant is highly supportive of the proposed development, with the scheme delivering cuts in the overall site-wide CO<sub>2</sub> emissions by 72.84%, with 15.79% carbon reduction through "Lean" efficiency measures, and 57% through "Green" renewable energy. Corresponding s106 obligations and conditions have been recommended.

Overall, the proposed development has been well-designed to deliver new homes and industrial space. It is consistent with the priorities, vision and strategy of the Council as outlined within the Council Plan, by delivering more industrial capacity in a more modern and flexible arrangement that would suit a variety of existing and emerging industries within West London. The scheme would also deliver good quality homes, with a good affordable housing offer.

It is accordingly recommended that the application be approved, subject to Stage II referral to the Mayor of London, the completion of a s106 agreement and s278 agreement.

**Recommendation:**

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

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

<b>Financial Contribution Heading</b>	<b>Proposed Contributions</b>
Local Healthcare Provision	£260,000
Education	£230,000
Leisure Facilities – Active Ealing	£70,000
Affordable Workspace	£4,417
Open Space	£35,000
Children’s Play Space	£55,000
Allotment Gardens	£13,000
Transport Services	£20,000
Public Realm Improvements – Masterplan (Regeneration)	£10,000
Employment and Training Monitoring	£31,000
Bus Service Improvements - TFL	£91,000
Air Quality Mitigation	£34,000
<b>Subtotal</b>	<b>£853,417</b>
Carbon Dioxide Offsetting	£91,360
Energy Monitoring	£8,496
<b>Total Contributions</b>	<b>£953,273</b>

- Prior to commencement of the development (excluding demolition), the applicant shall consult with Highways and Council’s Landscape Architects and pay for Design Work to bring Greenock Road to an adoptable standard, along with the improvement to the public realm including street greening and trees. The applicant shall be responsible for Council’s reasonable costs of this work. Indicative costs have been estimated to be £20,000.
- Prior to occupation of the development, the works to bring Greenock Road to an adoptable standard, in line with the design developed in conjunction with Council’s Highways Team and Landscape Architects, shall be substantially complete and confirmed as such by Council’s Highways Team. This work will need to be undertaken at the cost of the applicant. Indicative costs have been estimated to be £120,000 and will be subject to change depending on final design.
- All proposed disabled parking bays shall be provided with electric charging points
- Works to create the highway shall be carried out under licence from the London Borough of Ealing.

- 36.5% of units by habitable rooms in the form of 26 homes (75 HRs) within London Affordable Rent Tenure and 17 homes (51 HRs) within Intermediate (Shared Ownership) Tenure
- 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.
- 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 planning officer administration 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 is a somewhat irregular shaped plot, with an area of approximately 2,000sqm and a frontage to the unadopted Greenock Road of approximately 28 metres. The existing conditions of the site include two separate buildings. 10 Greenock Road is currently occupied by a freight transport business. 8 Greenock Road is known as Durable House, which consists of 7 individual commercial units comprising a number of industrial and office activities. It is understood that some of the individual units are currently unoccupied.



**Figure 1: Site Location**

In terms of restrictive planning designations, the site located within an LSIS (Locally Significant Industrial Site) as well as an area of both Local and District Park Deficiency. To the north-east of the site is the South Acton Allotments and to the south of the site is the railway corridor which serves the Overground Line, as well as the potential future West London Orbital. On the other side of the railway are a number of conventional residential properties that face Weston Road. The separation distance between the application site and the rear boundary of these residential properties ranges from between 35 and 49 metres. To the north of the site are predominantly commercial activities, which includes a dark kitchen, a bespoke building, interior and design company as well as a number of other SME and industrial type uses.

There are a number of emerging developments surrounding the site that are similar in principle to the proposed development. This includes 29-39 Stirling Road, approved under ref: 204553FUL. Other similar developments include 2-10 Roslin Road (also approved under ref: 204553FUL), 1 Stirling Road/1-9 Colville Road and 67-81 Stirling Road (with different applications approved or resolved to approve under ref. nos. 214611FUL and 232800FUL) and 3-15 Stirling Road (approved under ref: 214991FUL).

There is also an existing proposal for a similar type of development at an adjacent site that is described as Land Opposite Ravenswood Court, Stanley Road, that is currently pending consideration under planning application ref: 195284FUL.



**The Proposal:**

The proposed development involves the demolition of the existing buildings and the construction of a mixed-use development. The scheme will comprise the following:

- 2,159sqm of industrial space over ground, first and part-second floors. This is an uplift from the existing floor space of 1,750sqm.
- Off-street servicing and delivery areas for the proposed industrial space.
- 124 residential homes in a variety of different sizes.
- Double-height space for a café or similar at the Greenock Road frontage of the site.
- A building up to 18 storeys, with two separate shoulders that are 12-storeys in height to its north-eastern side and 15-storeys to its south-western side.
- Communal amenity space at ground, third, twelfth and fifteenth floor levels and children’s play space at third floor level.
- Ancillary refuse and cycle storage areas.



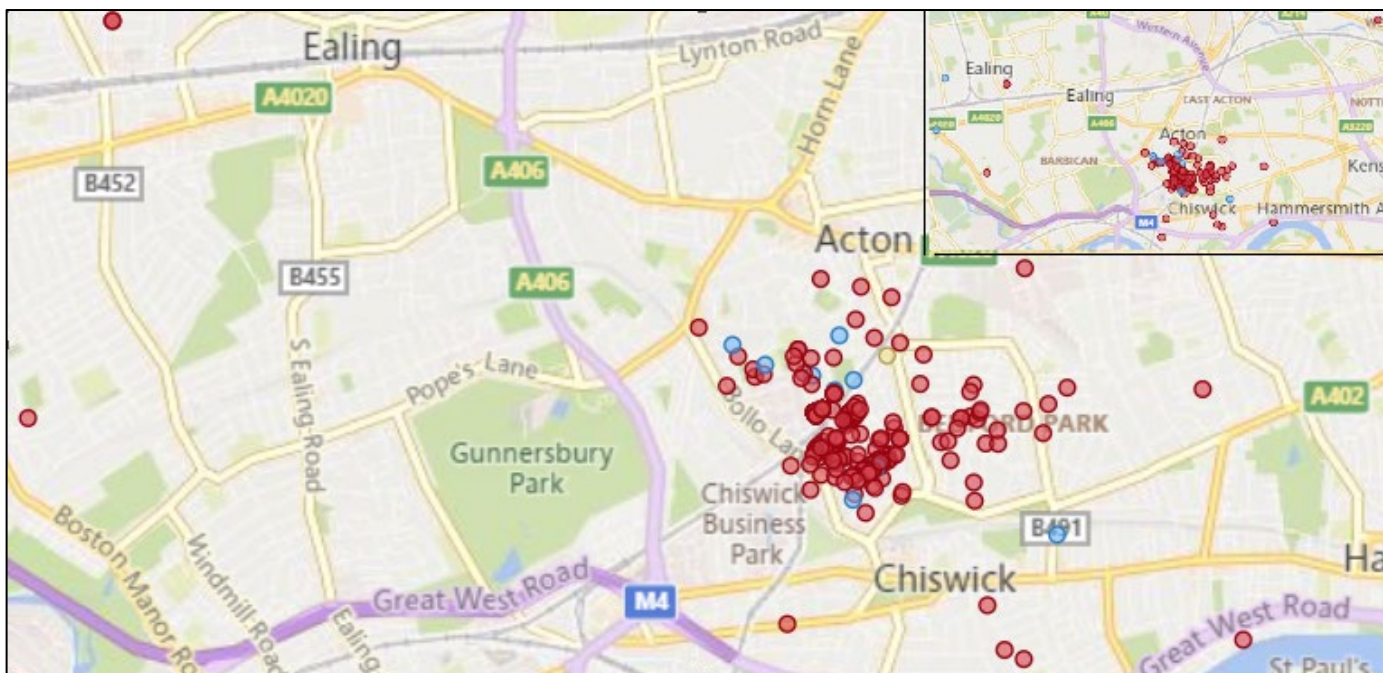
**Figure 2: Proposed Development as viewed from Colville Road**

**Consultation:**

**Public:**

Public consultation was carried out in accordance with the requirements set out in the relevant legislation, by way of a number of site notices being placed in the surrounding area. A number of site notices were placed on lampposts within the surrounding area, which included extensively throughout Acton Gardens, the surrounding LSIS and in the residential neighbourhood south of the railway.

Consultation commenced on 19/04/2023 and concluded on 10/05/2023. A number of comments were received outside of this consultation period but were nevertheless accepted in full.



**Figure 3: Location of objections (red) and support (blue)**

The image above shows the locations of representations received in objection and support.

The consultation period attracted significant community interest in the scheme, with a total of 256 representations received from the local community. These representations would be categorized as 242 objecting to the proposed scheme, 13 supporting the scheme and 1 neutral. A summary of the points of objection are provided within the table below. It should be noted that the predominant objection to the scheme was relating to height.

Comment	Officer Response
Building is too tall and out-of-keeping with the surrounding area	As is outlined within this report, the development would be marginally higher than the indicative maximum heights as outlined within the recently ratified South Acton LSIS Masterplan. Council Officers are of the view that the increased height has been justified against the masterplan, as outlined within this report, due to the improvements to Greenock Road that will be delivered as part of

	<p>this scheme, as well as an uplift in industrial capacity and increase in affordable housing.</p>
<p>Negative impact on the allotments</p>	<p>Since pre-application discussions with Council commenced on the proposed development, Council Officers have raised the issue continuously with the applicant with regard to the impact of the proposed development on the adjacent allotment gardens. Significant design refinement has occurred since the initial stages of the development and Officers are satisfied that the impact on the allotments are acceptable, as will be outlined within the following report.</p>
<p>Not enough parking for commercial tenants and will result in an increase in heavy goods and truck movements</p>	<p>The proposal would result in a significant improvement on the existing situation where and servicing of these site's largely occurs on the street in an ad-hoc manner. The proposed development would deliver better off-street servicing. It is also a strategic objective of both the London Plan and Ealing Council to intensify the industrial capacity of sites, particularly when they are located in LSIS or SIL locations, such as this proposal.</p> <p>Nevertheless, it is not considered that the industrial uses would result in significant heavy vehicle movements over and above the existing situation.</p>
<p>Development will put a strain on existing community facilities and services</p>	<p>Aside from the contributions that will be secured toward healthcare and education infrastructure within the local area, the South Acton LSIS Masterplan has identified key infrastructure requirements for this emerging community, based on the principles of 20-minute neighbourhoods. It is anticipated that through future development in line with the Masterplan, that such facilities could be delivered as part of these developments.</p>
<p>Impact on properties on Weston Road</p>	<p>It is acknowledged that based on the existing situation, the proposal would result in a change to the outlook of some residents on Weston Road. However, the development has a significant setback from these properties, by virtue of the rail corridor, of 35 to 49 metres.</p> <p>A full assessment of the impacts of the proposed development on neighbouring residential properties will be contained within this report.</p>

<p>The development is not consistent with the Acton Gardens development</p>	<p>The development is within a different context to the Acton Gardens development and is a significant distance away. The proposed development will be assessed on its own individual merits.</p>
<p>Poor quality design</p>	<p>The design of the development will be discussed within this report, however it should be noted that the external appearance of the building incorporates a number of interesting elements including variations in height, materiality that references the industrial heritage of the site and uses different brick tones and varying degrees of articulation within the façade.</p>
<p>Development is purely profit driven for developers</p>	<p>Private investment within Ealing one of the essential drivers of economic growth and the delivery of affordable homes within the Borough.</p>
<p>There is no explanation as to what the applicant deems as 'affordable housing'</p>	<p>The definition of genuinely affordable homes is defined by the Mayor of London to include London Affordable Rent, Social Rent, London Living Rent and Shared Ownership. The proposed development would include provision for both London Affordable Rent and Shared Ownership.</p> <p>London Affordable Rent is a product aimed at those on low incomes and are below market rent based on a formula established by the GLA. Shared Ownership is a product that allows a person to purchase a portion of a new home and pay a subsidised rent on the remainder. This allows people using this product to step onto the property ladder.</p> <p>Both housing products are subject to strict qualifying criteria. The scheme would deliver 36.5% Affordable Housing, with a tenure split of 60/40 in favour of London Affordable Rent products over Shared Ownership.</p>
<p>No access to local parks</p>	<p>Whilst the site is within walking distance to both the Bollo Brook Park, Central Square and the Bollo Bridge Road recreation ground, the South Acton LSIS Masterplan has identified opportunities to create new pocket parks within the LSIS itself. It is anticipated that this could be brought forward through future development proposals within the area, as is outlined within the Masterplan, and within <i>Figure 6</i> of this report.</p>

<p>Proposal would result in an increased number of cars, vans and deliveries for the residential use which goes against the Mayor's objectives of reducing pollution</p>	<p>The scheme will be car-free for the residential element of the development and there will be limited, if any, opportunities for future residents to park in the area by virtue of the existing CPZ. No residents will be able to obtain a parking permit or visitor vouchers to park within the CPZ.</p> <p>Increasingly delivery companies are adopting the use of electric vehicles, which will only increase into the future.</p>
<p>The documents show a large building at 93 Bollo Lane which does not exist and gives a false impression of tall buildings within the area. This application has not been further discussed since November 2021</p>	<p>This scheme is still pending consideration due to an announcement from the GLA and the Housing Secretary, mandating second staircases for the development of building over a certain height. The proposal for 93 Bollo Lane has been affected by this.</p> <p>However, Council Officers are in receipt of some revised plans for this application and implications of the changes will be communicated with the Chair of Planning Committee prior to final determination. It should be noted that the revised plans do not involve an increase in bulk, height, scale or massing and only involve internal changes to the proposed building.</p>
<p>Objection to the principle of making Greenock Road one-way as this restriction would be detrimental to car users who live in the area</p>	<p>Greenock Road is a loop street that connects to Colville Road on both ends. Therefore, the only likely users of this road are those visiting individual businesses on this road. It is not currently a route that would provide any access to residents.</p> <p>In any case, the proposal would significantly improve the existing conditions of this road that will be outlined within this report.</p>
<p>Ealing is only concerned with raising more Council Tax. Houses should be built instead</p>	<p>Houses would be inappropriate use for this site. Council has strategic objectives to deliver more housing for local residents and targets are set out within the London Plan to deliver new housing.</p> <p>Potential revenue generated by Council Tax is not a planning consideration, nor has it had any effect on the assessment of this application.</p>
<p>Overlooking of properties on Weston Road and reduction in light/increased overshadowing</p>	<p>This impact on neighbouring properties will be discussed within this report.</p>

<p>Development should include doctors surgery, school, dentist, shops</p>	<p>The South Acton LSIS Masterplan outlines types of essential facilities that will be required for the emerging community, which may be included within future development proposals within the area. The development will make a contribution towards healthcare facilities within the local area, however the provision of healthcare facilities is the ultimate responsibility of the NHS, who are currently undertaking a strategic assessment of the needs of the local community within Acton.</p>
<p>Development will set a precedent for further development of the industrial estate</p>	<p>Development within the area will be subject to the new provisions of the South Acton LSIS Masterplan which will limit future and piecemeal development of the industrial area for housing.</p> <p>The Masterplan clearly identifies locations where co-location of residential and industrial uses could be appropriate.</p>
<p>The Council's ambitions to create 20-minute neighbourhoods will be damaged if all the industrial area is turned into housing</p>	<p>The South Acton LSIS Masterplan identifies particular sites that are suitable for co-location of industrial and residential uses, which a significant portion of the Estate now limited to industrial only.</p> <p>20-minute neighbourhoods are a key consideration of the South Acton LSIS Masterplan</p>
<p>Lack of buses in the area</p>	<p>TFL have requested contributions to bus service improvements, in line with other developments within the area. Bus Service Contributions have been secured.</p>
<p>Will cause increased traffic on Bollo Lane</p>	<p>The proposed development will be car free. Whilst there will be movements associated with the industrial use, this will not be significantly over and above the existing situation. Whilst the proposal will also result in deliveries to the residential use, it is not considered that the trip generation would be additional, as delivery companies typically service an area concurrently, rather than an individual development.</p>
<p>More frequent public transport is required if the development is to proceed</p>	<p>Acton Town is serviced by the Piccadilly and District Lines. TFL are currently undertaking a £2.9 billion investment program which will result in new trains and signalling improvements which will result in 23% more passengers being able to be transported during peak hours. This will begin to be rolled out in 2025.</p>

	<p>Consultation and discussions are still ongoing for the potential West London Orbital which will likely service South Acton Overground Station.</p> <p>Bus Service Contributions have been secured.</p>
<p>Lack of community consultation</p>	<p>Prior to the submission of the application, the applicant undertook community consultation. In November 2022, two events were held at the South Acton Community Centre and an invitation was sent 1,000 local residents. Some representations received noted that they attended one of these events.</p> <p>Consultation has been carried out by Council in line with statutory obligations and representations have been accepted in full regardless of their date of submission.</p>

The Ealing Civic Society also commented on the proposed development and objected, in principle, to the proposed development. Whilst they welcomed the improved design and materials of the proposal, the proposal would be inappropriate for residential development, would cause a shadow over the adjacent allotment gardens. The application also makes reference to a number of tall buildings in the area, but the Civic Society notes that these are closer to Bollo Lane and should not be used as a reference point. It also notes the adjacent scheme at Stanley Road but notes that this scheme has remained undetermined for a number of years and has over 500 objections.

**Officer Response:** The impact of the proposal on the allotment gardens has been given due consideration during both preapplication discussions with Council Officers, as well as both the Design Review Panel and Community Review Panel. A full assessment of this impact will be provided within this report. It should be noted that the representation from the Ealing Civic Society was received prior to the emergence of the South Acton LSIS Masterplan, which outlines appropriate locations for co-located developments. The Stanley Road scheme that is referred to is also scheduled to be reviewed by the Planning Committee on 28 February 2024.

A summary of the points in support of the scheme are outlined below:

- New homes will contribute positively to the area’s regeneration.
- It will be good to see a new community for families being developed.
- Proposal would support local businesses.
- Industrial estate is a mess and this proposal will provide a kickstart to a very large area.
- The area needs additional housing.
- Design is appealing.
- The area is not nice to walk through, and this proposal would improve this.
- Time to inject some life into the area.
- The new flexible industrial spaces will be great for modern businesses.

### Design Review Panel and Community Review Panel

The Design Review Panel reviewed the initial proposals for the site at a meeting on 11 October 2022. A summary of the points raised is provided below. An image of the proposal presented to both the Design Review Panel and the Community Review Panel is also shown below.



**Figure 4: Initial Proposal Presented to Design and Community Review Panels (October 2022)**

- Panel did not agree with the GLA’s initial pre-application assessment that the application could be brought forward in the absence of Masterplan.
- The indicative Masterplan that was delivered to the DRP by the applicant was unconvincing and un-coordinated.
- The proposal did not make sense in its existing context and only makes sense as part of a wider development of the area.
- Proposal would have an awkward relationship with the unresolved application at Stanley Road adjacent to the site.
- The access to the site would be along a neglected, unadopted carriageway with no footpath.
- A bolder appearance would be welcomed with more creative elevational treatments.
- Constraints regarding access to green and open space, particularly giving regard to the cumulative impact of development on the surrounding area.

**Officer Response:** Council Officers had advised the applicant prior to the meeting of the incoherency of the indicative Masterplan that the applicant had presented. This was affirmed by the DRP. As a result, given the fragmented ownership structure of the LSIS, the only reasonable outcome for the delivery of a Masterplan was that Council undertake this work. This was commenced shortly after the submission of this



application. The current proposal was considered as part of the development of the Masterplan, but was not a determining factor in its recommendations.

In any case, in the context of the new Masterplan, parameters for development of this site and other sites surrounding have been set. The adherence of the proposal to the Masterplan is outlined within this report. It should be noted that the DRP reviewed the scheme prior to the Masterplan being finalised.

Issues relating to Greenock Road and its acceptability to accommodate residential uses have been addressed through the course of this application, with a reasonable and deliverable way forward to bring the road to an adoptable standard. This is outlined within the Heads of Terms. Prior to the submission of the application, Council Officers also requested that the applicant work with the applicant of an adjacent development proposal on Stanley Road (195284FUL) to ensure that proposals could co-exist, particularly in relation to their servicing arrangements. This will be discussed within this report.

It should also be noted that since the scheme was reviewed by the DRP, the design has changed to give the building an industrial vernacular that celebrates the heritage of both the site and the historical development of Acton. The building mass and heights have also been rationalised to move the building further away from the adjacent allotment gardens.

The Community Review Panel reviewed the initial proposals for the site at a meeting on 18 October 2022. A summary of the points raised is provided below:

- The development could be a significant improvement to the area, but it recommends developing a Masterplan to protect the significance of the LSIS.
- Concern about the delivery of public realm improvements (Greenock Road) and it may take some time to deliver.
- Some concern was raised with relation to the height of the building, but it was noted that it was broadly in keeping with the emerging context of the wider area. Suggestion to lower the shoulder heights which could improve the transition to buildings nearby.
- Car-free nature of the scheme was positive.
- Welcome approach to landscape design and urban greening.
- Co-location of uses could work well, however, consideration should be given to ensure that noise and air quality impacts are taken into consideration.
- Would like to see commercial and retail uses to support the new community.
- Embracing the 'soapsuds' history of the site was welcome and could give the building a distinct identity.
- Raingardens could be used for sustainable urban design measures.

**Officer Response:** As noted previously for the DRP, the scheme was reviewed by the CRP prior to the finalisation of the Council-initiated Masterplan. The comments from the CRP were generally positive. The design of the building has been further refined to express a more industrial character with significant improvements to variation and articulation and the use of materials. The rationalisation of the building to move this away from the allotment gardens has increased the height of the building and the shoulders, however it is considered that the design of the building is successful which will be addressed further within this report.

Conditions have been recommended to ensure that the residential and industrial uses can co-exist, with relation to noise and air quality. The delivery of public realm improvements has also been finalised to ensure that they are complete prior to any occupation of the premises.

**Internal Consultation:**

<b>Pollution-Technical (Noise and Vibration)</b>	The acoustic survey report by Idom dated March 2023 has been reviewed and a number of conditions have been recommended.
<b>Pollution-Technical (Air Quality)</b>	<p>London Plan 2021 and NPPF does state that planning decisions should ensure that cumulative impacts from all individual sites and upcoming developments should be considered including demolition and construction activities for any upcoming developments.</p> <p>The development proposal is also considering installing a generator on the ground floor, the air quality assessment doesn't consider impact of emissions during testing time on AQ concentrations and façade of dwellings that will likely face the flue of the generator.</p> <p>Conditions have been recommended, along with financial contributions towards air quality mitigation.</p>
<b>Pollution-Technical (Contaminated Land)</b>	<p>The report recommends a site investigation. Given the proposal is for a mixed development (residential and commercial) and based on the information available this is agreed with.</p> <p>Conditions have been recommended.</p>
<b>Environment and Leisure</b>	A contribution toward the improvement of leisure facilities through Active Ealing has been recommended within the Heads of Terms
<b>Transport Officer (Cycling)</b>	No comments received, however TfL have reviewed the cycle parking arrangements, which will be detailed within this report.
<b>Economic Growth/Regeneration</b>	<p>The proposals should follow the requirements and recommendations of the South Acton LSIS Masterplan to support the transformation of the area into a successful industrial led colocation neighbourhood that meets the needs of businesses, workers and residents. The proposals should follow the masterplan requirements, recommendations and guidance set out for uses, densities, heights, intensification, colocation and architecture character.</p> <p>Supportive of the enhancement and intensification of commercial floorspace in the area provided it demonstrates that it meets the needs of industrial businesses in the area. Proposed commercial floorspace should meet the minimum specifications set out in the emerging Greater London Authority's Industrial London Plan Guidance including assurances from an industrial workspace partner that the space meets local industrial business space needs. This includes measures to mitigate the potential impact of industrial uses on residents.</p>

	<p>Proposed development will be expected to contribute to the delivery of an enhanced public realm including additional public and green space to make the area more attractive and meet the needs of new residents and businesses. Proposed development with co-located homes should consider providing additional amenities, public space and green space on site, alongside intensified industrial space and yard space. Collaboration and coordination with adjacent sites would greatly facilitate and enhance this provision.</p> <p>A contribution to public realm improvements has been requested.</p>
<p><b>Energy and Sustainability</b></p>	<p>Energy Consultant is highly supportive of the proposed Energy Strategy.</p> <p>The development is all electric with no gas infrastructure on-site.</p> <p>The strategy proposes a centralised Air Source Heat Pump distribution loop with electric boilers (for 5% peak load), to provide space heating and DHW. Space cooling for the non-residential areas will come from VRF electric panels.</p> <p>PV has been realistically maximised with a 20 kWp array.</p> <p>The Council confirms that there is no available “Clean” district heat network (DHN). However, the energy plant room will be futureproofed for connection to any future DHN.</p> <p>At the current design stage the overall site-wide CO<sub>2</sub> emissions will be cut by at least 72.84%, with 15.79% carbon reduction through “Lean” efficiency measures, and 57% through “Green” renewable energy.</p> <p>Conditions and s106 obligations and contributions have been recommended.</p>

**External Consultation**

<p><b>Greater London Authority (GLA) Stage I</b></p>	<p><u>Land Use Principles:</u> The proposed optimisation and co-location of industrial and residential uses on this Locally Significant Industrial Site would not follow a plan-led approach, but could be supported on balance subject to addressing the retention of the industrial capacity, the functioning of the LSIS and ensuring amenity of residential units</p> <p><u>Housing and Affordable Housing:</u> The scheme would provide 35% affordable housing by unit and 36.5% by habitable room with a tenure split of 60% London Affordable Rent and 40% Shared Ownership. The affordable provision, affordability levels and early-stage review mechanism must be appropriately secured.</p> <p><u>Urban Design:</u> The architecture and material palette are generally supported. However, further work is required to resolve concerns</p>
--	---

	<p>relating to layout, environmental and functional impacts of the development and to address the Agent of Change principle.</p> <p><u>Transport</u>: Further information is required on trip generation, public transport, improvements to the highway, car parking, deliveries and servicing.</p> <p><u>Climate and Environmental Issues</u>: Further information is required in order to demonstrate compliance with policies relating to energy, Whole Life Carbon and Circular Economy.</p> <p><b>Officer Response</b>: It should be noted that the GLA response was received prior to the South Acton LSIS Masterplan. Other issues will be addressed within this report, or have been addressed between the GLA and the applicant directly.</p>
<p><b>Transport for London (TfL)</b></p>	<p>The applicant has not provided an updated Active Travel Zone (ATZ) assessment, including night-time hours. Further consideration to the routes to the site within darker hours, particularly relating to women’s safety and the take up of active travel options.</p> <p>Concern is raised in relation to the proposed treatment of the southern boundary which runs the risk of feeling like a back-land escape and unlikely to feel safe to use. Also concern regarding the boundary treatment to the railway to prevent trespass.</p> <p>It is noted that the applicant has accepted LB Ealing’s proposal as set out in the e-mail dated 20 November 2023. Early sight of the Grampian condition that is to be attached to prevent any occupation of the development until the road has been adopted by the Council would be welcomed.</p> <p>Concern relating to the cycle parking provision and the amount of two tiered racks proposed.</p> <p>Some disagreement between the applicant’s Trip Generation Data provided. This results in a person trip rate of 0.512 during the AM peak and 0.459 during the PM peak. Accordingly, the proposal would likely generate a total of 13 and 12 bus trips during the AM and PM peak respectively. A contribution towards bus service improvements has accordingly been recommended.</p> <p>No assessment has been made as to the additional demand on the on-street loading bay has been provided. To facilitate the introduction of the proposed loading bay, an existing loading bay has to be removed. It is therefore reasonable to assume that the demand from the existing loading bay will be displaced into the one proposed by this development.</p> <p>It would be useful to understand what restrictions will be implemented at</p>

	<p>the proposed loading bay and how these are to be enforced. It must be ensured that delivery and servicing activity from this site does not overspill into the surrounding highway network.</p> <p>A Delivery and Servicing Plan (DSP) should be secured through the appropriate mechanism.</p> <p><b>Officer Response:</b> Whilst Council acknowledges the shortfall of the ATZ Assessment during nighttime hours, the South Acton LSIS Masterplan has been produced since the TFLs comments were received. The Masterplan identifies pedestrian desire lines from Bollo Lane into Stanley Road, passing through Colville Road. The Masterplan notes that “the site is relatively permeable and walkable...quality and safety could be improved”.</p> <p>The Masterplan recommends that along Colville Road, which consists of the pedestrian desire line, that active frontages be established here, with widened footpaths, new street trees and the removal of some parking bays. New street lighting is also recommended here, as well as improvements to the cross-block link between Colville Road and Stanley Road. Whilst the applicant fails to consider the nighttime conditions within this ATZ Assessment, it is considered that the Masterplan fulfils this role by identifying areas to improve, which already consented s106 contributions and those delivered through this proposed development could be used to implement.</p> <p>The proposal will also involve the full upgrade to Greenock Road, which will significantly improve safety and amenity, to encourage active travel and the safety of women and girls in nighttime hours.</p> <p>Loading arrangements may be subject to change subject to further detailed design work that will be secured through Grampian s106 obligations for the upgrades of Greenock Road to an adoptable standard.</p> <p>The matters relating to the safety of the access pathway around the building will be subject to further detailed assessment through the Secure by Design condition.</p> <p>A DSP and contribution toward bus service improvements has been included within the recommendation.</p> <p>The cycle parking provision will be assessed within this report.</p>
<p><b>Heathrow Airport Safeguarding</b></p>	<p>No comment received.</p>
<p><b>Underground/DLR Safeguarding (TfL)</b></p>	<p>No comment to make on the planning application.</p>
<p><b>Network Rail</b></p>	<p>A number of concerns have been raised by Network Rail, particularly in relation to the proximity of the application site to the railway. Given the</p>

	extensive nature of the concerns raised, this will be addressed within the report below and conditions and informatives have been recommended.
<b>NHS Property Services (Healthcare)</b>	No response received. However, the HUDU Model calculator was used to determine a contribution toward healthcare. This is included within the recommended Heads of Terms of the Legal Agreement.
<b>National Highways</b>	No comment received.
<b>London Fire Brigade</b>	<p>Suitable refuge spaces will be provided at each level.</p> <p>An assessment should be carried out to demonstrate that the capacity of the lifts is sufficient for occupancy numbers.</p> <p>In accordance with requirements, blocks of flats with a top storey higher than 11 metres should be provided with wayfinding signage.</p> <p>All other matters should be fully considered through a fire strategy, which should be secured by condition.</p>
<b>Historic England (Archaeology)</b>	On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England’s Greater London Archaeological Advisory Service
<b>Health and Safety Executive (Fire Safety)</b>	Following a review of the information provided with this consultation, HSE is content with the fire safety design of the detailed element of the application, to the extent that it affects land use planning. However, HSE has identified some matters that the applicant should try to address, in advance of later regulatory stages.
<b>Metropolitan Police</b>	The development must achieve Secured by Design accreditation prior to occupation.
<b>Thames Water</b>	<p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Requested Condition: Piling Method Statement Development and Infrastructure Phasing Plan</p>

**Planning Policies:**

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

**Reasoned Justification:**

**Background and Principle of Development**

The proposed development involves the demolition of existing buildings on the site and the construction of a mixed-use building, comprising industrial uses and a café at ground floor level, co-located with residential accommodation with 124 residential homes proposed. The principle of the co-location of industrial and residential uses is established by Policy E7 of the London Plan, which states that mixed use developments comprising residential uses should only be supported where there is full re-provision of the existing industrial floorspace. The Agent of Change principle is engaged in such instances, whereby the industrial and related activities on surrounding sites are not compromised in terms of their continued efficient function, access, service arrangements and hours of operation. Such developments should also incorporate appropriate design mitigation to achieve the above, in matters relating to safety and security, access, design quality, public realm, visual impacts, vibration and noise and air quality.

Policy E7 also states that this approach to development within LSIS locations should be delivered as part of a plan-led process. This is reiterated by Policy E6 of the Draft Ealing Local Plan (Reg19) which states that “mixed intensification may be suitable on LSIS in cases where a masterplan is agreed within Ealing”. This is further caveated by the following points:

- It extends to the full boundary of the LSIS.
- It meets objectively assessed industrial needs.
- It achieves a high quality of built environment and delivers any necessary supporting infrastructure, affordable housing and affordable workspace contributions.

It is considered that the Masterplan that has been developed accords with the above three principles.

Similar forms of mixed-use development have been consented within the local area on sites along Bollo Lane and Stirling Road, which have included 2-10 Roslin Road and 29-39 Stirling Road (192130FUL and 204553FUL), 1 Stirling Road/1-9 Colville Road And 67-81 Stirling Road (214611FUL and 232800FUL) and 3-15 Stirling Road (214991FUL). These applications were considered within the context of a Framework Masterplan developed by Hawkins/Brown, which set out basic design parameters that guided development of this urban island area. The application site, however, falls outside the defined area of this Framework Masterplan.

Since the approval of these applications, significant pressure on further development within the LSIS has occurred. In response, Council has developed a Masterplan for the South Acton Industrial Estate in line with Policy E7 of the London Plan and Policy E6 of the Ealing Draft Local Plan.

**South Acton LSIS Masterplan**

Ealing Council commissioned a masterplan, which was prepared by Haworth Tompkins, in collaboration with other development partners in April 2023. The overall aims of the Masterplan were to:

- Provide a Framework for industrial-led development to create a successful place.
- Support the assessment of future planning applications within the LSIS.
- Protect and enhance diverse local industrial employment space.

- Give confidence to businesses, landowners and developers to make decisions.

The masterplan was also developed in consultation with the LBE project team, including colleagues from Council’s Planning Team and Regeneration Team, as well as many external stakeholders, including TFL, the GLA, local landowners and developers. Several stakeholder workshops were carried out in June, July and September of 2023, with feedback provided and considered.

The Masterplan process began with establishing the baseline, including the site’s history, existing and emerging contexts, site character, streetscape, existing land uses and total floorspace, types of businesses, transport connections, access, parking, connectivity and public realm and green space. This has resulted in design guidance and an overall masterplan proposal.

A key element of the Masterplan is establishing the principle of where co-location of industrial and residential uses would be appropriate. A zoning option was considered as the most appropriate method of establishing where such mixed uses should be concentrated and where it is appropriate to restrict sites to pure industrial uses. The preferred option is shown in the image below, with the sites appropriate for co-location shown in blue and those restricted to industrial uses in red.



**Figure 5: Zoning Option for Co-Location (Blue), Solely industrial (Red) and Residential (Yellow)**

Some of the advantages of this option include the ability for the pure industrial and co-located areas to be clearly separated by road, better opportunities for placemaking on the east west route to South Acton Station and prevention a piecemeal co-located development by clearly defining the appropriate



spaces for mixed-use development. The site falls within the co-location zone and is therefore in accordance with this principle of the Masterplan.

Height and density were also considerations given within the Masterplan. The determinations on height and density were given by establishing both the consented and emerging schemes within the local area, establishing principles through a Benchmarking exercise and consideration given to the distinct lack of green space that currently exists within the LSIS. Based off an assessment of green space requirements for the local area, a density target of 300 units/ha was considered appropriate. The development would exceed this target at 590 units/ha; however, this is broadly in line with the densities of other consented schemes in the area.

The Masterplan identifies areas of the LSIS where public realm improvements could be delivered within the local area, including potential spaces for future pocket parks or public squares which would deliver the placemaking objectives of the Masterplan and increase the amount of green space. These are considerations that would need to be given within any future development of other sites within the co-location zone.

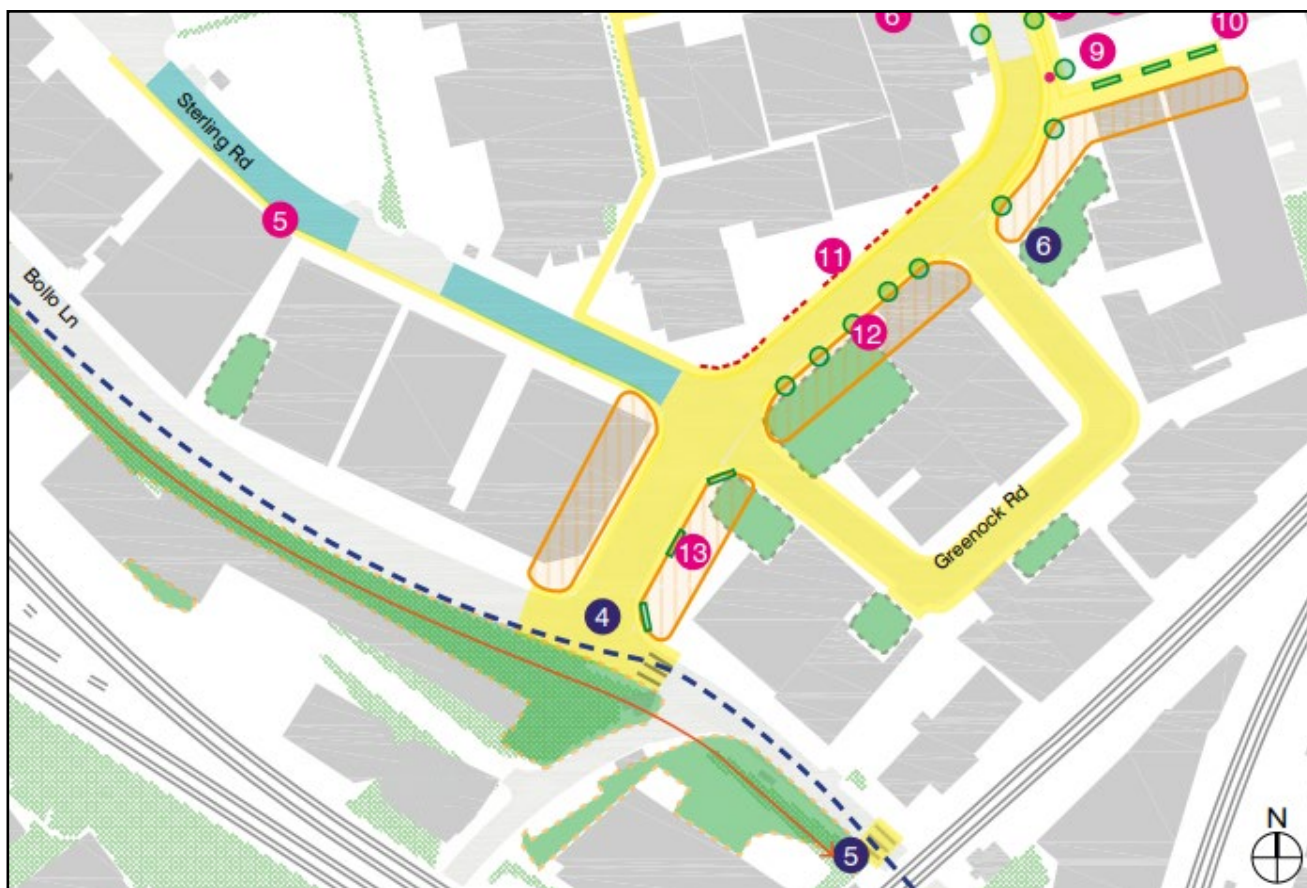


Figure 6: Potential Public Realm Improvements

Whilst the proposed density of the scheme would exceed the target density of the Masterplan, it should be noted that the proposed development would deliver additional public realm that goes beyond that which has been identified within the Masterplan, resulting in additional open space being provided and establishing the principle of a linear open space area along the southern side of Greenock Road by

establishing a strong building line back from the street.



Figure 7: Open Green Space Proposed on the right-side of image

Building heights are also established for each part of the Masterplan area. This is shown within the image below:

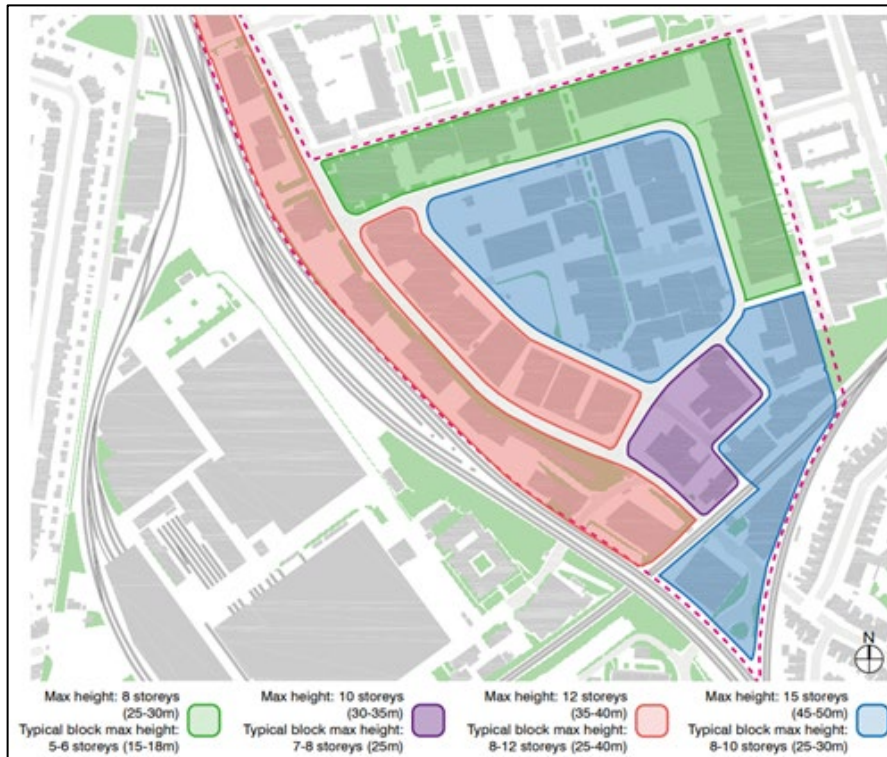


Figure 8: Building Heights

The area shaded in blue, to which the application site forms a part, has a maximum height of 15 storeys, with a typical block height of 8-10 storeys. It is noted that the proposed development, at a height of 18 storeys, would exceed the maximum height identified by the Masterplan. It should, however, be noted that the Masterplan also states that schemes that breach these thresholds by a limited margin may be acceptable, but only where schemes are:

- Delivering successful industrial intensification
- Meet other relevant plan policies; and
- Secure additional benefits that improve the function, quality and amenity of the masterplan area

In this instance, it is considered that the re-provision of the industrial space is highly successful. The existing building is within a very poor condition with makeshift metal structures dominating the front of the application site right up to the street. Currently, servicing and parking in Greenock Road is ad-hoc, with such arrangements currently occurring within an unorganised manner. The proposal would bring all servicing and deliveries associated within the industrial space off the street, with on-site servicing areas having direct access into the industrial space. Having dedicated off-site servicing will increase the attractiveness of the space to accommodate a wide variety of industrial end-users.



**Figure 9: Ground Floor Showing Industrial Space and Off-street servicing area**

The proposal would also result in a good uplift in the amount of industrial floorspace from 1,730sqm to 2,159sqm, a total uplift of 429sqm or 22%. The space would occur over ground, first and part-second floor levels, allowing for maximum flexibility for the space to be subdivided for different

occupants, or allow a large space for a single occupant. The scheme would also deliver 4.5m internal floor-to-ceiling heights, which will be attractive to a wide range of occupants. The floor-to-ceiling heights proposed are also consistent with other industrial spaces being delivered within the masterplan area.

It is estimated that existing buildings on the site have the capacity for up to 39 FTE jobs. The proposed development would deliver the potential for between 45 to 79 FTE jobs, in a more functional space. Therefore, the proposal would not only increase the amount of available floorspace, but it would also increase the employment potential of the site, aligning with the Council Plan 2022-2026 to create good quality jobs.

In addition to this, it should be noted that Greenock Road is owned by Council, however, is currently not adopted. As stated within the South Acton Masterplan, there are a number of potential public realm improvements mentioned as necessary for the successful implementation of the masterplan and the overall improvement to the amenity of the area. These include items such as “widening of footways”, “new surfacing to existing routes” and “proposed widening of footway and one way system for Greenock Road”.

The scheme would deliver on this by proposing to bring Greenock Road to an adoptable standard. As shown within the image below, the existing road is built to an incredibly poor standard. Its concrete construction and general poor surface quality, lack of a clear pedestrian pathway that is segregated from vehicle movement areas and informal and ad-hoc parking areas is a hindrance to the success of the area to be allocated for the co-location of industrial and residential uses.



**Figure 10: Existing Condition of Greenock Road**



**Figure 11: Existing Condition of Greenock Road**

As is outlined within the Heads of Terms of the legal agreement, the applicant has agreed to fund the necessary design work in conjunction with Council’s Highways Team and Landscape Architects, to bring the road to an adoptable standard. This would potentially include the reduction of Greenock Road from a two-way to one-way system, resurfacing of the road, improved drainage, creation of a clearly identifiable footpath and the implementation of street trees and urban greening. The applicant has agreed to the construction of the entirety of Greenock Road and appropriate trigger points for this work are included within the Heads of Terms, to ensure that the work is completed.

This represents a significant improvement to the existing area and would enable the delivery of this part of the masterplan. It is therefore considered by Council Officers that sufficient justification exists for a slight departure from the recommended heights of the Masterplan, from 15 to 18 storeys, to facilitate the delivery of necessary infrastructure. The proposed development would nevertheless meet the definition of a ‘tall building’ and accordingly the proposal will be assessed against both local and London Plan policy with respect to tall buildings.

**Affordable Workspace**

Policy E3 of the Ealing Draft Local Plan encourages developers to make provision for affordable workspace within new developments. It notes that such space can have broader social or economic benefit to the Borough. The policy states that “Affordable workspace in Ealing will be provided on the basis of a level on development of...5% of net floor space in office and industrial schemes”. It continues to say that where an industrial space is required to provide more than 3,000sqm of affordable workspace, then “provision should be by means of off-site contributions”.

Calculating the net amount of industrial space, this would refer to the uplift in the amount of industrial floorspace. In this instance, this would equate to 429sqm. Applying the requirements of 5% as outlined within the policy, off-site contributions should be secured for approximately 20sqm of space. It is noted that this is a very insignificant amount.

However, in the interests of consistency, a financial contribution towards off-site affordable workspace has been calculated using an established formula, which is detailed within the Heads of Terms.

As an additional point, Council has sought to ensure that the spaces that are to be delivered are wholly suitable a wider number of occupiers within the required use classes (E(g)(iii)/B2/B8) and that the space can be delivered in the most flexible way possible. Accordingly, the spaces have been designed with 4.5m floor-to-ceiling heights that are consistent with other similar types of development within the area and the space could be divided into smaller spaces as demand required. Conversely, it occupied by a single occupant taking over the entirety of the space. The image below, demonstrates how this could reasonably and indicatively occur.



Figure 12: Potential Subdivision of Ground Floor

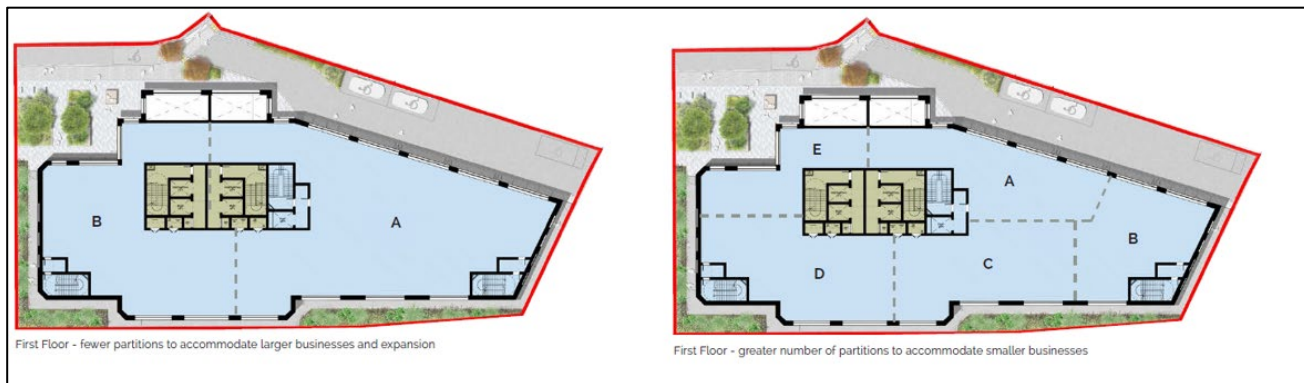


Figure 13: Potential Subdivision Options for First Floor

**Agent of Change**

Proposals that co-located industrial uses with residential within designated industrial zones, such as SIL and LSIS are required to consider the Agent of Change principle, as required by Policy E7(D)(d) of the London Plan. The Agent of Change principle places the responsibility of mitigating the impact of nuisances (including noise) from existing noise generating uses on proposed new development close by, thereby ensuring that residents and users of the new development are protected from nuisances, and existing uses are protected from nuisance complaints. As the proposal involves the implementation of residential uses into a predominantly industrial area, the responsibility falls on this more sensitive use to effectively mitigate any potential impacts that come along with typically industrial type uses.

Policy D13 of the London Plan states that development proposals should manage noise and other potential nuisances by:

- Ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area.
- Exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations.
- Separating new noise-sensitive development where possible from existing noise generating businesses and uses through distance, screening, internal layout, sound proofing, insulation and other acoustic design measures.

Accordingly, Council Officers first required the applicant to make an assessment of any existing potential nuisances to residential development, which has been carried out within the submitted Agent of Change report. Typical nuisances assessed include noise, but also vibration, dust, odour and lighting.

**Noise**

The noise nuisances identified within the local area include those from commercial, light industrial, rail and road sources. The existing acoustic environment has been tested by a suitably qualified individual which is summarised within the Environmental Noise Assessment. This Assessment has been reviewed by Council’s Pollution-Technical Officer, who has recommended conditions to ensure that the internal living environment of the residential uses would be acceptable. This will be outlined further within this report.

The most dominant source of noise detected within the acoustic survey was from road traffic noise as well as noise from the existing uses of the site. It should be, however, noted that the existing noise sources within the application site will not continue post-development, as the existing premises will be demolished. Removal of these existing sources of noise will improve the acoustic environment, in comparison to the existing situation. Noise was also identified from the Lawsons Building Merchants near to the site.

It is considered that the applicant has accurately outlined the existing acoustic environment, to ensure that the appropriate mitigation measures of sound insulation can be implemented.

### **Vibration**

The main source of vibration detected was that of the adjacent railway line and the associated movement of trains along the railway corridor. No other sources of vibration were detected from adjoining sites and passing vehicles along Greenock Road are limited to 20mph, limiting their potential to produce vibration. A Vibration Impact Assessment was included within the Environmental Noise Survey, which has been reviewed by Council's Pollution-Technical Officer.

Whilst it is noted that the measured levels of vibration would be perceptible at the proposed structure, the location of the residential floors would begin of the second floor of the building, increasing the distance between the source and the receptor (the residential homes). Given the relatively low levels of freight trains using this corridor, it is the judgement of both the engineer and Council's Pollution-Technical Team that the risk of an adverse impact on sensitive receptors within the development, in relation to vibration, would be low to negligible.

### **Dust**

No significant dust generating uses are located within the vicinity of the application site. No impact has therefore accordingly been identified. The application has also been reviewed by Council's Air Quality Officer, with an assessment provided in a later section of this report.

### **Odour**

The applicant's engineer notes that "the surrounding land uses are not considered to present a potential risk of odour generation". It should however be noted that there is an existing dark kitchen within the vicinity of the application site, to which the report does not identify. Council Officers would nevertheless agree with the conclusions of the Agent of Change Assessment that "no discernible odours were noted in the vicinity during any of the site visits completed by IDOM".

Council Officers have visited the site on numerous occasions and also have not detected any discernible odour within or around the application site. Impacts are therefore unlikely to exist with relation to odour.

### **Lighting**

None of the commercial or industrial units around the site are noted to have any flood lighting that could cause a disturbance to any future residents. The only obvious source of light at night is that of LED streetlighting along Colville Road. It is not considered that there are any material concerns relating to lighting.

Based on the Agent of Change assessment, and subject to effective mitigation measures that will be secured by condition, it is not considered that there is any risk to the living conditions of future residents and existing industrial and commercial users around the application site are unlikely to be impeded in the continued operation of their businesses.

### **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).

### **Local Character and Design**

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.

The applicant has engaged extensively in the pre-application process, as well as the Design and Community Review Panels in accordance with the requirements of Policy D4(D) of the London Plan. This has resulted in changes to the overall design of the scheme to rationalise the height, scale, bulk and massing of the proposed development. The scheme also has involved design interventions into the materiality of the scheme, to give the proposal a more industrial vernacular that relates more positively to the heritage of the site and the surrounding area.

In the immediate context the development greets the street with attractive signage that pays homage to the South Acton area's history, which was colloquially referred to as 'Soapsud Island'. The location of a café at the frontage of the site, with an attractive double-height window feature provides an active frontage to the street, which is also located to a clearly delineated residential entrance to the building.

The site is considered to truly an industrial led-scheme with the design of the industrial spaces taking up most of the space of the three-storey podium of the building. Whilst the residential and industrial uses are clearly separated, the design link is created through the similarities in the materiality of the façade through the entire building. The industrial façade extends in a diagonal line away from the street, with its own service road, providing off-street deliveries and servicing, also allowing the vehicles to enter the building.



**Figure 14: Industrial Façade**

The use of longer glazing elements along the industrial façade provides a contrast to the more conventionally sized windows to residential homes above. This allows the different uses within the scheme to be readily identified. The use of Crittall-style windows throughout the entire development, provides a cohesive design link, and gives the building a positive industrial aesthetic that places the development appropriately within its local context. Furthering the industrial aesthetic of the building is the intelligent use of green terracotta panelling below window frames with a texture similar to corrugated iron that provides reference to a typical warehouse material.

The overall approach to height, scale and massing is to provide a central area of height, with two separate shoulders at differing heights, providing a natural variation and articulation to the building. The two shoulders are also set back into the site significantly from the main central height to the building, giving a sense of grandeur to the building and emphasising the main frontage of the site. Slight changes in the mortar between the central section and the two shoulders also provide a subtle change to the different elements of the façade.

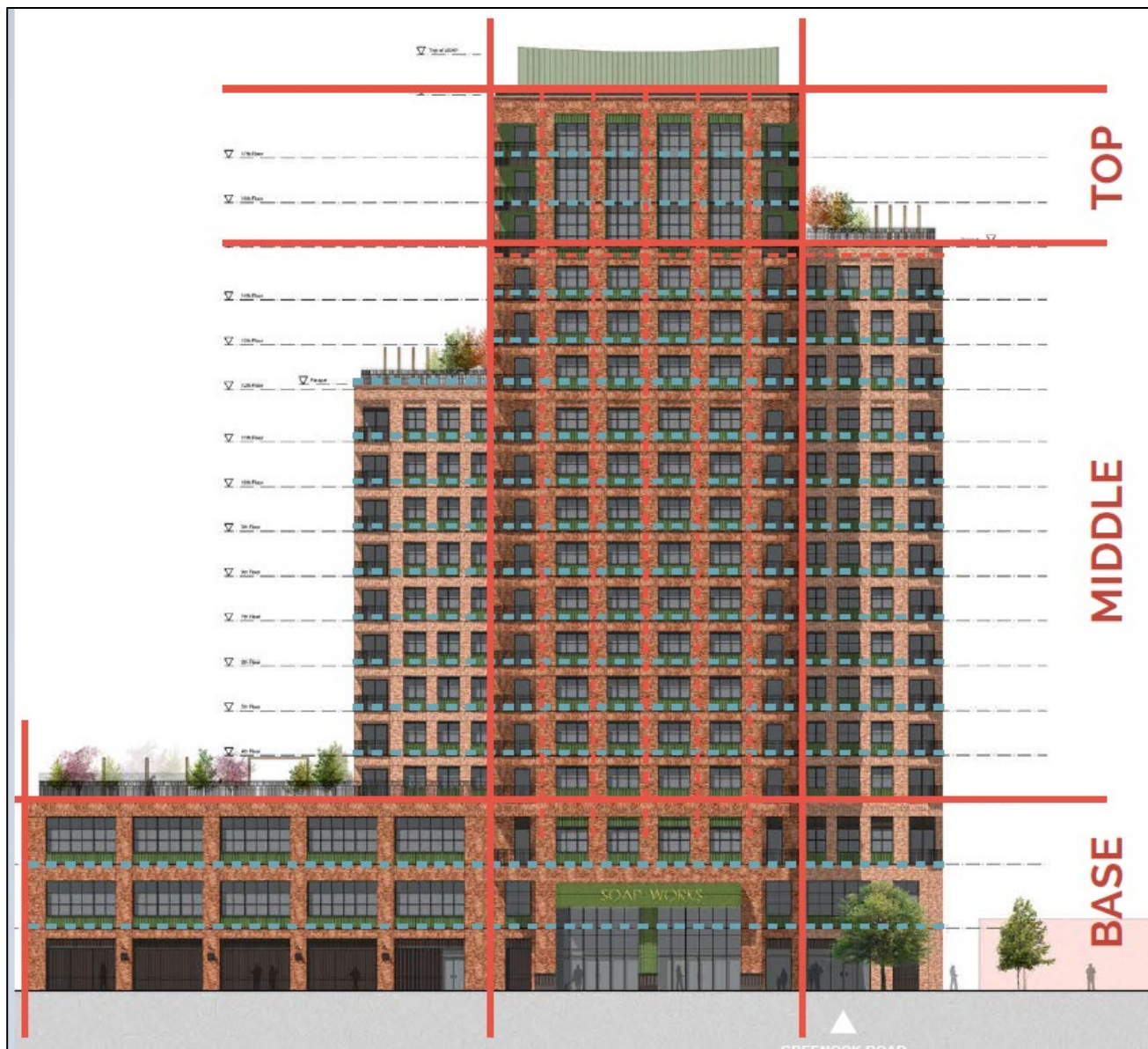


**Figure 15: View along the railway toward South Acton Station**

Policy D9 of the London Plan states that tall buildings are made up of three main parts, being a top, middle and base.

- The top should be designed to make a positive contribution to the quality and character of the skyline
- The middle has an important effect on how much sky is visible from surrounding streets and buildings, as well as on wind flow, privacy and amount of sunlight and shadowing there is in the public realm
- The base should serve the function of framing the public realm and streetscape, articulate entrances and help create an active and lively public realm

The below image illustrates the different parts of the building.



**Figure 16: Sectional Analysis of the Proposed Development**

The base of the building provides differentiation to the upper floor levels, with greater floor-to ceiling heights, to facilitate the industrial uses and include different proportions of glazing. The frontage to the site is emphasised through its design and creates an active frontage at the bend in Greenock Road. Different entrances are clearly defined, and additional public open space is provided to improve the visual amenity of the area. The middle of the building takes a conventional approach, with grid like fenestration, with interesting detailing. The differing shoulder heights are visible within the middle section, and along with their differing building lines, which provides visual relief and reduces the overall massing of the development.

The top of the building includes several design interventions to give the building an interesting and positive impact on the skyline. This includes an increase in the height of the Crittall windows to give a more elongated appearance that forgoes the typical brick banding on floors below. The inset of the balconies also includes a glazed terracotta feature that reflects the tones of the window banding

below. The building is also crowned with a sculptural terracotta feature that both provides some visual interest and screens the building services equipment.

The overall architectural expression of the building provides for an interesting building that will have a positive impact on the character and appearance of the area, which is currently generally in a very poor condition. The design of the development successfully incorporates an appropriate amount of variation in materiality, articulation within the façade and differing heights to ensure that the building would have a positive visual impact. The proposal is therefore considered to comply with Policies D1 and D4 of the London Plan, the NPPF, Policies 7B and LV7.4 of the Ealing Development Management DPD and Policy DAA of the Draft Ealing Local Plan.

### **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 states that the site would be located within Zone A7, which defines a tall building at 8 storeys, however, the policy also notes that “tall buildings on designated industrial sites will be subject to agreed masterplans and based on local impacts and sensitivity”. As has been referred to within this report and as shown within Figures 6 and 8, the site has been identified by the South Acton Masterplan as an area of focus for co-location of residential and industrial uses. The Masterplan demonstrates that heights up to 15 storeys may be appropriate, however small deviations to this height requirement may be appropriate where certain criteria have been met. The delivery of Greenock Road to an adoptable standard to enable the delivery of the Masterplan, as well as successful industrial intensification, along with a good housing mix and affordable housing provision are considered by Council Officers to meet these criteria.

In any case, a Townscape and Visual Impact Assessment has been carried out, which assesses the visual impact of the development from a number of different angles. The points that were tested were confirmed as acceptable by Council Officers prior to submission to ensure that a full picture of the visual impact of the development can be ascertained. Two points along Weston Road, one being on the southern pavement close to the Temple Road junction and the other being the Kingswood Road junction are included within this assessment and shown in the images below.



**Figure 17: View from Weston Road/Temple Road junction**



**Figure 18: View from Weston Road/Kingswood Road junction**

From both of these angles, the proposed development would obviously be visible. However, in both instances, the development would form part of the existing context, which also includes the Pocket Living development on Bollo Lane and the Chiswick Business Park buildings which lay in the background. In the context of the emerging pattern of development, the proposal would also be seen within the same context of consented or proposed development within the area. This includes the TFL Scheme (up to 25 storeys), 93 Bollo Lane (resolution to grant) and the Stanley Road scheme (pending consideration). In addition to this, the proposed development has been intelligently designed to maximise the visual interest of the façade, with the high-quality design being represented within these views.

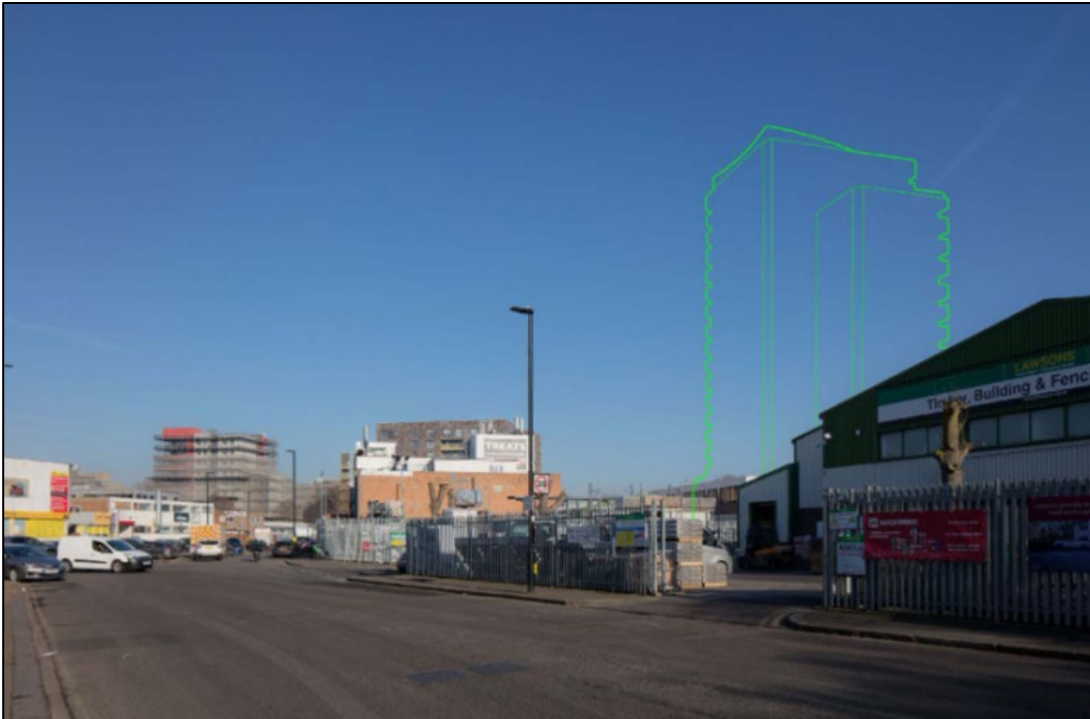
The proposed development would also be prominent when viewed from the Railway level crossing on Bollo Lane as shown within the image below. Whilst prominent as a standalone building, this would also form part of the same view as the current proposal for Stanley Road, which is pending consideration. In terms of the emerging context, there are a number of schemes either approved or under construction on Bollo Lane, of which the proposed development would be consistent with, in terms of its overall visual impact.



**Figure 19: View from Bollo Lane/Railway junction**

From within the industrial estate itself, particularly given the low-rise nature of the existing buildings, the proposal would represent a prominent addition to the skyline. However, it must be noted that the existing estate has limited architectural merit, and the overall design of the proposed development would have a positive impact on the surrounding area, particularly given the high quality design of the proposal.





**Figure 20: View from Colville Road**

When viewing the site from the north, the proposed development fits within both the existing and emerging context of the surrounding area. Several areas were selected in and around Acton Gardens, as shown within the images below.



**Figure 21: View from Bollo Bridge Road/Stanley Road junction**



**Figure 22: View from Whelan Road (Acton Gardens)**



**Figure 23: View from South Acton Park**

In the first two images, the development can be seen in long-range views and can be considered to be consistent with the existing context, particularly buildings currently under construction along Bollo

Lane and the existing Pocket Living Scheme. From South Acton Park, as shown in the third image, the proposed development would be screened by the established built form surrounding the park.

**Impacts 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”.

Whilst the site is not located within a Conservation Area, nor it is within the vicinity of any listed buildings, being a tall building, the development may be visible from longer-range designated heritage assets. Given the location of the application site, the only heritage assets that could be harmed by the proposal would be the Acton Green Conservation Area and the Bedford Park Conservation Area.

The Townscape and Visual Impact Assessment that has been carried out which includes various points within both of these Conservation Areas. The first image shows a view of the proposed development from Acton Green Common, located within the Conservation Area, with a linear view of the site up Cunnington Street.



**Figure 24: View from Acton Green Common**

Whilst the site would be visible, it too would be visible within the context of emerging development occurring within the LSIS. Notwithstanding this, the Conservation Area Appraisal for Acton Green notes that the CA has “evolved around the green, along Acton Lane on the eastern side, along South Parade on the northern side and along Hardwicke Road on the south-western side”. That is, that the special historic character of the area is around the lower density buildings along Acton Lane and South Parade that are spatially arranged around Acton Green Common. The view shown in the image above is located within the Conservation Area, but the majority of this particular view is not. The view is not identified as a ‘key view or vista’ within the Appraisal and the proposed development would accordingly not have a significant impact on the character, appearance or setting of the Acton Green Conservation Area.

Views were also analysed from within the Bedford Park Conservation Area, along Bedford Road and Marlborough Crescent. However, a combination of both the distance between the application site and the Bedford Park CA (approximately 1km), as well as the established built form, the proposed development would not be visible within the skyline on views within this CA.

Views from Gunnersbury Park and the adjacent cemetery were also reviewed, which show only momentary glimpses of the proposed development. Nevertheless, post-development both the park and cemetery would retain their open character and it is not considered that the proposal would result in any significant harm to the historic or heritage significance of these sites.



**Figure 25: View within Gunnersbury Cemetery**



**Figure 26: View within Gunnersbury Park**

In accordance with the tests outlined within the above assessments, the scheme would represent less than substantial harm to designated heritage assets. In line with Paragraph 208 of the NPPF, “this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. The public benefits of the proposal have been outlined previously within this report and it is accordingly considered that the proposed development would be acceptable in relation to heritage impacts.

**Housing Mix**

Policy H10 of the London Plan outlines that schemes should include a range of unit sizes. 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. There are also a good mix of bedroom sizes within each of the proposed homes.

Housing Type	No. of Homes	Percentage
1b1p (studio)	16	12.9%
1b2p	27	21.7%
2b3p	19	15.4%
2b4p	30	24.2%
3b5p	32	25.8%
<b>TOTAL</b>	<b>124</b>	<b>100%</b>

Council would typically class 2b4p homes and greater as those being able to accommodate families.

The proposed development would represent 62 family homes, or 50% of the total proposal, representing a good outcome for families within the Borough.

**Affordable Housing**

In relation to affordable housing, Council and London Plan objectives are to maximise the delivery of affordable housing, which is guided by Policy H4 of the Publication London Plan. Policy H5 sets a minimum threshold of 35%, which is calculated by habitable room. On sites that result in a net loss of industrial capacity, a higher threshold of 50% is identified, however this is not relevant in this instance. The Ealing Core Strategy sets a borough-wide strategic target of 50% affordable housing.

In addition to this, the Draft Ealing Local Plan (Reg19) Policy HOU states a minimum threshold of 40% for eligibility for the fast-track route with a desired tenure split of 70/30 in favour of affordable rent products to intermediate provision. Given the status of the current Draft Local Plan, this policy would not hold as much weight as the existing London Plan and Ealing Development Management DPD, which together require a minimum of 35% affordable housing calculated by Habitable Room and a tenure split of 60/40. The tables below illustrate the affordable housing offer.

Affordable Housing by Unit Number

Housing Type	Private Market	London Affordable Rent	Shared Ownership
1 bedroom	30	9	4
2 bedroom	29	11	9
3 bedroom	22	6	4
<b>Total Homes</b>	<b>81</b>	<b>26</b>	<b>17</b>
<b>Percentage</b>	65.3%	21%	13.7%
<b>Cumulative</b>	<b>65.3%</b>	<b>34.7%</b>	

Affordable Housing by Habitable Room

Housing Type	Private Market	London Affordable Rent	Shared Ownership
1b1p	16	0	0
1b2p	28	18	8
2b3p	39	18	0
2b4p	48	15	27
3b5p	88	24	16
<b>Total HRs</b>	<b>219</b>	<b>75</b>	<b>51</b>
Percentage	63.5%	21.7%	14.8%
<b>Cumulative</b>	<b>63.5%</b>	<b>36.5%</b>	

Tenure Split – Unit No. and HRs

Housing Tenure	No. of Homes	No. of HRs	% Homes	% HRs
London Affordable Rent	26	75	60.5%	59.5%
Shared Ownership	17	51	39.5%	40.5%
<b>Total</b>	<b>43</b>	<b>126</b>	<b>100%</b>	<b>100%</b>

Tenure Split – Floorspace

Housing Tenure	No. of Homes	Amount of Floorspace	% Floorspace
London Affordable Rent	26	1,753sqm	59.1%
Shared Ownership	17	1,212sqm	40.9%
<b>Total</b>	<b>43</b>	<b>2,965sqm</b>	<b>100%</b>

Based off the tables above, the proposal would deliver Affordable Housing at a rate of 36.5% by HR (34.7% by unit number). This would exceed the requirements as outlined within the London Plan for consideration under the Fast Track Route. In terms of the tenure split, this is consistent with the objectives of the current Ealing Development Management DPD policy with a split of 60/40 in favour of London Affordable Rent over Shared Ownership. This is accordingly a good offer and would increase the availability of genuinely affordable homes on a site that is well-connected to established public transport nodes and is located in an emerging mixed-use community.

Council’s Housing Team would generally consider 2b4p+ homes as being able to accommodate families. The scheme would accordingly provide 11 family homes within London Affordable Rent tenure and 13 family homes within Shared Ownership tenure.

**Quality of Accommodation**

Policy D6 of the London Plan states that housing development should be of a high quality design and provide adequately sized rooms and floor spaces, in accordance with Table 3.1 of this policy. Residential accommodation should have comfortable and functional layouts, which are fit-for-purpose to meet the different needs of Londoners.

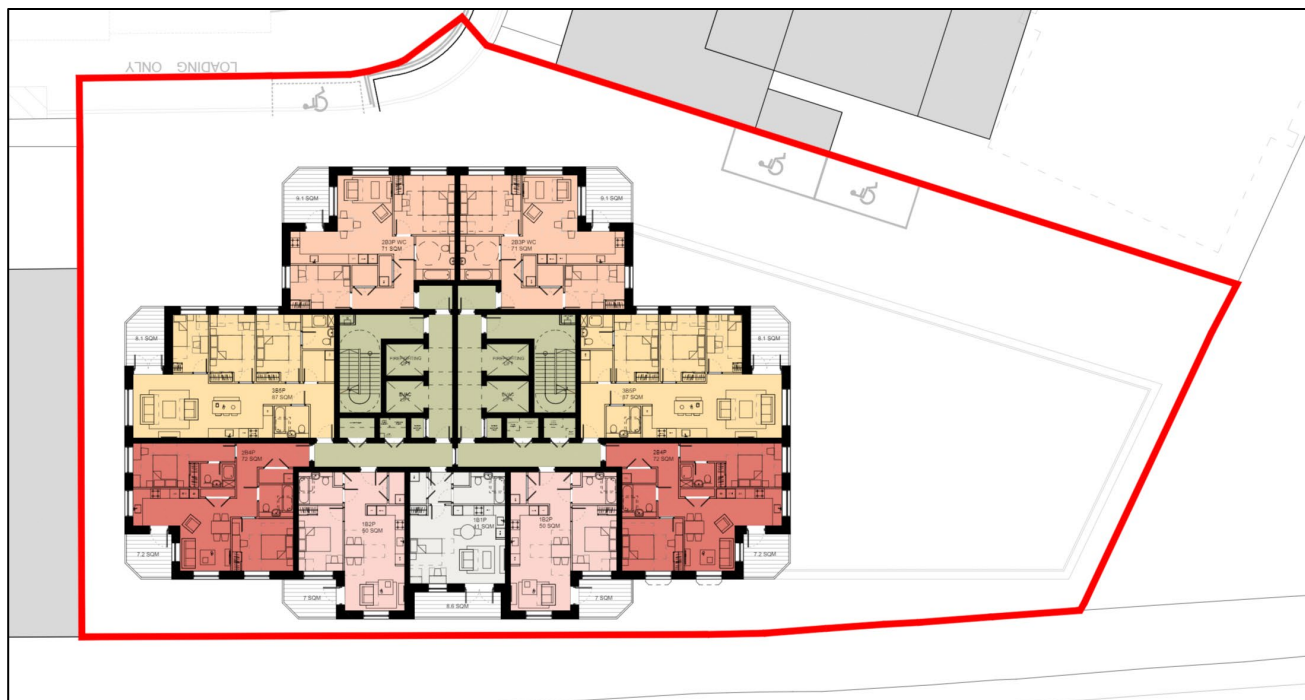
The table below provides an assessment of the proposed residential accommodation against the minimum standards of Policy D6.

Housing Typology	No. of Homes	Required	Proposed Range	Complies?
1b1p (Studio)	16	37sqm (39sqm*)	41sqm	Yes
1b2p	27	50sqm	50sqm-53sqm	Yes
2b3p	19	61sqm	65sqm-71sqm	Yes
2b4p	30	70sqm	72sqm	Yes
3b5p	32	86sqm	87sqm-94sqm	Yes

\*- Where a bath instead of a shower is proposed

As per the above table, the proposed residential accommodation would provide good quality living conditions for future residents. All rooms would meet the space and dimension requirements of both Policy D6 of the London Plan as well as the Mayors Housing Design Standards LPG (June 2023).

The image below shows a typical floor layout within the proposed development.



**Figure 27: Typical Floor Plan Layout**

The design intelligently exploits the form of the building to increase the amount of dual aspect homes. Based on this, the proposal provides for dual aspect homes at a rate of 70% (87 homes). Of the 30% (37 homes) of the homes that would be single aspect, a significant portion of these would be ‘enhanced single-aspect’ meaning that they would contain openings facing two different directions but would not meet the definition of a dual-aspect home, as defined by Mayors Housing Design Standards LPG (June 2023).

All, except for one, of the single-aspect homes would be south-facing, ensuring that these homes would have the maximum amount of exposure to direct sunlight as possible. The submitted Daylight and Sunlight also confirms that all of the proposed homes would provide a high level of a compliance for both Illuminance Factor and No-Sky Line tests (88% and 95% respectively).

Policy 7D of the Ealing Development Management DPD seeks to ensure that all new homes are provided with adequate private amenity space. The rate at which private amenity space should be provided is 5sqm for a 1-2 person flat, with an additional 1sqm per additional occupant. All of the proposed homes would be provided with balcony space, which meets or exceeds the minimum requirements, as demonstrated within the table below.

Housing Typology	No. of Homes	Required	Proposed Range	Complies?
1b1p (Studio)	16	5sqm	8.6sqm	Yes
1b2p	27	5sqm	7sqm-9sqm	Yes
2b3p	19	6sqm	7sqm-9.1sqm	Yes
2b4p	30	7sqm	7.2sqm	Yes
3b5p	32	8sqm	8.1sqm-9.1sqm	Yes



Policy D7 of the London Plan requires that at least 10% of all homes are to meet Building Regulation requirement M4(3) to be classed as 'wheelchair accessible dwellings' with all other homes to meet Building Regulation Requirement M4(2) to be classed as 'accessible and adaptable dwellings'. The Schedule of Accommodation submitted shows compliance with this requirement, with 12 x 2-bedroom homes to meet the standards of Building Regulation M4(3). Wheelchair compliant housing would also be provided over a mix of tenures, with 50% of the homes to be for private market sale and 50% to be within London Affordable Rent tenure. Final compliance with both of these requirements shall be secured through planning condition.

Council's Pollution-Technical Officers have also reviewed the scheme and recommended appropriate conditions with relation to noise, air quality and contaminated land, to ensure that future residents would be provided with appropriate mitigation to not only ensure good quality living conditions, but also comply with the Agent of Change principles.

It is accordingly considered that all new residents would be provided with high quality homes and provide for good quality living conditions with the highest standard of amenity. The proposal would accordingly comply with the requirements of Policy D6 of the London Plan, Policy 7A and 7D of the Ealing Development Management DPD and the Mayors Housing Design Standards LPG (June 2023).

### **Amenity Space**

Development proposals are required to make provision for private and communal open space, in accordance with Policy 7D of the Ealing Development Management DPD. In addition to this, development proposals should make provision for children's play space, in accordance with Policy S4 of the London Plan. Furthermore, development proposals should provide for good quality landscaping and make a contribution toward improved urban greening of the space.

### **Communal Open Space**

As detailed earlier within this report, each of the proposed homes would be provided with private amenity areas, typically in the form of balconies. Each of the proposed spaces would meet or exceed the minimum standards of Policy 7D of the Ealing Development Management DPD, providing good quality living conditions for future residents.

It is also a requirement of Policy 7D that communal amenity spaces should also be provided. Cumulatively with the proposed private amenity areas, total amenity provision for the development should equate to 15sqm per home. In the case of this development, the proposal should deliver amenity space of 1,860sqm. The total amenity provision would equate to 1,585sqm, resulting in a shortfall of 275sqm. As is allowed for under Policy 7D, this shortfall will be made up through a financial contribution that is outlined within the recommended Heads of Terms. This space is not inclusive of the proposed children's play space areas, which will be discussed within the section below.

The financial contributions secured through this scheme could be used by the Council to deliver increased public open space within the local area to serve the needs of this emerging community. Opportunities to increase public open space are detailed within the South Acton LSIS Masterplan and also shown within Figure 6 of this report.

The communal amenity spaces proposed are considered to be high quality and podium and roof levels are appropriately and intelligently exploited to provide a varied typology of amenity spaces throughout the development. At ground floor level, public open space with intensive tree planting would make an attractive frontage to the building and provide opportunities for both residents and the public to use this space. This space would also be continued along in a linear direction on the southern side of Greenock Road as part of any future development of this area of the LSIS.

Other amenity spaces proposed include the podium above the industrial space within the development at third floor level and on top of each of the shoulders of the building. Collectively the spaces would provide different opportunities for play and recreation, with the higher level roof terraces offering panoramic views of London.



**Figure 28: Landscaping and Amenity Space Proposals**

The spaces proposed are also considered to be high quality, with a number of indicative drawings on how this space will be laid out shown in the images below.



**Figure 29: Third Floor Podium**



**Figure 30: Roof Terraces at 12<sup>th</sup> and 15<sup>th</sup> Floors**

The space provides for the potential for urban gardening, raised planters providing lush vegetation, pergolas with climbing plants for seating and appropriately high screening of these spaces to shield them from the wind. Full details of the proposed hard and soft landscaping of these spaces will be required to be submitted by condition.

### **Children’s Play Space**

Children’s play space is required to be provided at a rate of 10sqm per child, with the projected child yield based on an established population yield calculated produced by the GLA. Based on this, the projected child yield for the development is anticipated to be 48.2, thereby requiring 482sqm of children’s play space to be provided. A total of 105sqm of children’s play space would be provided

which would all be dedicated to younger age groups. The projected split in age groups would be 47% for 0-4 year olds and 34% being between the ages of 5-11.

The children’s play space proposed would be a mix of both active and informal play. Whilst the applicant has noted on the below image that other areas of the development could be considered for informal play, this has been discounted from overall play provision as this is mainly attributed towards communal amenity areas. The play area would be located on the third-floor podium as shown in the darker line in the image below. Full details of the children’s play space would be required through planning condition.



Figure 31: Childrens Play Space

It is noted, based on the projected child split, that the space requirement would be 226sqm for 0-4 year olds. Whilst there is a shortfall in this provision, this shortfall would be secured through financial contribution, which could likely be used to deliver publicly accessible children’s play space within the Masterplan area, as identified by Figure 6.

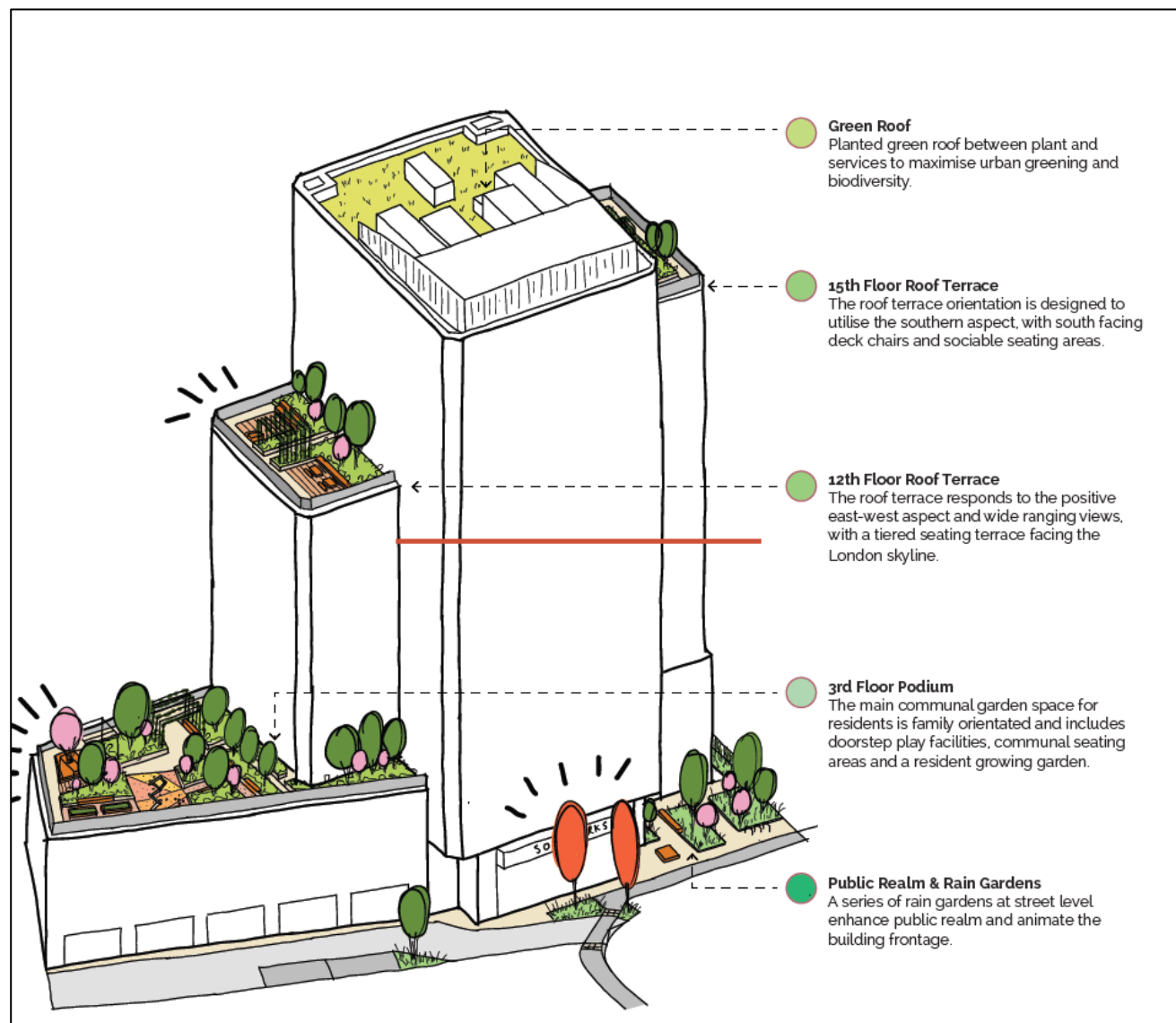
Policy S4 of the London Plan states that play facilities for older children (such as the 5-11 age group) can be provided through off-site provision, where existing open space and play facilities are within “400m of the development and be accessible via a safe route from children’s homes”. In this instance, the South Acton Park/Recreation Ground which is some 250m from the application site. Financial contributions, that are detailed within the Heads of Terms, would allow Council to improve the existing facilities here for the benefit of both existing and future residents. Safer and more accessible routes to South Acton Park will be provided through the required upgrades to Greenock Road, which will not allow occupation until this road is completed to an adoptable standard.

Overall, the total children’s play space, whilst representing a shortfall, would be an acceptable outcome for this site, particularly given its constrained nature and would comply with the objectives of Policy S4 of the London Plan.

**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, and by incorporating measures such as high-quality landscaping, green roofs, green walls and nature based sustainable drainage”.

The existing site and its surrounds are generally devoid of any significant green spaces or landscaping and accordingly the proposal will result in a significant improvement on the existing situation. The image below shows the methods to increase green spaces within the development. These include the use of green roofs, intensive planting in amenity areas, increased habitat and rain gardens at ground floor.



**Figure 32: Spatial Layout of Landscaping**

Policy G5 of the London Plan also states that in relation to the Urban Greening Factor, “the Mayor recommends a target score of 0.4 for developments that are predominately residential”. The

measures taken within the proposed scheme to maximise the level of urban greening delivers a UGF of 0.4, which complies with this requirement. The GLA also acknowledges within their Stage I response that the proposal meets the required target.

**Impact on Allotments**

To the north-east of the site exists the South Acton Allotment Gardens. Council Officers through pre-application discussions, as well as the Design Review Panel and Community Review Panel, advised the applicant that any development of this site should not impact the viability of the allotment gardens to ensure their effective and continued operation as an important community asset. This has resulted in significant design changes to the form, bulk, scale and massing of the building to minimise and mitigate any impact. This was also a significant concern of the community as raised within the consultation period for the application.

Given the sensitive nature that direct sunlight has to the allotment gardens, Council has tested the findings of the applicant Daylight, Sunlight and Overshadowing Report against the Royal Horticultural Society's growing guidelines. This 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 sunlight and 'partial or semi-shade' meaning 3-6 hours per day of direct sunlight. Council has applied this standard as it is stricter than the conventional BRE Guidance.

The applicant's DSO Report shows that based on the existing situation, the "sun on the ground" analysis shows that on the 21 March, the allotment gardens receive 571 minutes (9.5 hours) of direct sunlight. Post development, the area would experience a slight reduction to 487 minutes. However, this would still equate to 8.1 hours, significantly exceeding the guidelines set by the Royal Horticultural Society.

The impact of the proposed development is accordingly expected to be minimal.

**Impact on Neighbouring Properties**

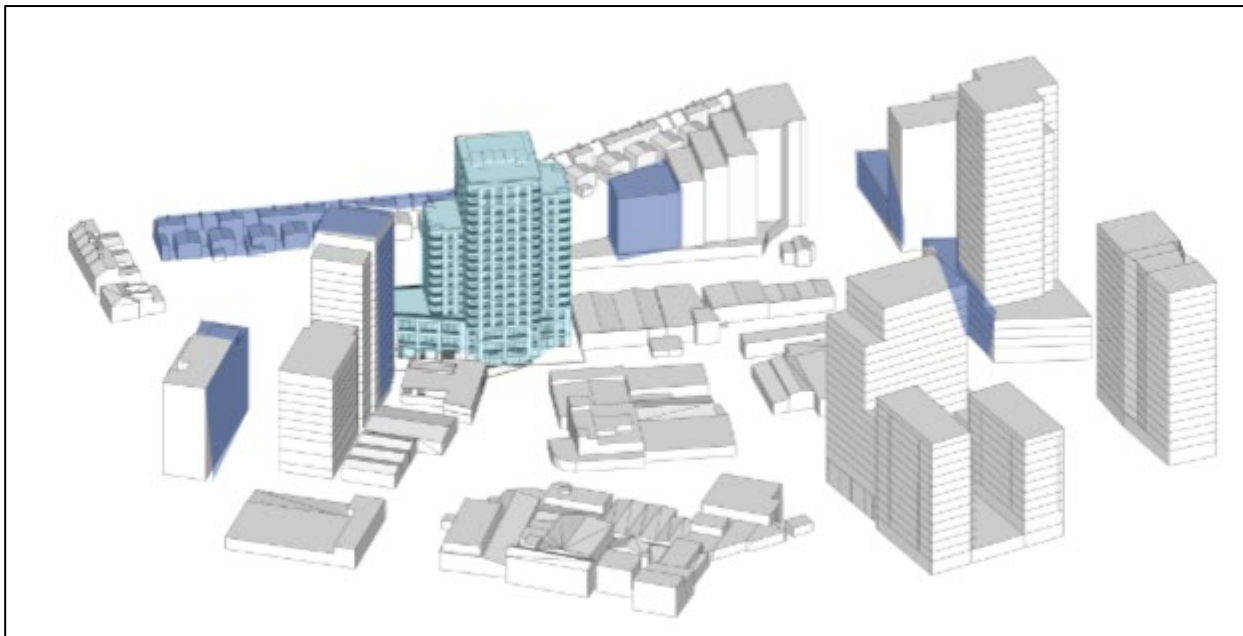
Policy 7B of the Ealing Development Management DPD seeks to ensure that new development does not give rise to significant adverse impacts on neighbouring properties, with respect to overlooking, loss of light, privacy, noise and a sense of enclosure. Council Officers acknowledge some of the concern raised by representations through the consultation period with respect to the impact of the proposed development on the living conditions of nearby properties.

Whilst the proposed development is largely industrial in character, to the south of the site lies the conventional residential neighbourhood of Acton Green/Chiswick. Those that would be primarily impacted by the proposed development are those on the northern side of Weston Road, which has north facing gardens that adjoin the rail corridor. As noted earlier in this report, by virtue of the existing rail corridor, the separation distance between the rear boundary line of Weston Road properties and the application site ranges from between 35 and 49 metres. It is also acknowledged that given the low rise nature of the current site, there would be a visual impact experienced when viewed from the rear gardens and rear-facing windows of these properties, as a result of the proposed development.

With respect to Daylight and Sunlight, the applicant's DSO report has been prepared by a suitably qualified professional and outlines the impact of the proposed development with respect to BRE Guidance.

**Daylight**

VSC (Vertical Sky Component Guidance) is a common test used in determining the impact of a proposed development on daylight to nearby buildings. The VSC measurement quantifies the amount of available daylight, received at a particular window and measured on the outer pane of the window. BRE Guidance recommends a total VSC of 27%, or that the reduction is no more than 20% of its former value. This is at a point which is considered to be 'noticeable' but not necessarily 'detrimental'. BRE/VSC guidance should not be applied in a mechanicalistic way and is purely advisory. Non-compliance does not inherently mean that a proposal would have a significant impact.



**Figure 33: Location of Windows Tested for Daylight**

In any case, when reviewing properties on Weston Road (nos. 10-44), of the windows reviewed, 56 of the 67 windows tested achieved full compliance with VSC criteria. Of the windows that did not comply, the results showed typical reductions to their former value of 70-79%, marginally below the target of 80%. This is considered to be a good outcome, particularly given the existing low-rise character of the application site and the site's urban location.

Other buildings were also tested with respect to daylight, including proposed developments at 93 Bollo Lane and 'Land at Stanley Road' which showed very high levels of compliance with BRE Criteria. There was no impact experienced at Wodehouse Court, the Bollo Lane TFL development or 102 Bollo Lane (Pocket Living).

**Sunlight**

The availability of sunlight is dependent upon the orientation of a window or area of ground being assessed relative to the position of the sun. As such, BRE Guidance states that only windows that are within 90 degrees of due south are needed to be assessed. The proposal would accordingly have no sunlight impact on any residential properties on Weston Road.

The only windows that were determined to be potentially impacted by the proposed development were within Wodehouse Court and 'Land at Stanley Road' which is a current planning application pending consideration. In the case of sunlight, APSH (Annual Probable Sunlight Hours) is the most relevant test. APSH represents the sunlight that a given window may expect over a 1 year period. This is expressed as a percentage of direct sunlight hours, divided by the number of hours when the sky was clear with sun. The measurement is taken from the outside face of a window. This measurement is taken in both summer and winter months. As stated within BRE Guidance "the window should receive at least 25% of available sunlight hours and 5% during the winter months, and 80% of its former value".

With respect to this measurement, a total of 249 windows were tested, with the analysis indicating 95% compliance for APSH and 83% in the winter. This is a high level of compliance for an urban location. There was full compliance within the existing Wodehouse Court, with 'Land at Stanley Road' experiencing some marginal impacts, with not a significant deviation from the guidance.

### **Overshadowing**

It is not considered that there is any significant overshadowing of any neighbouring residential property, including the rear gardens of properties on Weston Road. This is as the proposed development is predominantly located to the north of those properties on Weston Road. The impact of overshadowing on the allotment gardens is assessed within the section above.

### **Overlooking**

Within the objections to the scheme received as part of the consultation period, a number of residents were concerned with the degree of overlooking caused by the proposed development. This was primarily related to the overlooking of rear gardens on Weston Road. As has been noted, the separation distance between the application site is on average approximately 40 metres. Whilst the current London Plan gives no strict guidance in relation to overlooking, the Mayor's Housing SPG (Standard 28) notes that in relation to privacy that "planning guidance for privacy has been concerned with achieving visual separation between dwellings by seeking a minimum distance of 18-21 metres between facing homes...these can still be useful yardsticks for visual privacy".

The separation distance between rear gardens on Weston Road and the proposed development, created by a wide railway corridor, are comfortably within a degree of acceptability with relation to the impact on privacy and increased overlooking. Whilst it is acknowledged that there may be a perception of overlooking, particularly when comparing to the existing situation, it is not considered that would be to a degree that would be detrimental to the living conditions of nearby residents.

Overall, it is not considered that the proposed development would detrimentally harm the living conditions of any existing residents surrounding the site and, on these grounds, the development is considered to be acceptable.

### **Transport Considerations**

A key concern in the assessment of this application is the accessibility of the site, particularly given the poor condition of Greenock Road. The existing road operates a dual carriageway, with no clear defined footpath and parking and loading occurs in a haphazard manner. The road is currently owned by Council but does not form part of the adopted highway network. A recommendation has



been made within the Heads of Terms which would require the developer to fund the costs of the design work to bring the road to an adoptable standard. The developer would then be responsible for the costs of the construction of the road in full and indicative costs of this work has been provided to the applicant for their consideration, which has been agreed.

The applicant had initially proposed that the road would only be constructed to the site from the closest junction with Colville Road. An indication of the applicant’s initial plans is provided in the image below.



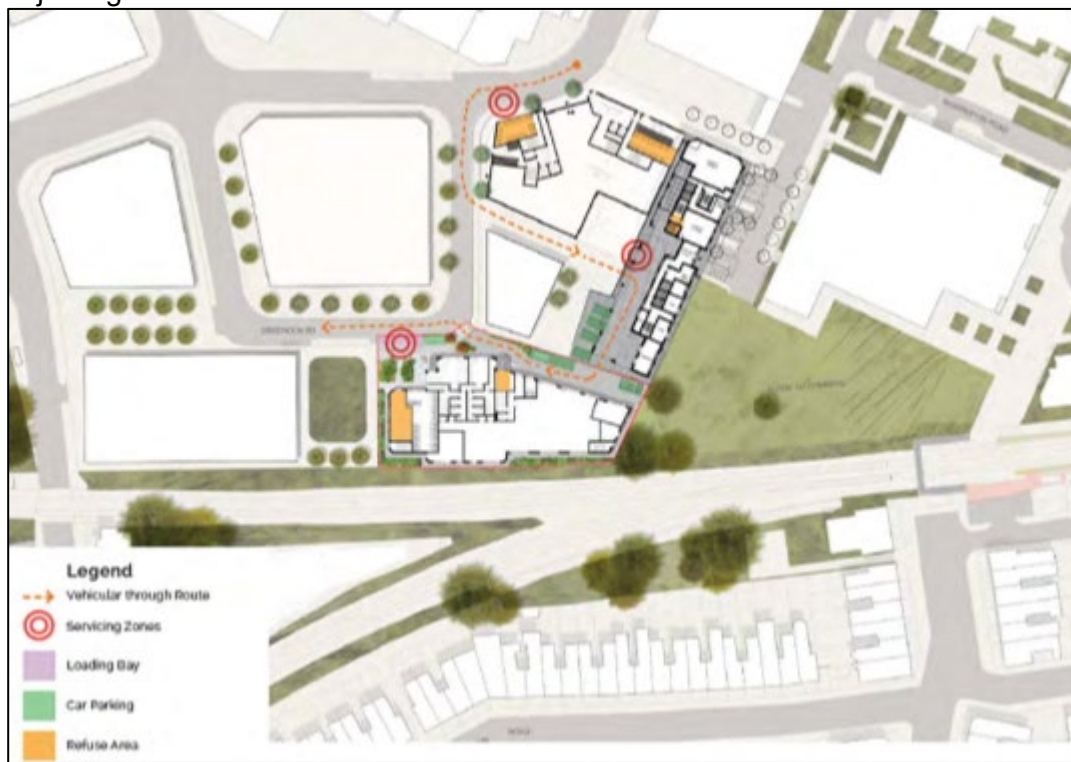
**Figure 34: Indicative Upgrades to Greenock Road**

Key elements of the proposal are changing the road to a one-way system, which is considered appropriate in this instance, given that Greenock Road forms a loop that has junctions at both ends with Colville Road. The necessity for the road to be two-way does not necessarily exist. Reducing the width of the carriageway also allows the potential for a 2m wide footpath to access the site from Colville Road. The location of any on-street parking or loading areas will be subject to detailed design with Council’s Highways Team, as required by the s106 agreement Heads of Terms. The South Acton LSIS Masterplan also considers that this general arrangement is essential for the delivery of the Masterplan.

Whilst the applicant has only initially proposed to undertake the works shown on the image above, it is considered that to provide justification for the marginal increase in height above the recommendations of the Masterplan, that the applicant should be responsible for the construction of the entire road between both Colville Road junctions. This has been agreed to by the applicant and further justification of this is provided within an earlier section of this report.

Council Officers also requested that in relation to deliveries and servicing, that the applicant should work closely with the applicant of a proposal at Land Opposite Ravenswood Court, Stanley Road (195284FUL). A strategy has been developed, as shown in the image below, to show how access

arrangements for servicing could be consolidated between the two sites. It is considered that this would work successfully, should both schemes be delivered. It is also important to note that the servicing arrangements currently proposed would also work effectively, were the scheme on the adjoining site not delivered.



**Figure 35: Consolidated Servicing Arrangements between Two Proposed Developments**

Deliveries and Servicing Plans, as well as Travel Plans are also required to be submitted through planning condition.

The application site is located within a Controlled Parking Zone (CPZ). As required by Policy T6 of the London Plan “car-free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport”. In line with this requirement, given the proximity of the site both to a London Underground and Overground Station, car-free development is appropriate in this instance. Future occupants would be restricted from obtaining parking permits or visitor vouchers within the CPZ, which will encourage a modal shift to more sustainable forms of transportation.

Policy T5 of the London Plan outlines requirements for cycle parking to be provided. The policy requirements are outlined in the table below.

Use	Rate	Requirement
Residential – Long Stay	1 space per studio 1.5 spaces for 1b2p dwelling 2 spaces for all other dwellings	218 spaces
Residential – Short Stay	5-40 dwellings = 2 spaces Thereafter 1 space per 40 dwellings	4 spaces
Industrial – Long Stay	1 space per 500sqm	5 spaces

Industrial – Short Stay	1 space per 1000sqm	2 spaces
-------------------------	---------------------	----------

Within the detailed comments from TfL, some concern was raised about the proposed main residential cycle parking area, particularly in relation to the amount of two-tier cycle parking racks, as well as the spacing between racks. TfL requested that the space be revised to provide more single level bicycle parking to accommodate residents with more limited mobility. Accordingly revised plans have been received, as well as a comprehensive response to TfL’s comments.

Two cycle storage areas have been provided, one within a proposed basement providing 67 x 2 tier Sheffield cycles, 16 x Sheffield cycles and 5 adaptable spaces. An adequately sized lift has been proposed to bring cycles up to ground level from this space. At ground floor level, another cycle storage area is proposed, providing 100 x 2-tier Sheffield stands, 30x Sheffield stands and 5 x adaptable stands. Collectively, the proposal would deliver 223 long-stay cycle parking spaces, complying with Policy T5 of the London Plan.

At the front of the site, 6 racks providing space for 12 bicycles, would serve the needs of short-stay cycle requirements for both the industrial and residential uses. In addition, a separate locker for 12 long-stay cycle spaces for the industrial use would provide for adequate space that complies with Policy T5. It is therefore considered that cycle parking provision is acceptable.

**Impact on the Railway**

Network Rail provided a consultation response to the proposed development which summarised a number of concerns with relation to the proposed development. Many of these concerns fall outside the remit of a planning application, whereas others are reasonable and relevant to be included as conditions or informatives. These have been included within the recommendation.

The use of conditions and informatives where appropriate was the same approach taken within the assessment of a planning application at 93 Bollo Lane (214710FUL), which is currently awaiting legal agreement.

**Refuse and Recycling Storage**

Refuse storage capacity is provided by a well-established formula that calculates the required capacity for a residential development. Based on the housing mix proposed, the scheme would deliver the necessary requirement of 27,404L. The refuse storage area, which would be appropriately located close to Greenock Road for collection, would provide for 26 x 1,100L eurobins, providing a capacity of 28,600L. This would comply with the minimum requirements.

A separate space for the refuse and recycling storage for the café and industrial uses would also be provided. The developer would need to arrange for a private contractor to collect this refuse storage or seek a contract with LB Ealing’s Waste Services.

**Energy and Sustainability**

The proposed Energy Strategy has been reviewed by Council’s Energy Consultant, who is very supportive of the proposed energy/overheating strategy produced by HTA Design in March 2023 (version 2). The development is all electric with no gas infrastructure on-site. The strategy proposes a centralised Air Source Heat Pump distribution loop with electric boilers (for 5% peak load), to

provide space heating and DHW. Space cooling for the non-residential areas will come from VRF electric panels.

PV has been realistically maximised with a 20 kWp array.

The Council confirms that there is no available “Clean” district heat network (DHN). However, the energy plant room will be futureproofed for connection to any future DHN.

The Strategy has been assessed against Part ADL 2021 using SAP 10.2 emission factors, and follows the London Plan policy SI2/SI3 “Lean, Clean, Green” energy hierarchy.

The predicted Energy Use Intensity (EUI) is 56 kWh/m<sup>2</sup>/p/a for the residential element, and 75.8 kWh/m<sup>2</sup>/p/a for the non-residential space.

An Overheating Analysis report (stage 3) with proposed mitigation measures has been submitted. The analysis assumes full mechanical ventilation and heat recovery (MVHR). It is compliant with Part O (TM59/Guide A) and TM52, (non-domestic buildings), and follows the TM49 methodology of modelling against the DSY1 average summer year (2020) as well as the more intense (but non-mandatory) DSY2 (2003) and DSY3 (1976) data files. All rooms comply with the mandatory DSY1 modelling for criteria (a) and (b), with 38% meeting DSY2 and 23% DSY3. The corridor modelling achieved 100% against DSYs 1,2,&3.

At the current design stage the overall site-wide CO<sub>2</sub> emissions will be cut by at least 72.84%, with 15.79% carbon reduction through “Lean” efficiency measures, and 57% through “Green” renewable energy.

There is a shortfall of 961.7 tonnes CO<sub>2</sub> (over 30 years) in the zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £91,360. For information, the carbon offset amount saved through the renewable energy equipment is £191,500.

If after one year of in-situ monitoring the renewable energy systems do not deliver, within a reasonable margin of error, the carbon reductions predicted in the Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate some or all of the shortfall.

The London Plan (policy SI2) introduces a fourth step to the existing (be Lean, Clean, Green) energy hierarchy of “be Seen”. In addition to the GLA 'be Seen' policy, Ealing Council also requires the additional physical monitoring and performance analysis of the renewable/low-carbon energy equipment. Ealing already implements, and separately conditions, this requirement through its Development Management (2013) DPD policy E5.2.3. The monitoring is carried out by the Council's chosen provider (Energence Ltd) using the Automated Energy Monitoring Platform (AEMP). A S106 payment will be sought for the implementation of the energy monitoring policy.

In line with this, Ealing Council will require the monitoring of the PV array and the centralised Air Source Heat Pump loop to evaluate their performance/efficiency for a period of 4 years. Monitoring the heat pumps will involve metering the heat output and the combined parasitic loads. Suitable monitoring devices must be fitted by the Applicant to achieve this.

The WLC strategy produced by HTA Design in March 2023 (v3) confirms that the development is compliant with the GLA Benchmark targets. Modules A1-A5 should achieve 788 KgCO<sub>2</sub>e/m<sup>2</sup>, and B1-C4 (excluding B6/B7) 301 KgCO<sub>2</sub>e/m<sup>2</sup>, with a total carbon emissions baseline scenario (over 60 years) of 1,026 KgCO<sub>2</sub>e/m<sup>2</sup> (including module D and sequestration benefits).

The Circular Economy statement produced by HTA Design in March 2023 (v2) confirms that the development 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.

## **Environmental Health**

### **Noise**

As outlined within the Agent of Change section of this report, the existing acoustic environment has been robustly assessed by the applicant through monitoring. The results of this acoustic assessment will be used as a basis to determine the appropriate level of sound insulation of the external building fabric, to ensure that the internal living conditions meet relevant British Standards.

Council's Pollution-Technical Officer has reviewed the Environmental Noise Assessment and Agent of Change Assessment and is satisfied with the conclusions of this report. Accordingly, the officer has recommended an appropriate condition to secure the details of the external building fabric prior to commencement of the superstructure.

Other conditions have also been recommended for internal sound insulation between the industrial and residential uses, as well as between communal spaces and residential properties and between individual residential homes.

### **Air Quality**

Council's Air Quality Officer has reviewed the submitted details and recommended a number of conditions, including a ventilation strategy to ensure that new residents would be provided with fresh air ventilation to mitigate poor air quality within the surrounding area. The Officer also notes that the emergency generator is located on the ground floor and the submitted Air Quality Assessment does not consider the impact of emissions during times in which the generator is tested on AQ concentrations. This may affect areas of the façade that will likely face the flue for the generator.

### **Contaminated Land**

Council's Contaminated Land Officer has reviewed the Phase 1 Risk Assessment, prepared by IDOM. The report recommends that a Site Investigation is undertaken to determine the extent of contaminated land within the site, particularly given its historic industrial uses. The Contaminated Land Officer agrees with this recommendation and has accordingly recommended conditions, including a Site Investigation, Remediation Scheme and a Verification Report.

### **Crime Prevention**

London Plan Policy D11 states that Boroughs should work with their local Metropolitan Police Service 'Design Out Crime' officers and planning teams to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime.

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.

**Conclusion:**

The proposed development represents a high-quality design that would demolish the existing poor quality buildings and replace these with a co-located industrial and residential development. The proposed industrial space provides both an uplift in the amount of industrial floor space with Use Classes E(g)(iii)/B2 and B8, in line with the requirements of the London Plan and the Reg19 Draft Ealing Local Plan. This will provide high quality space that will either provide space for a single end user within these use classes, or be flexible to allow for a variety of different occupants within the space.

The scheme has been assessed against the recently ratified South Acton LSIS Masterplan, and generally conforms to its principles, including being appropriately located within an identified co-location zone, on the southern portion of the industrial area. Whilst there would be a limited breach in the heights identified within the Masterplan, with 18 storeys exceeding the 15-storey requirement, it is considered that there are significant public benefits to the scheme that justify this breach by a 'limited margin'. The application site is served by the unadopted Greenock Road, which is currently in a poor condition. The applicant would be required to construct the road to an adoptable standard at their own expense, and improvements to this road are identified as a necessary public realm improvement for the delivery of the Masterplan. The road would likely be delivered with a one-way system, with widened and delineated footpaths, street trees, lighting and more formalised parking and loading arrangements. The scheme would also deliver additional open space at the front of the site that goes beyond what has been identified within the Masterplan. It should also be noted that the 18 storey height of the building is only located within the central section, with the two shoulders and podium levels falling within the specified height limit.

The scheme will deliver high quality homes for future residents, in a location that is well-connected to existing public transport nodes. All of the homes would provide internal and external living spaces that meet the relevant space standards and residents would have good access to different communal areas that would integrate landscaping, open space and children's play space.

The design of the proposed development is considered to be high quality, utilising lower and set in shoulder elements that would reduce its bulk, scale and massing. The materiality of the scheme is considered to be high quality that provides significant visual interest, whilst also referencing the heritage of the area as a location of industry.

Overall, it is considered that the scheme complies with all relevant local, regional and national planning policy and it is recommended that the application be approved, subject to Stage II GLA referral, conditions and s106 agreement.

**Human Rights Act:**

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

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control

the use of property in accordance with the general interest and the recommendation for approval is considered to be proportionate in response to the submitted application.

**Appendix A**

**Description of the conditions/reasons:**

**COMPLIANCE**

1. **Statutory Timeframes**

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

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

2. **Approved Plans and Documents**

The development hereby approved shall be carried out in accordance with drawing title numbers:

AP00 P04 (Proposed Ground Floor); AP01 P04 (Proposed First Floor); AP02 P03 (Proposed Second Floor); AP03 P03 (Proposed Third Floor); AP04 P03 (Proposed Fourth – Eighth Floor); AP09 P03 (Proposed Ninth – Eleventh Floor); AP12 P03 (Proposed Twelfth Floor); AP13 P03 (Proposed Thirteenth – Fourteenth Floor); AP15 P02 (Proposed Fifteenth Floor); AP16 P02 (Proposed Sixteenth – Seventeenth Floor); APB1 P02 (Proposed Basement); APRF P02 (Proposed Roof Plan); 0250 P03 (Proposed North Elevation); 0250 P03 (Proposed East Elevation); 0253 P03 (Proposed West Elevation); 0900 rev D (Illustrative Landscape Plan); 2900 rev D (Ground Floor General Arrangement); 2901 rev E (Podium Level General Arrangement); 2902 rev E (Roof Terrace Level General Arrangement); 2903 rev D (Planting Strategy Plan rev D);

Air Quality Assessment (IDOM, March 2023); Daylight, Sunlight and Overshadowing Assessment (HTA, March 2023); Design Access Statement (HTA, March 2023); Energy and Overheating Assessment (HTA, March 2023); Whole Life Carbon Assessment (March 2023); Wind Microclimate Assessment (Ecolytik, March 2023); Geo Environmental Assessment Phase 1 (IDOM, March 2023); London Plan Fire Statement (BB7, March 2023); Planning Gateway One Fire Statement (BB7, March 2023); Environmental Noise Assessment (IDOM, March 2023); Sustainability Statement (HTA, March 2023); Healthy Streets Transport Assessment (RPS, March 2023); Agent of Change Assessment (IDOM, March 2023); Drainage Strategy and SUDS Management Statement (IDOM, March 2023); Economic and Industrial Assessment (Iceni Projects, March 2023); Schedule of Accommodation (HTA, Ref: DVP-GRE); Statement of Community Involvement (London Communications Agency, March 2023); Visual Impact Appraisal (Neaves Urbanism, March 2023); Affordable Housing Statement (Newsteer, March 2023); Heritage Statement (GJHP, March 2023); Planning Statement (Newsteer, March 2023); Travel Plan (RPS, March 2023); Circular Economy Statement (HTA, March 2023); Delivery and Servicing Plan (RPS, March 2023); Outline Construction Logistics Plan (March 2023); We Made That Study Analysis (DVP-GRE)

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

3. **Restriction of Commercial/Industrial Uses**

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 as amended, or any future amendments, the industrial workspace at ground floor within both buildings hereby permitted shall be used only for purposes within Use Class E(g)(iii)/B2/B8 of the



Town & Country Planning (Use Classes) Order 1987 as amended, and for no other purpose, without the prior written permission of the local planning authority. The industrial workspace must be completed in full prior to the occupation of the proposed residential flats. The area identified as “café” on the approved plans shall only be used for purposes within Use Class E of the Town and Country Planning (Use Classes) Order 1987 as amended, and for no other purpose, without the prior written permission of the local planning authority.

Reason: To safeguard the industrial uses on the site in accordance with Policy 1.2(b) of the Ealing Development (Core) Strategy 2012 and Policy E7 of the London Plan (2021)

**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. Accessible Housing**

10% of the approved residential dwellings and 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.

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 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.

**6. Refuse Storage**

Each of the refuse and recycling storage facilities hereby approved for the residential and industrial 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).

**7. No masts/satellite dishes or external equipment**

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

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

**8. Opening of Doors**

Doors to all buildings should be fixed to ensure that they do not open onto the public highway, except for doors for the purposes of fire escape and access to electricity stores.

Reason: To protect pedestrian safety in accordance with policies T1, T3 and T4 and of the London Plan 2021.

**9. Passenger Lifts - Operation**

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), Policy D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

**10. Passenger Lifts – Noise and Vibration**

Noise and vibration from the communal lift shall not exceed the criteria for dwellings specified in Table 5 BS8233:2014.

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

**11. Anti-Vibration Isolators**

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 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

**12. 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 (2023).

**13. External Lighting**

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

Reason: 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.

**14. Network Rail**

Prior to any work commencing on the site, the developer shall contact the Network Rail Asset Protection Team on [AngliaASPROLandClearances@networkrail.co.uk](mailto:AngliaASPROLandClearances@networkrail.co.uk). An Asset Protection Agreement will be required with Network Rail to enable the approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>

Reason: To ensure that any demolition, construction or operational activities associated with the proposed development do not impede or damage the operations of Network Rail assets.

**15. Sustainable Design and Construction**

Prior to completion of the development the sustainability measures detailed in the approved Sustainability Statement submitted by HTA Design in March 2023 (v2), and any other relevant supporting documents, shall be implemented and maintained. The measures shall meet the requirements of local and regional planning policies and be in line with the Mayor's Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures.

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

**PRIOR TO COMMENCEMENT**

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

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

- Noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),

- Dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- Lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- Delivery locations,
- Hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),
- Neighbour liaison, notifications to interested parties and considerate complaints procedure,
- Public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works, in case of emergencies, enquiries or complaints.

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 D6, D14 and T7 of the London Plan and Policy 7A of the Ealing Development Management DPD.

**17. 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.

**18. 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 “Soap Works 8-10 Greenock Road, Ealing” dated March 2023. 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).

**19. Piling Method Statement – Thames Water**

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](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

**20. 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](mailto:ZeroCarbonPlanning@london.gov.uk). The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.
- c) The Development shall implement the measures identified in the WLC Assessment prepared by HTA Design in March 2023 (v3). Modules A1-A5 should aim to achieve 788 KgCO<sub>2</sub>e/m<sup>2</sup>, and B1-C4 (excluding B6/B7) 301 KgCO<sub>2</sub>e/m<sup>2</sup>, with a total carbon emissions baseline scenario (over 60 years) of 1,026 KgCO<sub>2</sub>e/m<sup>2</sup> (including sequestration and 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.

**21. Contaminated Land – Site Investigation**

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within an approved desk study phase 1 report IDOM DS 22500-22-405 march 2023) 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.

**22. Contaminated Land – Remediation Scheme**

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

**23. Contaminated Land – Verification Report**

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

**24. Details of Materials**

Prior to the commencement of the superstructure, 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 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 (2023).

**25. Air Quality – Ventilation Strategy**

Prior to the commencement of the superstructure, a Ventilation Strategy Report shall be submitted to and approved by the Local Planning Authority. The report will contain details for providing fresh air ventilation, the supply should be located away from sources of local pollution as specified in the Ventilation: Approved Document F, Volume 1: 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).

**26. Air Quality – Revised Air Quality Assessment**

Prior to the commencement of the superstructure, 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 LA meets its obligations to deliver air quality objectives for NO<sub>2</sub> in accordance with London Local Air Quality Management (LLAQM), and to limit PM<sub>2.5</sub> (fine particulates) to safeguard public health and well-being and external amenity of nearby sensitive receptors.

**27. Sound Insulation – Building Envelope**

Prior to commencement of the superstructure, details of the sound insulation required for the building envelope shall be submitted for approval by the Council in writing, having regard to the Council's assessment standard in the SPG10 and noise limits specified by BS8233:2014. Details shall include the glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise). 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. 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 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

**28. Environmental Health – Plant Noise**

Prior to the commencement of the superstructure, details shall be submitted to the Local Planning Authority for approval in writing, of plant/ machinery/ equipment/ducting/air in- and outlets/ mechanical installations and their external rating noise level (L<sub>A</sub>,T<sub>r</sub>), together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level emitted will be lower than the lowest existing background sound level LA<sub>90</sub> 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 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

**29. Sound Insulation – Between Commercial and Residential Uses**

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 10dB/ 15dB/ 20dB, as necessary, above the Building Regulations value for residential use, of the floor/ ceiling/ walls separating the commercial, industrial and communal areas, installations and facilities, from dwellings. Where noise emissions include characteristic features, the Noise Rating level should not exceed NR20 Leq 5mins (octaves) inside habitable rooms. Details shall include the installation method and materials of separating structures and, where necessary, additional mitigation measures and the resulting sound insulation value and internal sound level. The assessment and mitigation measures shall be based on standards



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

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

**30. Sound Insulation – Between Residential Uses**

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, namely, bedrooms below/above/adjoining kitchen/living/dining/bathroom of separate flat. 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 Policy 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

**31. Digital Connectivity**

Prior to commencement of the superstructure, 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).

**PRIOR TO OCCUPATION**

**32. 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.

**33. Deliveries and Servicing Plan**

A Delivery and Servicing Plan (DSP) for the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The DSP should clearly identify how the on-street loading bay will be managed to ensure that, as far as possible, that space is continually available for deliveries. No deliveries or servicing shall occur within the proposed disabled bays or on Bollo Lane.

The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on adjoining uses and highway safety and the free flow of traffic in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012 and policy T3 and T4 of the London Plan (2021).

**34. Site-Wide Waste Management Plan**

Prior to the first occupation of the hereby approved development for both the industrial and residential uses, details of the refuse and recycling storage for both uses shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number and capacity of bins, the location of storage and the materials for the store. The approved storage shall be brought into use prior to the first use of the hereby approved development and shall be permanently retained thereafter. For the avoidance of doubt, this condition may be discharged partially for each of the separate uses.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policy SI 8 of the London Plan (2021).

**35. 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 CO<sub>2</sub> emissions of at least 72.8% (equating to 85 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2021 and using SAP10.2 (or later version) conversion factors. These CO<sub>2</sub> savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by HTA Design in March 2023 (version 2) including:
- i. Lean, energy efficiency design measures to achieve an annual reduction of at least 15.8% equating to at least 17.5 tonnes in regulated carbon dioxide (CO<sub>2</sub>) emissions over BR Part L 2021 for the residential development, and at least 14.9%, equating to at least 1 tonnes, over Part L 2021 for the non-residential space.
  - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 20 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 57%, equating to 67 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2021.
  - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the centralised 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 loop schematics, the exact number of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact 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 renewable energy installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

- c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) The development shall incorporate the overheating mitigation measures detailed in the dynamic Overheating Analysis prepared by HTA Design in March 2023 (version 2). 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 BER/DER figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) and/or the Display Energy Certificate(s) (DEC's) 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.

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 for the post-construction monitoring of the renewable/low carbon technologies to be incorporated into the development and/or the energy use of the development as per energy and CO<sub>2</sub> Condition(s).
- b) Upon final construction of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency of the renewable energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of four years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council's chosen AEMP supplier (Emergence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational. Any repair or maintenance of the energy equipment must be carried out within one month of a performance problem being identified.

Reason: To monitor the effectiveness and continued operation of the renewable/low carbon energy equipment in order to confirm compliance with energy policies and establish an in-situ evidence base on the performance of such equipment in accordance with London Plan (2021) policy SI2 (“Be Seen” stage of the energy hierarchy), Ealing's Development (Core) Strategy 2026 (3rd April 2012) and

Development Management DPD policy 5.2, E5.2.3, and Policy 2.5.36 (Best Practice) of the Mayor's Sustainable Design & Construction SPG.

**37. Circular Economy**

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.

Specific commitments detailed in the Circular Economy statement produced by HTA Design in March 2023 (v2), 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).

**38. Travel Plan**

A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for the residential and industrial uses of the development. 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. For the avoidance of doubt, the condition may be partially discharged for the industrial and residential uses.

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.

**39. Air Quality – Diesel Generators**

Prior to their operation, details on all new installed diesel generators demonstrating compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) must 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 ensure LA 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.

**40. 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
- 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).

**41. Thames Water – Development Infrastructure Phasing Plan**

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

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

**ONGOING CONDITIONS**

**42. 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.

**Informatives:**

1. The decision to grant planning permission has been taken having regard to the policies and proposals in National Planning Policy Guidance (2023), 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
- 14 Meeting the challenge of climate change, flooding and coastal change

London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D8 Public realm
- D9 Tall buildings
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D14 Noise
- E4 Land for industry, logistics and services to support London's economic function
- E5 Strategic Industrial Locations (SIL)
- E6 Locally Significant Industrial Sites
- HC1 Heritage conservation and growth
- HC3 Strategic and Local Views
- HC6 Supporting the night-time economy
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SD6 Town centres and high street
- 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
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.4 Hotel and leisure uses parking
- T7 Deliveries, servicing and construction
- T8 Aviation
- T9 Funding transport infrastructure through planning

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)
- 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 7C : Heritage
- Policy 7D : Open space

Draft Ealing Local Plan (Reg19) (2024)

- Policy DAA: Design and Amenity
- Policy D9: Tall Buildings
- Policy HOU: Affordable Housing
- Policy E3: Affordable Workspace
- Policy E4: Land for Industry, Logistics and Services to Support London's Economic Function
- Policy E6: Locally Significant Industrial Sites
- Policy G4: Open Space
- Policy G5: Urban Greening
- Policy OEP: Operational Energy Performance
- Policy WLC: Whole Life Cycle Carbon Approach
- Policy SI7: Reducing Waste and Supporting the Circular Economy
- Policy FLP: Funding the Local Plan

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 - $L_{Leq,1hr}$	
	60 dB contour	57 dB contour
63	73	70
125	72	69
250	69	66
500	67	64
1000	62	59
2000	57	54
4000	45	42
<b>Total <math>L_{Aeq,1hr}</math> for spectrum 16 – 8K Hz</b>	<b>67</b>	<b>64</b>

5. Land contamination:

- a) Reference should be made at all stages to appropriate current guidance and codes of practice; this would include:
  - i. Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
  - ii. Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
  - iii. LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
  - iv. BS10175:2011 Investigation of potentially contaminated sites – Code of Practice
  - v. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
  - vi. 'Verification of Remediation of Land Contamination', Report: SC030114/R1, Environment Agency, 2010
  - vii. Planning Policy Statement 23: Planning and Pollution Control;
  - viii. PPS23 Annex 2: Development on Land Affected By Contamination;
  - ix. Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008
- Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
- All raw data should be provided in a form that can be easily audited and assessed by the Council (e.g. trial pit logs and complete laboratory analysis reports)
- on-site monitoring for ground gases with any relevant laboratory gas analysis;
- Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).

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

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

- 9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
- 10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 11. 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.

- Decommissioning 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](http://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. 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.

#### 13. Dark smoke and nuisance

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

#### 14. 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.

#### 15. 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.

16. 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.

17. Street Numbers

The applicant is advised that the Council is the street naming and numbering authority, and you will need to apply for addresses. This can be done by contacting the Street Naming and Numbering officer, prior to construction commencing. You will need to complete the relevant application form and supply supporting documentation e.g. site layout and floor plans so that official street naming and numbering can be allocated as appropriate. If no application is received the council has the authority to allocate an address. This also applies to replacement buildings and dwellings. Full details of how to apply along with guidance can be found [Street naming and numbering | Street naming and numbering | Ealing Council](#)

18. 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 .

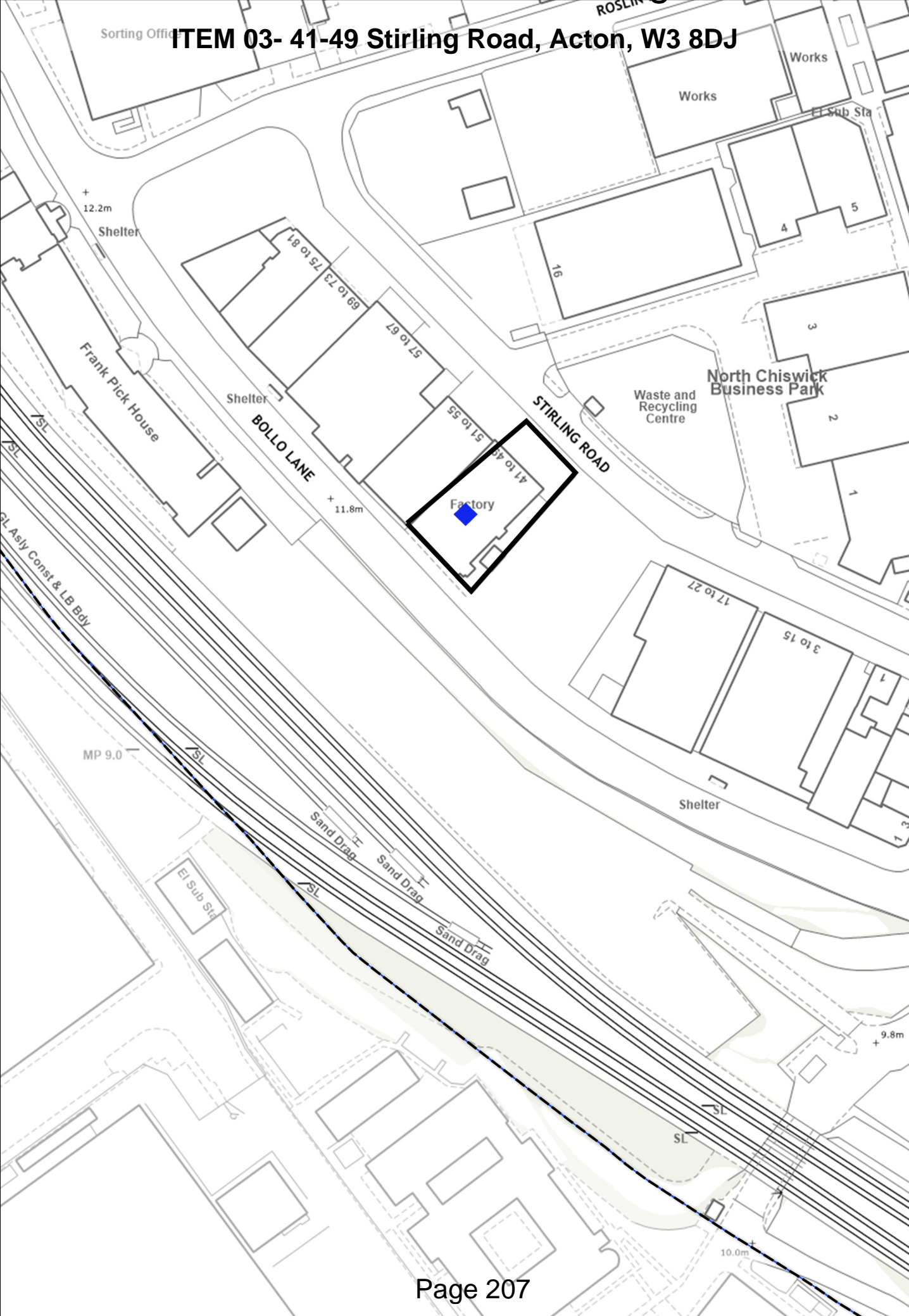
19. The following items are brought to the applicants attention in relation to activities on the site and their impact on the operations, assets and functions of Network Rail:

- Existing railway infrastructures including embankment should not be loaded with additional surcharge from the proposed development unless the agreement is reached with Network Rail. Increased surcharge on railway embankment imports a risk of instability of the ground which can cause the settlement on Network Rail infrastructure (Overhead Line Equipment / gantries, track, embankment etc.).
- The developer is responsible for a detailed services survey to locate the position, type of services, including buried services, in the vicinity of railway and development site. Any utility services identified shall be brought to the attention of Senior Asset Protection Engineer (SAPE) in Network Rail if they belong to railway assets. The SAPE will ascertain and specify what measures, including possible re-location and cost, along with any other asset protection measures shall be implemented by the developer.
- The developer must ensure any future maintenance does not import the risks to the operational railway. The applicant must ensure that the construction and subsequent maintenance of their development can be carried out without adversely affecting the safety of operational railway.
- Operation of mobile cranes should comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail'. Operation of Tower Crane should also comply with CPA Good Practice Guide 'Requirements for Tower Cranes Alongside Railways Controlled by Network Rail'. Operation of Piling Rig should comply with Network Rail standard 'NR-L3-INI-CP0063 - Piling adjacent to the running line'. Collapse radius of the cranes should not fall within 4m from the railway boundary unless possession and isolation on NR lines have been arranged or agreed with Network Rail.
- Any temporary structures which are to be constructed adjacent to the railway boundary fence (if required) must be erected in such a manner that at no time will any item fall within 3 metres

from the live OHLE and running rail or other live assets. Suitable protection on temporary works (for example: Protective netting around scaffold) must be installed.

- The developer must ensure that any piling work near or adjacent to the railway does not cause an operational hazard to Network Rail's infrastructure. Impact/Driven piling scheme for a development near or adjacent to Network Rail's operational infrastructure needs to be avoided, due to the risk of a major track fault occurring. No vibro-compaction/displacement piling plant shall be used in development.
- Where required, the developer should provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. Network Rail's existing fencing / wall must not be removed until it is agreed with Network Rail.
- Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.
- The applicant shall provide all construction methodologies relating to works that may import risks onto the operational railway and potential disruption to railway services, the assets and the infrastructure for acceptance prior to commencing the works. All works must also be risk assessed to avoid disruptions to the operational railway.
- The developer must ensure that the locations and extent of invasive plant (if any, for example: Japanese Knotweed) are identified and treated in accordance with the current code of practice and regulations if exists on site. Any asbestos identified on site should be dealt in accordance with current standard, Health and Safety Guideline and regulations by the developer.
- Glint and Sunlight glare assessment should be carried out (if there is a risk) to demonstrate the proposed development does not import risk of glare to the train drivers which can obstruct in the visibility of the signals.
- The developer will be required to undertake a full Electro Magnetic Interference (EMC) risk assessment on the impact the project will have upon NR.
- Contractors are expected to use the 'best practical means' for controlling pollution and environmental nuisance complying all current standards and regulations. The design and construction methodologies should consider mitigation measures to minimise the generation of airborne dust, noise and vibration in regard to the operational railway.
- Contractors are expected to use Network Rail recommended tree species only if required alongside the railway boundary. List of recommended tree species can be made available when requested.
- If there are any access points / gates to the railway, it's contractor's responsibility to maintain 24/7 unobstructed access to the railway for maintenance purposes.
- Drainage from the shall be taken away from the railway infrastructure. There shall not be any attenuation tank or soakaways within 10-20m from the railway boundary.

ITEM 03- 41-49 Stirling Road, Acton, W3 8DJ



This page is intentionally left blank



**Ref :** 224830FUL

**Address:** 41-49 Stirling Road, Acton, W3 8DJ

**Ward:** South Acton

**Proposal:** Demolition of existing building and construction of an industrial-led mixed used development comprising circa 951sqm commercial floorspace at ground and first floor and 51no. residential units (Class C3) on upper floors (up to 12 storeys) with associated landscaping, parking and servicing, cycle and refuse storage

**Drawing numbers:** AP00 rev B (Ground Floor Plan); AP01 rev B (First Floor Plan); AP02 rev B (Second Floor Plan); AP03 rev B (Third-Fifth Floor Plan); AP06 rev B (Sixth-Eighth Floor Plan); AP09 rev B (Ninth Floor Plan); AP10 rev B (Tenth Floor Plan); AP11 rev B (Eleventh Floor Plan); APRF rev B (Roof Plan); 0252 rev A (Eastern Boundary Elevation); 0253 rev A (Bollo Lane Elevation); 0260 rev A (Proposed Section West-East); 0261 rev A (Proposed Section North-South); 0254 rev A (Bollo Lane and Stirling Road Elevations); 0250 rev A (Western Boundary Elevation); 0251 rev A (Stirling Road Elevation); DVP-SRE-200-0900 rev B (Illustrative Landscape Plan); DVP-SRE-200-2900 rev B (General Arrangement Plan); DVP-SRE-200-2901 rev B (Levels Strategy Plan); DVP-SRE-200-2902 rev B (Planting Strategy Plan);

**Supporting Documents:** Revised Affordable Housing Statement (Newsteer, July 2023); Agent of Change Assessment (IDOM, October 2022); Air Quality Assessment (IDOM, October 2022); Revised Circular Economy Statement (HTA, June 2023); Revised Daylight, Sunlight and Overshadowing Assessment (HTA, June 2023); Design and Access Statement (HTA, October 2022) with Addendum (HTA, June 2023); Drainage Strategy (IDOM, October 2022); Economic and Industrial Assessment (Iceni Projects, November 2022); Energy and Sustainability Assessment (HTA, November 2022); Environmental Noise Assessment (IDOM, October 2022); Framework Travel Plan (RPS, November 2022); Geo-Technical and Geo-Environmental Desk Study (IDOM, October 2022); Healthy Streets Transport Assessment (RPS, October 2022) with Addendum (RPS, July 2023); Revised London Plan Fire Statement (BB7, June 2023); Outline Construction Logistics Plan (RPS, October 2022); Outline Delivery Servicing Plan (RPS, November 2022); Revised Planning Gateway One Fire Statement (BB7, June 2023); Planning Statement (Newsteer, October 2022); Statement of Community Involvement (HTA Design, undated); Verified Views Document (AVR London, November 2022); Whole Life Carbon Assessment (HTA, October 2022); Revised Schedule of Accommodation (HTA, ref: DVP-SRE-200)

**Type of Application:** Major

Report by: Joel Holland Turner

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

### TABLE OF CONTENTS

- Executive Summary: .....3
- Recommendation: .....5
  - Heads of Terms .....5
- Site Description: .....6
- The Proposal .....9
- Consultation: .....10
  - Public .....10
  - Design Review Panel and Community Review Panel .....13
  - External Consultation .....14
  - Internal Consultation .....15
- Relevant Planning Policies: .....17
- Reasoned Justification: .....17
- Principle of Development .....17
- South Acton LSIS Masterplan .....18
- Affordable Workspace .....21
- Agent of Change .....21
  - Noise .....22
  - Vibration .....23
  - Dust .....23
  - Odour .....23
  - Lighting .....23
- Housing Land Supply .....23
- Local Character and Design .....24
- Tall Buildings .....28
- Impact on Heritage .....28
- Housing Mix .....31

Affordable Housing.....31

Quality of Residential Accommodation .....32

Amenity Space .....34

    Communal Open Space .....34

    Children’s Play Space .....36

    Landscaping and Urban Greening.....37

Impacts on Neighbouring Properties .....38

    Daylight.....39

    Sunlight.....40

Transport Considerations.....42

Refuse and Recycling Storage.....44

Energy/Sustainability.....44

Environmental Health .....45

    Noise .....45

    Air Quality .....45

    Contaminated Land .....45

Crime Prevention .....45

Mayor’s Community Infrastructure Levy (CIL).....46

Conclusion .....46

Human Rights Act: .....46

Public Sector Equality Duty .....47

Fire Safety .....47

APPENDIX A.....48

    Conditions/Reasons: .....48

    Informatives .....62

***Executive Summary:***

This application for full planning permission involves the demolition of the existing industrial building and the construction of a mixed use building up to 12-storeys in height. The scheme would accommodate, at ground and first floor levels, industrial space with a cumulative floor space of 943sqm. At second floor and above, a total of 51 homes are proposed, with a mix of different housing types to suit a wide variety of potential occupants.

The scheme is part of an emerging mixed-use area, with a number of schemes within the near vicinity having been approved or under construction. All of the approved schemes, along with the proposed scheme, have been approved under the principle of co-location of industrial uses and residential uses in LSIS locations that are afforded by Policy E7 of the London Plan. The proposal involves an uplift in the amount of industrial space that exists on the site by around 11% and would provide modern floor

space, with increased floor-to-ceiling heights and adequate servicing provisions that would meet the needs of a wide variety of potential occupants or end-users, within the E(g)(iii)/B2 and B8 use classes. The proposed industrial space could accommodate a single industrial occupant or could be reasonably severed to accommodate a wider variety of users in smaller defined spaces.

Whilst other schemes have been brought forward as part of a previous Hawkins/Brown Masterplan that set basic parameters of this urban block, this scheme is being assessed against the recently ratified South Acton LSIS Masterplan that was initiated by Council. The proposal is therefore consistent with the principles set by both Policy E7 of the London Plan, as well as Policy E6 of the Reg19 Draft Ealing Local Plan. The new Masterplan sets out locations suitable for co-location, determines appropriate heights, concentrates focus on the delivery of good quality industrial space, and outlines necessary public realm improvements that will be required to accommodate the emerging residential community within the area. It is considered that the proposal conforms to the principles of the Masterplan, as will be outlined within this report.

The Agent of Change principle has been assessed and subject to the recommended conditions, it is considered that the industrial uses on surrounding sites and the residential uses proposed can reasonably co-exist. It is considered that the proposal would ensure that the introduction of more sensitive uses to the area would not compromise the continued operation and viability of the LSIS.

The proposed residential homes would all meet the requirements of Policy D6 of the London Plan, Policy LV3.5 and 7D of the Ealing Development Management DPD, the Mayors London Housing Design Standards LPG and Policy DAA of the Reg19 Draft Ealing Local Plan. Future residents would be afforded good quality living conditions, with compliant floor spaces, good access to daylight and sunlight and appropriate conditions have been recommended with respect to noise and air quality.

The scheme would deliver a good Affordable Housing offer, with a total provision of 37.4% by Habitable Room (35.2% by unit). The tenure split would be 59/41 in favour of the London Affordable Rent over Shared Ownership. Whilst this is below the objectives of Policy HOU of the Reg19 Draft Ealing Local Plan, which seeks a tenure split of 70/30 in favour of low rent housing products, it is generally consistent with the requirements of current adopted policy, which seeks a tenure split of 60/40. The scheme would also deliver 8 x 3 bedroom homes within the London Affordable Rent tenure, providing additional low-cost housing options for families within the Borough.

The design of the development is considered to be of high quality, that will make a significant contribution towards improving local character. The design includes elements of variation and articulation to activate the frontage on both Bollo Lane and Stirling Road, improve safety and provide overall visual interest. The materiality of the proposed development uses nuances to distinguish between the residential and industrial elements of the development and the building has been designed well to integrate with emerging developments within the area, to provide cohesion between the various built forms within the street, whilst maintaining its own individuality.

Transport and Highways have been considered, with a car-free scheme and the provision of cycle parking, as well as its location between two significant public transport nodes, offering future workers and residents the ability to transition towards more sustainable forms of transportation. Footpath improvements and on-street servicing and disabled parking will be delivered through a s278 agreement.

Councils Energy Consultant is satisfied with the submitted Energy Strategy, with the scheme delivering cuts in overall site-wide CO<sub>2</sub> emissions by at least 60.40%, with 13.96% carbon reduction through "Lean" efficiency measures, and 46.44% through "Green" renewable energy. Carbon offset and energy monitoring contributions have been secured, as well as conditions.

Overall, the proposed development is a well-considered scheme, with an excellent design that will deliver new homes and industrial space. It is consistent with the priorities, vision and strategy of the Council as outlined within the Council Plan, by delivering more industrial capacity in a more modern and flexible arrangement that would suit a variety of existing and emerging industries within West London. The scheme would also deliver good quality homes, with good affordable housing offer.

It is accordingly recommended that the application be approved, subject to Stage II referral to the Mayor of London, the completion of a s106 agreement and s278 agreement.

**Recommendation:**

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

**Heads of Terms**

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

Financial Contribution Heading	Proposed Contributions
Education Infrastructure	£140,000
Healthcare provision	£80,000
Transport and Public Realm	£40,000
Bus Service Improvements	£50,000
Affordable Workspace	£2,800
Active Ealing – Leisure Infrastructure	£30,000
Amenity Space	£20,000
Children’s Play Space	£18,000
Allotment Garden Improvements	£6,000
Air Quality	£14,410
<b>Subtotal</b>	<b>£401,210</b>
Carbon Dioxide Offsetting	£83,990
Post Construction Energy Monitoring	£10,683
<b>Total Contributions</b>	<b>£495,883</b>

- Affordable housing provision of 37.4% (by Habitable Room) in the form of 9 homes (35Hrs) within London Affordable Rent Tenure and 9 homes (24 HRs) within Shared Ownership Tenure. Tenure split equates to 59/41 (Habitable Room) in favour of LAR over Shared Ownership
- 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.
- 5 full apprenticeships, 25% Local Labour. 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.
- An early-stage Affordable Housing Viability Review mechanism to be triggered if an agreed level of progress on implementation has not been made within two years of any planning permission.
- A s278 agreement to provide the disabled parking bays and loading bays on the street as shown on the approved plans. All disabled parking bays shall be equipped with electric vehicle charging infrastructure. S278 agreements will also be required to create a dropped kerb to the loading bays to meet Council's Waste Collection guidelines. Details of the planting of street trees will also be required.
- 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 for a travel plan
- All contributions to be index linked
- Payment of the council's reasonable legal and planning officer administration costs 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 somewhat regular shaped plot, with dual frontage to both Stirling Road and Bollo Lane in South Acton. The site has an area of approximately 920sqm, with a frontage to Bollo Lane of 24 metres and a frontage to Stirling Road of 21.6 metres. In terms of restrictive planning designations, the site is located within an LSIS (Locally Significant Industrial Site) and within an Archaeological Interest Area and an area of Local Park Deficiency.



**Figure 1: Site Location**

The existing building to be demolished is formed of two parts, being a two storey flat roofed element facing Stirling Road and part single-, part-two storey dual pitched element facing Bollo Lane. The existing building entrance being from Stirling Road. There is a distinct lack of any street engagement or active frontage along the Bollo Lane frontage of the application site.

The site, given its LSIS designation, is predominantly surrounded by industrial uses. However, there is an emerging community of residential uses within the site’s immediate context, with a number of co-located industrial and residential uses within the site’s immediate context. This includes directly adjoining the site to the south at 29-39 Stirling Road, approved under ref: 204553FUL. Other similar developments include 2-10 Roslin Road (also approved under ref: 204553FUL), 1 Stirling Road/1-9 Colville Road and 67-81 Stirling Road (with different applications approved or resolved to approve under ref. nos. 214611FUL and 232800FUL) and 3-15 Stirling Road (approved under ref: 214991FUL).



Figure 2: Application Site viewed from Stirling Road



Figure 3: Application Site viewed from Bollo Lane



***The Proposal***

The proposed development involves the demolition of the existing buildings and the construction of a mixed use development. The scheme will comprise the following:

- 943sqm of industrial floorspace (11% uplift in comparison to existing)
- 51 new residential dwellings
- 12 storeys in height
- Communal amenity and children’s play spaces on rooftop areas
- Ancillary refuse and cycling storage.



***Figure 4: View of development from Bollo Lane***

Consultation:

Public

Public consultation was carried out in accordance with the requirements set out in the relevant legislation, by way of a number of site notices being placed in the surrounding area. A total of 46 site notices were placed on lampposts within the surrounding area, which included extensively throughout Acton Gardens, the surrounding LSIS and in the residential neighbourhood south of the railway.

The first round of consultation commenced on 14/12/2022 and concluded on 04/01/2023. Following this round of consultation, due to a change in fire safety regulations requiring a second staircase, a redesign of the proposed development was necessary to facilitate these new requirements. As such, a revised proposal was submitted, increasing the number of homes from 49 to 51 and the infilling of the space between the two separate cores. The changes between the originally submitted scheme and the currently proposed scheme are shown clearly within the below section diagrams below.

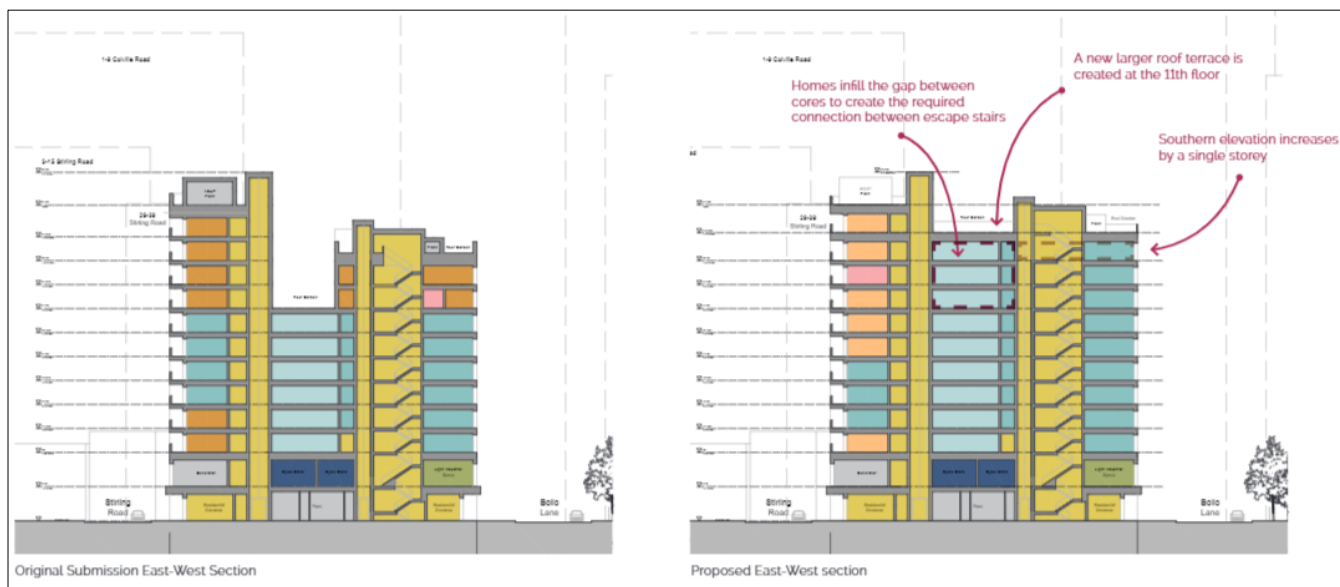


Figure 4: Original Proposal vs Current Proposal

Given the increase in the height of the building at certain parts, as well as the increase in the number of homes 49 to 51, it was considered necessary, on balance, to undertake a period of re-consultation. This commenced on 09/08/2023 and concluded on 30/08/2023.

Throughout the period of consultation, one (1) objection was received from an adjoining landowner. The points of objection, along with Council Officer responses is provided in the table below:

Comment	Officer Response
<p>Reduction in Daylight and Sunlight to 51-55 Stirling Road. Sunlight is important due to operation of the existing business at the property. The showroom at the premises relies on natural light to select products.</p>	<p>It is acknowledged that the height and mass of the proposal would result in some overshadowing of no. 51-55 at various points throughout the day. It is also noted that this adjoining building has a series of roof lights on its roof, that likely provide natural light into the showroom.</p>

	<p>It first must be noted that commercial premises have no protection similar to that of residential properties under BRE Guidelines. Similarly, the Agent of Change principles, under Policy D13 of the London Plan, provide no protections for natural light to commercial premises.</p> <p>In any case, the applicant’s Daylight and Sunlight Assessment has carried out an overshadowing assessment, which demonstrates the impact that the proposal would have, particularly relating to the rooflights at no. 51-55 Stirling Road. The overshadowing diagrams do show a degree of overshadowing of the roof of no. 51-55, however it is clear that this is not caused solely by the proposed development but also by the currently under construction development at 29-39 Stirling Road.</p> <p>On 21 March, there are points of the day in which the roof space is overshadowed. However, on 21 June, the impact is less acute with generally full sunlight to the roofspace from 11am.</p> <p>In addition to this, overshadowing of the roofspace means the impact caused by loss of direct sunlight. It does not mean that the internal spaces would be devoid of ambient daylight.</p> <p>Whilst the concern is noted, in this instance, the impact on light to the commercial premises would not be significant enough to warrant a refusal of this application.</p>
<p>The proposal would impact the site value of no. 51-55. The mass of the building is designed to maximise the potential of no. 41-49 at the expense of no. 51-55. The turning of the block toward Bollo Lane would create dark areas to any future high rise development on 51-55, limiting the site’s potential.</p>	<p>If the adjoining landowner is considering a similar form of development for a co-located industrial and residential building, then the potential for the delivery of such a scheme was enhanced through the Framework Masterplan work by Hawkins/Brown as part of other developments within this urban block.</p> <p>The original Framework Masterplan took into consideration the spatial arrangements of this urban block and noted that sites to the south were deeper and could potentially accommodate separate wings of development that fronted both Bollo Lane and Stirling Road. The sites to the north could only reasonably accommodate a singular wing of mass facing Stirling Road, particular given their more slender and less deep arrangement.</p>

	<p>The application site was always envisioned as operating as a transition between the deeper blocks to the south and narrower blocks to the north. Given the spatial differences between the application site and the objector’s site, it is not considered that the adjoining site could reasonably accommodate a development in a similar form to that proposed as part of this application, or any significant massing toward the Bollo Lane frontage of the site.</p> <p>Therefore, the proposed development would not limit the reasonable developability of no. 51-55. In the absence of the Framework Masterplan delivered by Hawkins/Brown (now superseded by the South Acton LSIS Masterplan), the development potential of this adjoining site would have been severely limited in any case.</p>
<p>The original masterplan (Hawkins/Brown) was developed without consultation with the landowners of 51-55.</p>	<p>The superseded Framework Masterplan was undertaken as an exercise by a previous applicant that outlined general parameters for development of the urban block. It served no statutory function but was a useful tool to ensure that all sites within the area could be reasonably brought forward in the piecemeal manner in which they were being delivered.</p> <p>It gave an indicative way in which no. 51-55 could be developed but does not bind any future applicant to adhere to this. In any case, the development of 51-55 would have likely not been possible had no initial masterplan come forward. In addition, any future development would need to take account of the existing and emerging context, as is the case with any planning application.</p>
<p>No. 51-55 are currently developing plans for their own site for a new fit-for-purpose Stone and Ceramic Warehouse. The proposed development would compromise this.</p>	<p>Council Officers are not aware of any initial or formal discussions with regard to any potential development of 51-55 Stirling Road. If any development is proposed, Council would encourage the adjoining landowner to engage with officers to develop an acceptable scheme. As with any application, any future proposals would be required to respond to both the existing and emerging context of the area.</p>

### Design Review Panel and Community Review Panel

The Design Review Panel reviewed the initial proposals for the site at a meeting on 9 August 2022. A summary of the points raised is provided below:

- Overall height and massing is acceptable and scale of development is broadly in line with principles that have been established within the area
- Further information is required on how the development would interact with 29-39 Stirling Road (currently under construction) with relation to visual impact and overshadowing to neighbouring courtyard space
- L-shaped plan form works well, however more analysis is required regarding concerns for light penetration to the proposed flats
- Materiality and articulation works well. Use of metal to define industrial units and entrances is particularly successful
- Sustainable design principles are sound
- Urban Greening Factor is applauded given the challenges of the tight footprint of the site. Podium layouts are overcomplicated. BNG targets are positive.
- Early engagement with potential tenants should be encouraged to understand transport needs, servicing, logistics and noise. This will ensure that the spaces are truly flexible
- A holistic approach to access arrangements could provide improved efficiency, through shared loading bays

**Officer Response:** Council Officers recognise the general design comments provided by the Panel and will be fully explored within the report below. Matters relating to overshadowing of the courtyard, as well as the visual impact of the development on this adjoining future space are acknowledged and the applicant has provided the necessary technical reports, as well as additional imagery which will be outlined within the report, as will matters relating to sustainability, the principle of the proposed industrial space and transport considerations.

The Community Review Panel reviewed the initial proposals for the site at a meeting on 20 September 2022. A summary of the points raised is provided below:

- The proposal offers the potential for a great improvement on the existing context. However, the success of the scheme as a place to live and work is dependent upon the delivery of the rest of the urban block
- Highly supportive of the retention of industrial uses and the proposed space appears to be appropriate. However, reassurance is required that rigorous market assessment for the proposed space should be provided and Council should use all mechanisms at its disposal to ensure that the space is not converted to other uses at a later date.
- Supportive of the car-free nature of the proposed development with further analysis required as to how residents and workers would access the site.
- Details required on how residents would have access to social infrastructure
- Broad support for the architectural approach taken
- More detail required on the layout of the proposed residential accommodation to ensure that they have high quality internal living environments

**Officer Response:** Since the Community Review Panel reviewed this scheme, Council has undertaken extensive work on the South Acton Industrial Estate Masterplan. This details the requirement for additional green space and social infrastructure. It also outlines design principles as to how development can be brought through coherently. The scheme will also be limited to industrial uses through planning condition to ensure that the principle of the scheme remains acceptable. Any potential

changes of use would require a separate planning application that would need to be rigorously assessed against LSIS policy and the South Acton LSIS Masterplan, as well as any future applicant's justification for any change of use.

The layout and quality of the residential accommodation, as well as transport considerations will be addressed within the following report.

<b>External Consultation</b>	
<p>Greater London Authority (Stage I Response)</p>	<p><b>Land Use Principles:</b> Further information is required to confirm the quantum of industrial floor space and suitability of the space proposed. The proposed residential development is supported in principle, subject to resolution of issues contained within the report.</p> <p><b>Affordable Housing:</b> The scheme proposes 35% affordable housing by habitable room comprising 59% LAR and 41% Shared Ownership, with no loss of industrial floorspace. Further information is required to confirm whether the scheme can follow the Fast Track Route.</p> <p><b>Fire Safety:</b> The scheme involves the construction of a residential development over 30m high which only has access to a single staircase per core at the upper storeys. This must be addressed prior to Stage 2.</p> <p>Other issues regarding inclusive access, children's play space, urban design, heritage, transport, sustainable development and environmental issues also require resolution prior to the Mayor's decision making Stage.</p> <p><b>Officer Response:</b>  <b>Land Use Principles:</b> The GLA recognises within their response that a number of schemes have been brought forward as part of the Hawkins/Brown Masterplan and whilst this had merit in terms of design, the GLA's preference would be to bring this scheme forward as part of a comprehensive masterplan. The GLA have since been made aware of the Council's work to deliver a more comprehensive and estate-wide masterplan, which the proposal will be assessed against within this report.</p> <p>The GLA have also questioned the amount of existing industrial floorspace. This has been confirmed to be 730sqm, which delivers an uplift and intensifies the industrial potential of the development.</p> <p>The GLA also confirms that the industrial space should be limited to classes E(g)(iii)/B2/B8, which has been recommended as a condition.</p> <p>The GLA has also requested a fill assessment of the Agent of Change principles, which will be provided within this report.</p> <p><b>Affordable Housing:</b> Noted. The GLA shall be advised that amendments to the scheme through the course of the application result in an uplift in the amount of affordable housing to 37.4% (by HR), which is a positive outcome.</p>

	<p><u>Fire Safety:</u> The scheme has been amended to include two staircases within the development. The scheme has subsequently been referred to the HSE, who raise no land use objections to the proposed scheme.</p> <p>All other matters will be addressed within this report.</p>
Historic England	No archaeological requirement
Heathrow Airport	No objection. Recommended Informative in relation to Construction Aviation Warning Lights
London Underground Safeguarding (TfL)	No objection, subject to condition
Health and Safety Executive (HSE)	Following a review of the information provided within the planning application, HSE is content with the fire safety design, to the extent that it affects land use planning.
Metropolitan Police	Development must achieve Secure by Design Accreditation prior to occupation
Ministry of Defence	Following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.
NHS North-West London	Requested a capital contribution toward local healthcare facilities
Network Rail	Network Rail have no objections in principle to the above application
National Highways	Given the scale of the development and car-free nature of the proposal, this level of anticipated traffic is not expected to have a material effect on the safety or operation of National Highways network. No objection.
London Borough of Hounslow	No objection
<b>Internal Consultation</b>	
Pollution-Technical (Noise)	<p>The ground and first floor appear to house plant rooms and plant items, commercial space and waste/ cycle storage. Plant is also proposed on the roof.</p> <p>Proposed room arrangements seem largely reasonable, except where bedrooms on several floors adjoin the communal staircase.</p> <p>An Environmental Noise Assessment report by IDOM ref. ENA-22486-22-335, dated OCTOBER 2022 provides details of noise measurements.</p> <p>Evacuation and firefighting lifts are proposed.</p> <p>Conditions and Informatives recommended.</p>

Pollution-Technical (Air Quality)	Conditions and financial obligations have been recommended.
Pollution-Technical (Contaminated Land)	<p>The Phase 1 Risk Assessment submitted with the application. A site investigation has been recommended.</p> <p>Based on the information and development proposal it is agreed an investigation to determine ground conditions under the site is required. Conditions have been recommended.</p>
Transport Services	Conditions and financial contributions have been recommended
Active Ealing	Recommend s106 contribution towards leisure facilities
Waste and Street services	No comment received
Education Services	Contribution toward the provision of local education infrastructure
Landscape Architect (Leisure and Parks)	<p>Offset contributions requested for open space, childrens play space and allotments.</p> <p>Condition requested for full details.</p>
Emergence Consultants (Energy)	<p>The Council is broadly supportive of the proposed energy strategy produced by HTA in November 2022 (v3) with Technical Note of 16/10/2023. The development is all electric with no gas infrastructure on-site.</p> <p>The strategy proposes a mid-temperature communal site-wide mid temperature (approx 60/40° flow/return) (air-to-water) Air Source Heat Pump distribution loop with (assumed) dwelling heat exchangers (HIU) feeding underfloor heating and/or panel radiators, and domestic hot water (DHW). Also proposed are two PV arrays on the roof with a combined capacity of (approx) 7.8 kW (5.4 kWp and 2.27 kWp).</p> <p>The Council confirms that there is no available “Clean” district heat network (DHN), however, the energy plant room will be futureproofed for connection to any future DHN by ensuring sufficient space is allocated for a valve and heat exchange.</p> <p>At the current design stage the overall site-wide CO<sub>2</sub> emissions will be cut by at least 60.40%, with 13.96% carbon reduction through “Lean” efficiency measures, and 46.44% through “Green” renewable energy.</p> <p>There is a shortfall of 884.1 tonnes CO<sub>2</sub> (over 30 years) in the zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £83,990.</p> <p>Contributions also requested for energy monitoring.</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:***

***Principle of Development***

The proposed development involves the demolition of the existing building on the site, with the construction of a mixed-use building, comprising both industrial and residential uses. A total of 51 homes are proposed, along with 943sqm of industrial floor space. The potential for the co-location of industrial and residential uses is predicated on the fact that there should not be a net loss of industrial floorspace as a result of the development. In this instance, the proposal results in an uplift in the amount of floor space by approximately 11%, with the existing building providing for approximately 730sqm of industrial floorspace.

The Agent of Change principle is engaged in such instances, whereby the industrial and related activities on surrounding sites are not compromised in terms of their continued efficient function, access, service arrangements and hours of operation. Such developments should also incorporate appropriate design mitigation to achieve the above, in matters relating to safety and security, access, design quality, public realm, visual impacts, vibration and noise and air quality.

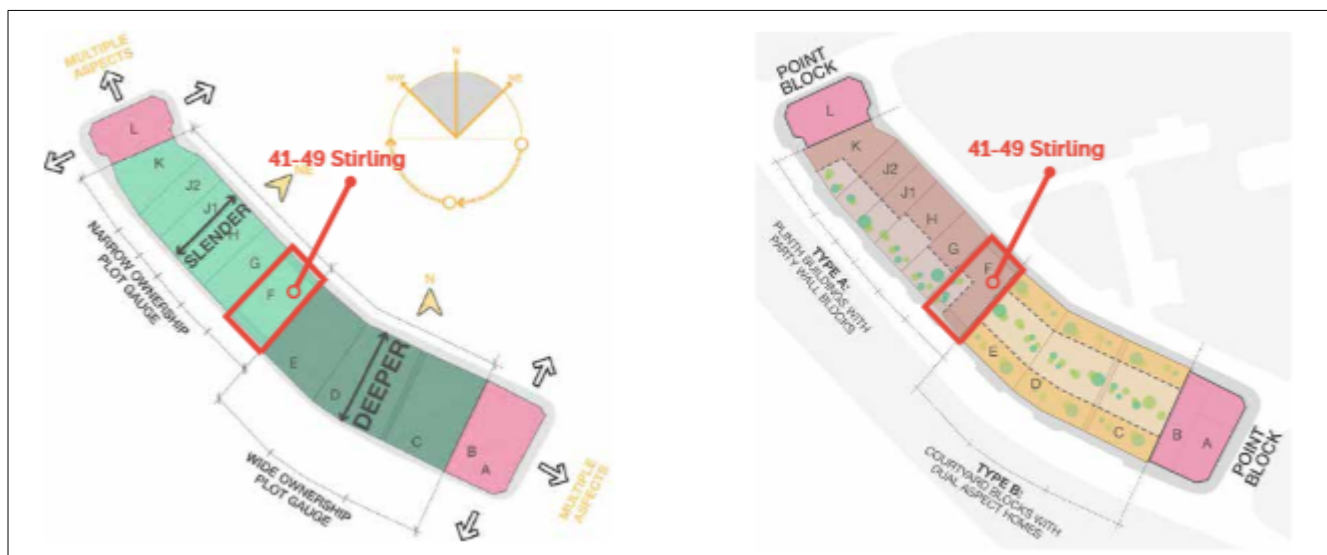
Policy E7 also states that this approach to development within LSIS locations should be delivered as part of a plan-led process. This is reiterated by Policy E6 of the Draft Ealing Local Plan (Reg19) which states that “mixed intensification may be suitable on LSIS in cases where a masterplan is agreed within Ealing”. This is further caveated by the following points:

- It extends to the full boundary of the LSIS.
- It meets objectively assessed industrial needs.
- It achieves a high quality of built environment and delivers any necessary supporting infrastructure, affordable housing and affordable workspace contributions.

It is considered that the Masterplan that has been developed accords with the above three principles.

Similar forms of mixed-use development have been consented within the local area on sites along Bollo Lane and Stirling Road, which have included 2-10 Roslin Road and 29-39 Stirling Road (192130FUL and 204553FUL), 1 Stirling Road/1-9 Colville Road And 67-81 Stirling Road (214611FUL and 232800FUL) and 3-15 Stirling Road (214991FUL).

These applications were considered within the context of a Framework Masterplan developed by Hawkins/Brown, which set out basic design parameters that guided development of this urban island area. This Framework Masterplan has been largely superseded by the South Acton LSIS Master Plan, however, it should be noted that the proposed development largely adheres to the parameters set by this previous masterplan. In the context of the image below, the application site is referred to as Plot F.



**Figure 5: Hawkins/Brown Framework Masterplan (Superseded)**

Since the approval of these applications, significant pressure on further development within the LSIS has occurred. In response, Council has developed a Masterplan for the South Acton Industrial Estate in line with Policy E7 of the London Plan and Policy E6 of the Ealing Draft Local Plan.

**South Acton LSIS Masterplan**

Ealing Council commissioned a masterplan, which was prepared by Haworth Tompkins, in collaboration with other development partners in April 2023. The overall aims of the Masterplan were to

- Provide a Framework for industrial-led development to create a successful place.
- Support the assessment of future planning applications within the LSIS.
- Protect and enhance diverse local industrial employment space.
- Give confidence to businesses, landowners and developers to make decisions.

The masterplan was also developed in consultation with the LBE project team, including colleagues from Council’s Planning Teams and Regeneration Teams, as well as many external stakeholders, including TFL, the GLA, local landowners and developers. Several stakeholder workshops were carried out in June, July, and September of 2023, with feedback provided and considered.

The Masterplan process began with establishing the baseline, including the site’s history, existing and emerging contexts, site character, streetscape, existing land uses and total floorspace, types of businesses, transport connections, access, parking, connectivity and public realm and green space. This has resulted in design guidance and an overall masterplan proposal.

A key element of the Masterplan is establishing the principle of where co-location of industrial and residential uses would be appropriate. A zoning option was considered as the most appropriate method of establishing where such mixed uses should be concentrated and where it is appropriate to restrict sites to

pure industrial uses. The preferred option is shown in the image below, with the sites appropriate for co-location shown in blue and those restricted to industrial uses in red.

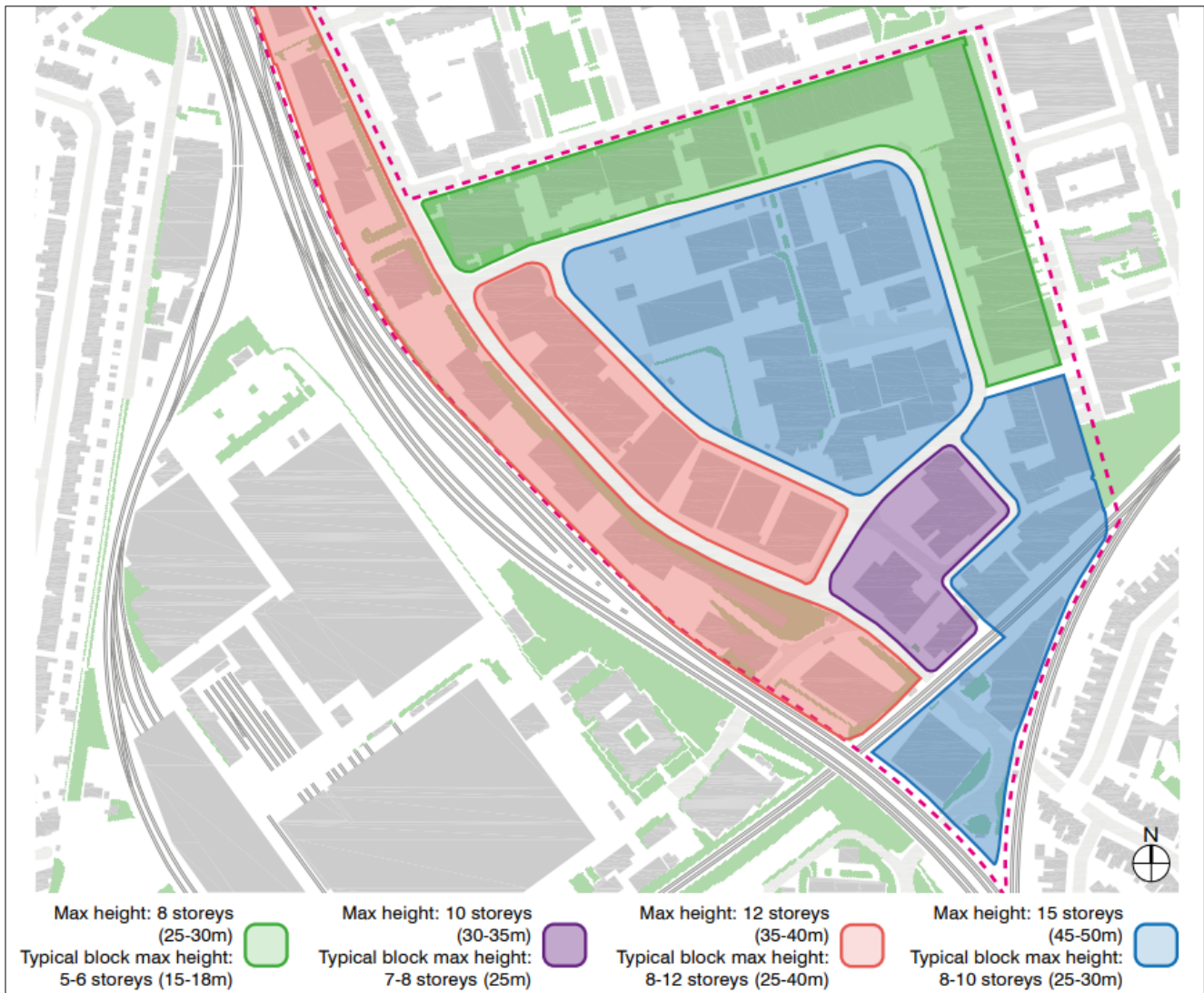


**Figure 6: Zoning Option for Co-Location (Blue), Solely industrial (Red) and Residential (Yellow)**

Some of the advantages of this option include the ability for the pure industrial and co-located areas to be clearly separated by road, better opportunities for placemaking on the east west route to South Acton Station and prevention of piecemeal co-located development by clearly defining the appropriate spaces for mixed-use development. The site falls within the co-location zone and is therefore in accordance with the principles of the Masterplan.

Height and density were also considerations given within the Masterplan. The determinations on height and density were given by establishing both the consented and emerging schemes within the local area, establishing principles through a Benchmarking exercise and consideration given to the distinct lack of green space that currently exists within the LSIS. Based off an assessment of green space requirements for the local area, a density target of 300 units/ha was considered appropriate. In this instance, the development would have a density of 531 units/ha, which exceeds this requirement, however, is broadly in line or less than other consented schemes within the area.

Building heights are also established for each part of the Masterplan area. This is shown within the image below:



**Figure 7: Building Heights**

The area shaded in red, to which the application site forms a part, has a maximum height of 12 storeys, with a typical block height of 8-12 storeys. It is noted that the maximum height of the building is to be 12 storeys, with the predominant building height being 11 storeys. It is accordingly considered that the proposed development would fall within the height parameters identified by the Masterplan. It must be noted that the development would still be considered to be a tall building and therefore this proposed development will be assessed against the London Plan policy with respect to tall buildings, as well as the emerging Ealing Local Plan (Reg19).

In terms of industrial intensification of the site, the development generally follows the co-location strategy of “Tabletop with Residential Above Industrial Principle”, which encourages greater internal floor to ceiling heights. This is achieved in this instance. It also should be noted that the existing premises to be demolished, currently occupied by 3D Eye Limited, is poor quality and there is an evident capacity to improve on the existing industrial use to provide spaces that are attractive to a wide variety of end-users. The existing building has a rating of 2/5 stars based on the CoStar Building Rating System. It has an existing capacity of 15 FTE employees.

Based off the same system, if the scheme were to be delivered as proposed, there would be the potential for 20-49 employees, dependent upon the type of occupier of the premises. This is in line with the Council Plan for 2022-2026 to “create good jobs”. The design of the industrial space would also allow for the subdivision of the space, where necessary, to accommodate a wider variety of occupants. The potential for the space to be used by a wider variety of occupants would generate greater economic activity for the local community. The space could also be taken over by a sole occupier, however an indication of how the space could be subdivided is demonstrated within the image below.



**Figure 8: Subdivision Potential of Proposed Industrial Space**

**Affordable Workspace**

Policy E3 of the Ealing Draft Local Plan, as well as Policy E3 of the Reg19 Draft Ealing Local Plan, encourages developers to make provision for affordable workspace within new developments. It notes that such space can have broader social or economic benefit to the Borough. The policy states that “Affordable workspace in Ealing will be provided on the basis of a level on development of...5% of net floor space in office and industrial schemes”. It continues to say that where an industrial space is required to provide less than 3,000sqm of affordable workspace, then “provision should be by means of off-site contributions”.

Calculating the net amount of industrial space, this would refer to the uplift in the amount of industrial floorspace. In this instance, this would equate to 190sqm. Applying the requirements of 5% as outlined within the policy, off-site contributions should be secured for approximately 10sqm of space. It is noted that this is a very insignificant amount.

However, in the interests of consistency and compliance with Draft Local Plan policy, a financial contribution towards off-site affordable workspace has been calculated using an established formula, which is detailed within the Heads of Terms.

**Agent of Change**

Proposals that co-located industrial uses with residential within designated industrial zones, such as SIL and LSIS are required to consider the Agent of Change principle, as required by Policy E7(D)(d) of the London Plan. The Agent of Change principle places the responsibility of mitigating the impact of

nuisances (including noise) from existing noise generating uses on proposed new development close by, thereby ensuring that residents and users of the new development are protected from nuisances, and existing uses are protected from nuisance complaints. As the proposal involves the implementation of residential uses into a predominantly industrial area, the responsibility falls on this more sensitive use to effectively mitigate any potential impacts that come along with typically industrial type uses.

Policy D13 of the London Plan states that development proposals should manage noise and other potential nuisances by:

- Ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area.
- Exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations.
- Separating new noise-sensitive development where possible from existing noise generating businesses and uses through distance, screening, internal layout, sound proofing, insulation and other acoustic design measures.

Accordingly, Council Officers first required the applicant to assess any existing potential nuisances to residential development, which has been carried out within the submitted Agent of Change report. Typical nuisances assessed include noise, but also vibration, dust, odour and lighting.

It is also noted that a number of other developments have been approved within this urban block, with some currently under construction. These other developments also undertook Agent of Change Assessments and given the proximity of these sites to the application site, it is expected that conclusions would be similar.

## **Noise**

Being located within an established industrial area (LSIS), it is reasonable to expect that there would be some noise impacts that would effectively need to be mitigated. This includes road traffic noise (Bollo Lane and Stirling Road), periodic railway noise from the nearby Piccadilly and District Lines, as well as commercial activities. However, the report notes that since the closure of the Acton Recycling Centre on Stirling Road, the surrounding acoustic environment has improved. This has been somewhat replaced by existing construction activities on neighbouring sites, however it is noted that this is temporary in nature.

Monitoring was undertaken in and around the application site to give accurate measurements of the existing conditions relating to noise. This is detailed within the applicant's Environmental Noise Assessment. This Assessment has been reviewed by Council's Pollution-Technical Officer, who has recommended conditions to ensure that the internal living environment of the residential uses would be acceptable. This will be outlined further within this report, as well as within the recommended conditions.

It is considered that the applicant has accurately outlined the existing acoustic environment, to ensure that the appropriate mitigation measures of sound insulation can be implemented.

**Vibration**

The main activities causing vibration is the passing traffic on Bollo Lane. This could be exacerbated by HGVs that come to and from the industrial area. As the report, however, notes, vehicular traffic on Bollo Lane is limited to 20mph, which reduces the level of vibration emanating from road-related activities. It should also be noted that residential uses commence at the second floor of the development, creating additional space between the sensitive uses and the source of vibration. This includes a setback from the carriageway of approximately 5 metres.

No significant impacts arising from vibration have accordingly been identified.

**Dust**

No significant dust generating uses exist around the application site. The situation has accordingly been improved by the closure of the Acton Recycling Centre in recent times. The application has also been reviewed by Council's Air Quality Officer, with an assessment provided in a later section of this report.

**Odour**

The applicant's engineer notes that "the surrounding land uses are not considered to present a potential risk of odour generation". The report concludes that there is "no discernible odours were noted in the vicinity during any of the site visits completed by IDOM".

Council Officers have visited the site on numerous occasions and also have not detected any discernible odour within or around the application site. Impacts are therefore unlikely to exist with relation to odour.

**Lighting**

Other than street lighting, there are no significant impacts identified in relation to lighting. Whilst there is a Council depot for the storage of refuse lorries near to the site, it is significantly distanced from the application site and appropriately screened by dense vegetation. The site did not appear to have any flood lighting or security lighting that could impact future residents. No lighting impacts have accordingly been identified.

***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).

### ***Local Character and Design***

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.

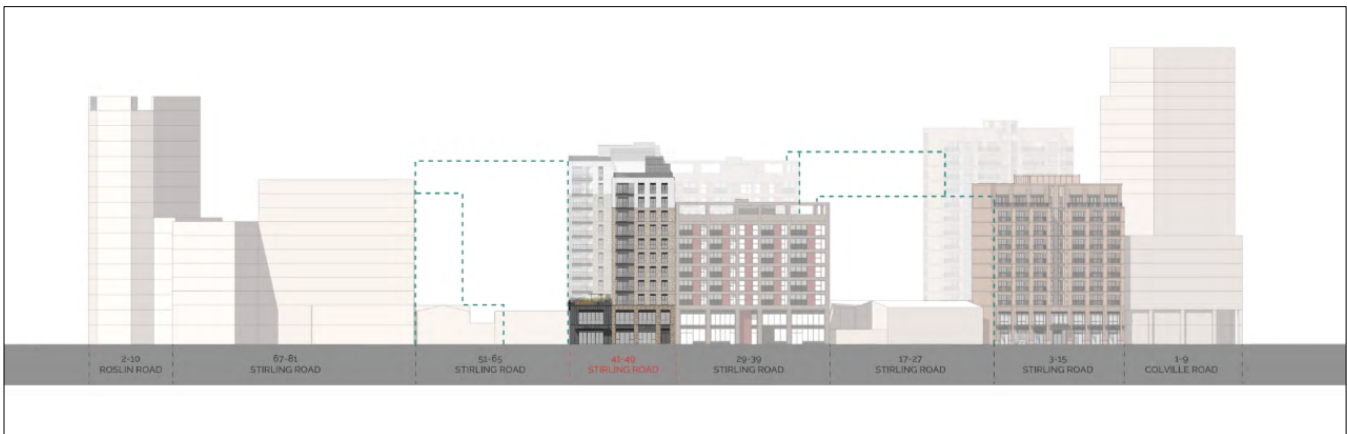
The NPPF demands that development shall achieve well designed spaces and encourages early engagement with Council’s to develop designs that respond positively to the local area to create “high quality, beautiful and sustainable buildings”. Similarly, Policy D4 of the London Plan states that developments 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 Reg19 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.



The applicant has engaged extensively in the pre-application process and also the overall design has been reviewed by the Council’s Design Review Panel and Community Review Panel. The comments provided by these Panels are summarised earlier in this report, with the Officer Response also provided. This process accordingly complies with the requirements of Policy D4(D) of the London Plan.

The existing site, whilst functional, is generally in a poor condition that makes no significant contribution to the character and appearance of the area and possesses little architectural merit. Whilst the site is setback from the highway on Stirling Road, the space created here results in the unorganised parking of vehicles, with it being observed on many occasions that many of the vehicles overhang onto the footpath, creating an unpleasant environment for pedestrians. On the Bollo Lane side of the application site, the existing building is devoid of any activity and the existing condition of the building includes corrugated metallic materials that are in a significantly poor condition, with rust, weathering and deterioration evident.



**Figure 9: Street Scene Elevation (Proposed Scheme with other Consented Schemes)**

The proposed development, on both frontages, takes its cue from the building currently under construction at 29-39 Stirling Road adjoining the site. The proposed developments together would create floor plates at both industrial levels that present a cohesive street frontage. Whilst the building steps back slightly on Bollo Lane from the established building line of 29-39 Stirling Road, this is due to the land registry title for the two plots not having a consistent frontage. Nevertheless, this creates some degree of visual articulation in the façade on Bollo Lane and also increases the width of the footpath in this location. The space between the footpath and the front building line of the proposed development appears to be land that is owned by Council. The actual front boundary of the site along Bollo Lane appears to be denoted by the existing building, with the vegetation and fence line not falling within the application site.

It should be noted that Council, on 14/07/2022, granted the right of access to the owners of 41-49 Stirling Road over Bollo Lane by way of entering into a formal Deed of Easement. A condition of this approval is that the owners of 41-49 Stirling Road “must maintain, in good condition, the strip of land between their property and the pavement on Bollo Lane and must not build on or use it to generate revenue”. This proposal would comply with this requirement.



**Figure 10: Proposed Bollo Lane frontage**



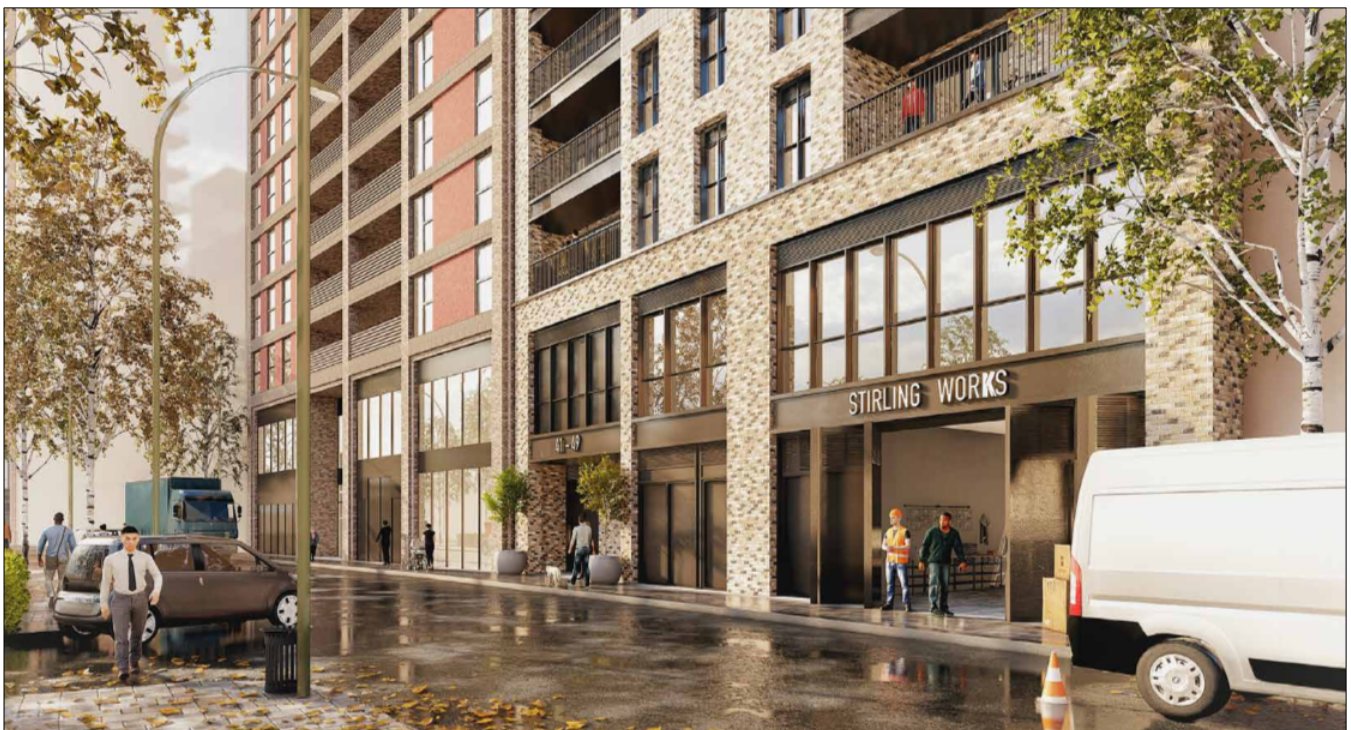
**Figure 11: Proposed Stirling Road frontage**

Whilst there are some design links to the neighbouring development, the proposed development maintains its own distinct individuality. The brick tones selected are primarily light and dark grey in colour which graduate with different textures within the façade. Banding is provided through soldier coursing as the development increases in height. The base, middle and top of the development, in line with the objectives of Policy D9, create variance in tone and texture that emphasise their respective roles within the façade, providing visual interest.

The base of the development provides for an expressed steel frame consisting of dark grey ironmongery which provides a contrast along the façade. The different materiality contained within the base of the provides both a reference to the industrial heritage of the site, whilst also subliminally differentiating both the residential and industrial uses of the building. This is repeated to a lesser extent on the Stirling Road frontage, whereby large opening doors, will potentially allow deliveries and servicing vehicles to enter into the site or to allow larger goods to enter and exit the site to awaiting vehicles in the proposed loading bay.



**Figure 12: Base of Bollo Lane frontage**



**Figure 13: Base of Stirling Road frontage**

Overall, the design of the building is well-considered that is in keeping with the emerging pattern of development within the area. The design and materiality of the building celebrates its industrial heritage in contemporary way and the establishing of active frontages that greet the street will provide a significantly enhanced pedestrian experience. The overall design of the building provides a good

amount of visual articulation and variation in its design that will result in a significant enhancement to the character and appearance of the surrounding area. The proposal is considered to accordingly comply with Policy D1 and D4 of the London Plan, Policies 7B and LV7.4 of the Ealing Development Management DPD and Policy DAA of the Draft Local Plan (Reg19).

### ***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 states that the site would be located within Zone A7, which defines a tall building at 8 storeys, however, the policy also notes that “tall buildings on designated industrial sites will be subject to agreed masterplans and based on local impacts and sensitivity”. As has been referred to within this report and as shown within Figures 6 and 7, the site has been identified by the South Acton Masterplan as an area of focus for co-location of residential and industrial uses.

Within the urban block bounded by Bollo Lane, Stirling Road, Roslin Road and Colville Road, the Masterplan states that heights up to 12 storeys may be acceptable. With the proposed development at 12 storeys, the proposal would fit within this general outlined parameter. The Masterplan recognises that there are already consented developments within this block between 10 and 20 storeys, however the limit of 12 storeys was appropriate for all remaining undeveloped parcels of land “to maintain a variety in the skyline”.

Whilst the site would have a visual impact by virtue of the proposed development being a tall building, it should be noted that the site would be framed to the north and south by buildings currently under constructed and those emerging that have been consented or have a resolution to grant. With the continued build-out of these developments on adjacent sites, many views of the development would be obscured north-south direction and only be present in an east-west direction.

In a local context, the views of the proposed development would be limited to in and around the public realm of Bollo Lane and from within the industrial estate itself. Images of the typical views of the site as shown within Figure 10 and 11 within this report. In considering the longer-range views of the proposed development, particularly designated heritage assets, this is provided within the section below.

### ***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”.

Whilst the site is not located within a Conservation Area, nor it is within the vicinity of any listed buildings, being a tall building, the development may be visible from longer-range designated heritage assets. Given the location of the application site, the only heritage assets that could be harmed by the proposal would include Gunnersbury Park and Cemetery, Acton Green Conservation Area, Chiswick Common (London Borough of Hounslow) and Kew Gardens. In all cases, the development would be of

a significant distance and limited height to result in any views adversely affecting designated heritage assets. In instances where the proposed development could be visible, this is predominantly screened by dense vegetation. This will be expressed within the images below.



Figure 14: View from Gunnersbury Cemetery



Figure 15: View from Acton Green Conservation Area



**Figure 16: View from Gunnersbury Park**



**Figure 17: View from Kew Gardens**

As demonstrated within the images above and in accordance with the NPPF tests, the proposed development would constitute 'less than substantial harm' to any designated heritage assets. In balancing this impact, the proposed development would have public benefits that would significantly outweigh any harm caused, including the full optimisation of the site, the delivery of affordable housing

provision and uplift in the amount of industrial space currently on the site. Impacts on heritage are accordingly considered to be acceptable.

**Housing Mix**

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.

Housing Type	No. of Homes
1-bedroom	7
2-bedroom	32
3-bedroom	12

**Table 1 – No. of Units by Size**

Council would typically class 2b4p homes and greater as those being able to accommodate families. The proposed development would deliver 29 of the total 51 homes as family housing, representing 56% of the proposed development. This would accordingly be good affordable housing provision for the Borough.

**Affordable Housing**

In relation to affordable housing, Council and London Plan objectives are to maximise the delivery of affordable housing, which is guided by Policy H4 of the Publication London Plan. Policy H5 sets a minimum threshold of 35%, which is calculated by habitable room. On sites that result in a net loss of industrial capacity, a higher threshold of 50% is identified, however this is not relevant in this instance. The Ealing Core Strategy sets a borough-wide strategic target of 50% affordable housing.

In addition to this, the Draft Ealing Local Plan (Reg19) states a minimum threshold of 40% for eligibility for the fast-track route with a desired tenure split of 70/30 in favour of affordable rent products to intermediate provision. Given the status of the current Draft Local Plan, this policy would not hold as much weight as the existing London Plan and Ealing Development Management DPD, which together require a minimum of 35% affordable housing calculated by Habitable Room and a tenure split of 60/40. The tables below illustrate the affordable housing offer.

Affordable Housing by Unit Number

Housing Type	Private Market	London Affordable Rent	Shared Ownership
1 bedroom	4	0	3
2 bedroom	25	1	6
3 bedroom	4	8	0
<b>Total Homes</b>	<b>33</b>	<b>9</b>	<b>9</b>
<b>Percentage</b>	64.8%	17.6%	17.6%
<b>Cumulative</b>	<b>64.8%</b>	<b>35.2%</b>	

Affordable Housing by Habitable Room

Housing Type	Private Market	London Affordable Rent	Shared Ownership
1b2p	8	0	6
2b3p	24	3	9

2b4p	51	0	9
3b5p	12	20	0
3b6p	4	12	0
<b>Total HRs</b>	<b>99</b>	<b>35</b>	<b>24</b>
Percentage	62.6%	22.2%	15.2%
<b>Cumulative</b>	<b>62.6%</b>	<b>37.4%</b>	

Tenure Split – Unit No. and HRs

Housing Tenure	No. of Homes	No. of HRs	% Homes	% HRs
London Affordable Rent	9	35	50%	59%
Shared Ownership	9	24	50%	41%
<b>Total</b>	<b>18</b>	<b>59</b>	<b>100%</b>	<b>100%</b>

Tenure Split – Floorspace

Housing Tenure	No. of Homes	Amount of Floorspace	% Floorspace
London Affordable Rent	9	808sqm	59.3%
Shared Ownership	9	555sqm	40.7%
<b>Total</b>	<b>18</b>	<b>1,363sqm</b>	<b>100%</b>

Accordingly, based on Habitable Room calculations, the scheme would deliver affordable housing at 37.4% which complies with the requirements for the fast-track route, as outlined by Policy H5 of the London Plan. The tenure split would be 59/41 in favour of Affordable Rent products. This is within a reasonable margin of error in relation to Council’s preferred target of 60/40, as outlined by Policy 3A of the Ealing Development Management DPD.

It is also worthy to note that the scheme would deliver a total of 8 x 3-bedroom homes within the London Affordable Rent tenure. This would therefore deliver a significant amount of accommodation to families in need of this affordable housing product.

**Quality of Residential Accommodation**

Policy D6 of the London Plan states that housing development should be of a high quality design and provide adequately sized rooms and floor spaces, in accordance with Table 3.1 of this policy. Residential accommodation should have comfortable and functional layouts, which are fit-for-purpose to meet the different needs of Londoners.

The table below provides an assessment of the proposed residential accommodation against the minimum standards of Policy D6.

Housing Typology	No. of Homes	Required	Proposed Range	Complies?
1b2p	7	50sqm	50sqm-53.3sqm	Yes
2b3p	12	61sqm	64.3sqm-71.7sqm	Yes



2b4p	20	70sqm	70.6sqm-71.9sqm	Yes
3b5p	6	86sqm	86.4sqm-88.8sqm	Yes
3b5p (Duplex)	2	93sqm	100sqm-106.6sqm	Yes
3b6p	3	95sqm	99.8sqm	Yes
3b6p (Duplex)	1	102sqm	119sqm	Yes

As per the above table, the proposed residential accommodation would provide good quality living conditions for future residents. All rooms would meet the space and dimension requirements of both Policy D6 of the London Plan as well as the Mayors Housing Design Standards LPG (June 2023).

The image below shows a typical floor layout within the proposed development.



**Figure 18: Typical Floor Plan (Floors 6-8)**

Given the relatively constrained nature of the site, it is acknowledged that there is some difficulty in providing a significant amount of dual-aspect flats within the scheme. The Mayors Housing Design Standards LPG (June 2023) outlines succinct definitions of what constitutes a dual aspect flat, which must meet strict criteria. Based off a full review of the submitted floor plans, in accordance with the requirements of the Mayor of London, the development would provide 13 of the 51 homes as dual aspect (25.5%). The remaining homes 38 homes would be single-aspect. However, some of these single-aspect homes would have an enhanced aspect, typically created by a sideways facing window into a balcony. Whilst not meeting the definition of a single-aspect flat, this would provide additional opportunities for natural daylight and ventilation. Those with the enhanced single-aspect would total 20 homes, or a total of 39.3%. Therefore, the dual-aspect homes with the enhanced single-aspect homes would total 64.8%.

Policy D6 of the London Plan states that single-aspect homes that are north facing should be avoided. To this effect, none of the proposed homes would be single-aspect, north facing. In reviewing the applicants Daylight and Sunlight Assessment, the proposal provides for good levels of daylight within each of the individual rooms, noting the site’s urban location, its constrained nature and the desire to

achieve a balance between overheating and daylight. Those homes that are single-aspect have been designed to be less deep than other flats to ensure the maximum distribution of daylight within living spaces. This is considered to be acceptable.

Policy 7D of the Ealing Development Management DPD seeks to ensure that all new homes are provided with adequate private amenity space. The rate at which private amenity space should be provided is 5sqm for a 1-2 person flat, with an additional 1sqm per additional occupant. All of the proposed homes would be provided with balcony space, which meets or exceeds the minimum requirements, as demonstrated within the table below.

<b>Housing Typology</b>	<b>No. of Homes</b>	<b>Required</b>	<b>Proposed Range</b>	<b>Complies?</b>
1b2p	7	5sqm	6.3sqm-7.9sqm	Yes
2b3p	12	6sqm	7.8sqm-10.8sqm	Yes
2b4p	20	7sqm	7.4sqm-7.8sqm	Yes
3b5p	6	8sqm	8sqm-14.1sqm	Yes
3b5p (Duplex)	2	8sqm	8sqm-14.8sqm	Yes
3b6p	3	9sqm	14.1sqm	Yes
3b6p (Duplex)	1	9sqm	12.6sqm	Yes

Policy D7 of the London Plan requires that at least 10% of all homes are to meet Building Regulation requirement M4(3) to be classed as ‘wheelchair accessible dwellings’ with all other homes to meet Building Regulation Requirement M4(2) to be classed as ‘accessible and adaptable dwellings. The submitted Schedule of Accommodation shows that there would be 6 x 2b3p flats within Private Market tenure and 6 x 2b3p flats within LAR tenure that would meet the requirements of M4(3) of Building Regulations. This represents a total of 12 homes or 23.5% of the total development. This is in excess of the minimum requirement. All other flats will need to meet the standards of M4(2), which will be secured by condition.

Council’s Pollution-Technical Officers have also reviewed the scheme and recommended appropriate conditions with relation to noise, air quality and contaminated land, to ensure that future residents would be provided with appropriate mitigation to not only ensure good quality living conditions, but also comply with the Agent of Change principles.

It is accordingly considered that all new residents would be provided with high quality homes and provide for good quality living conditions with the highest standard of amenity. The proposal would accordingly comply with the requirements of Policy D6 of the London Plan, Policy 7A and 7D of the Ealing Development Management DPD and the Mayors Housing Design Standards LPG (June 2023).

**Amenity Space**

Development proposals are required to make provision for private and communal open space, in accordance with Policy 7D of the Ealing Development Management DPD. In addition to this, development proposals should make provision for children’s play space, in accordance with Policy S4 of the London Plan. Furthermore, development proposals should provide for good quality landscaping and contribute toward improved urban greening of the space.

**Communal Open Space**

As detailed earlier within this report, each of the proposed homes would be provided with private amenity areas, typically in the form of balconies. Each of the proposed spaces would meet or exceed

the minimum standards of Policy 7D of the Ealing Development Management DPD, providing good quality living conditions for future residents.

It is also a requirement of Policy 7D that communal amenity spaces should also be provided. Collectively with the proposed private spaces, the total amenity provision within the development should equate to 15sqm per flat. As such, the minimum requirement would be 765sqm of amenity space.

The proposal would provide communal amenity space on the podium above the industrial space (3<sup>rd</sup> floor) and atop the roof space facing Bollo Lane (11<sup>th</sup> floor). The spaces proposed are considered to be high quality and accessible to all, which also includes children’s play space. However, play space is an additional requirement and not included within the amenity space calculation.

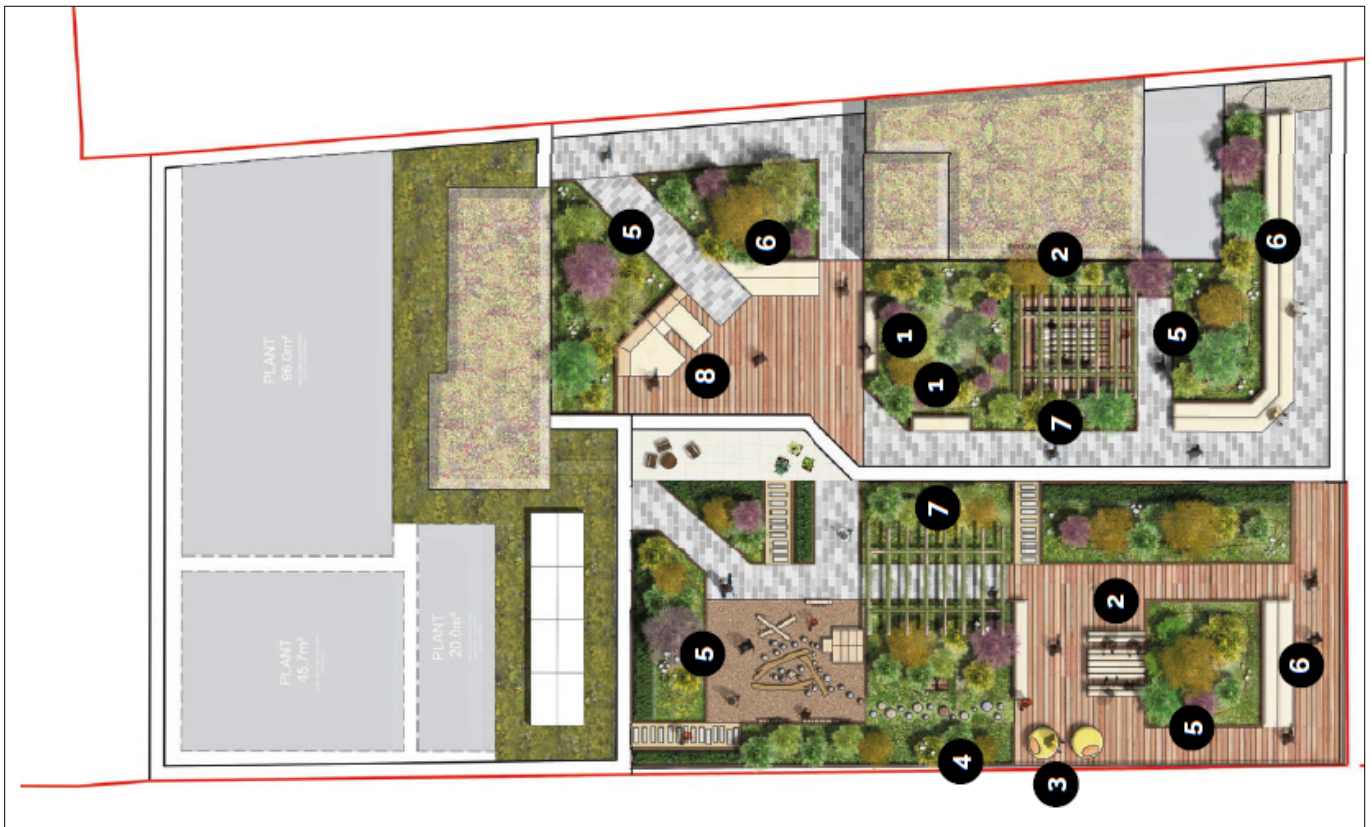
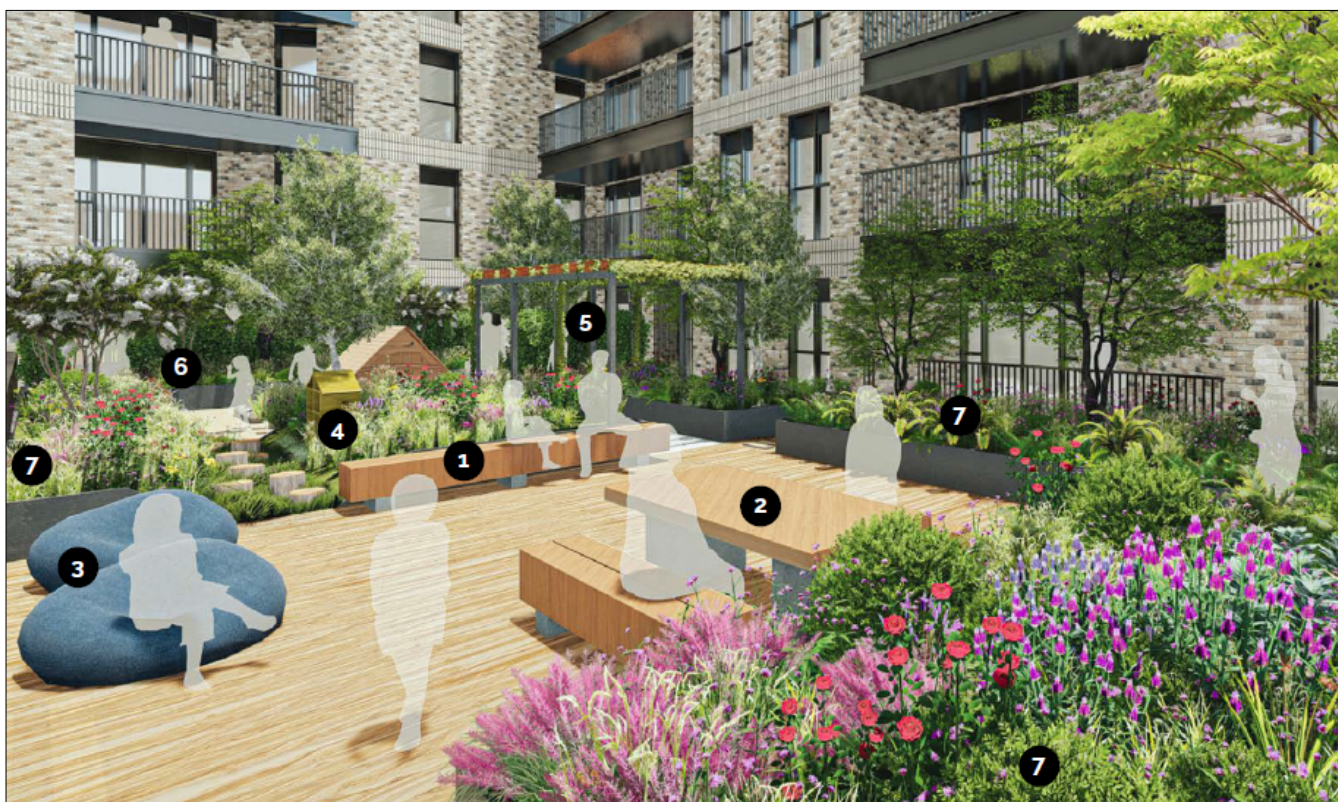


Figure 19: Communal Open Space (Image has been rotated)

The second floor would provide for 97sqm (not inclusive of play space) of communal amenity space and the eleventh floor would provide 247sqm of communal amenity space, providing a total of 344sqm. Together, with the private amenity spaces, this would still result in a shortfall, however, the Head of Terms detail within this report provide for a financial contribution for this to be provided off-site. As detailed within the South Acton LSIS Masterplan, the financial contribution could be used for the future delivery of off-site provision for improved accessibility to open space within the local area.



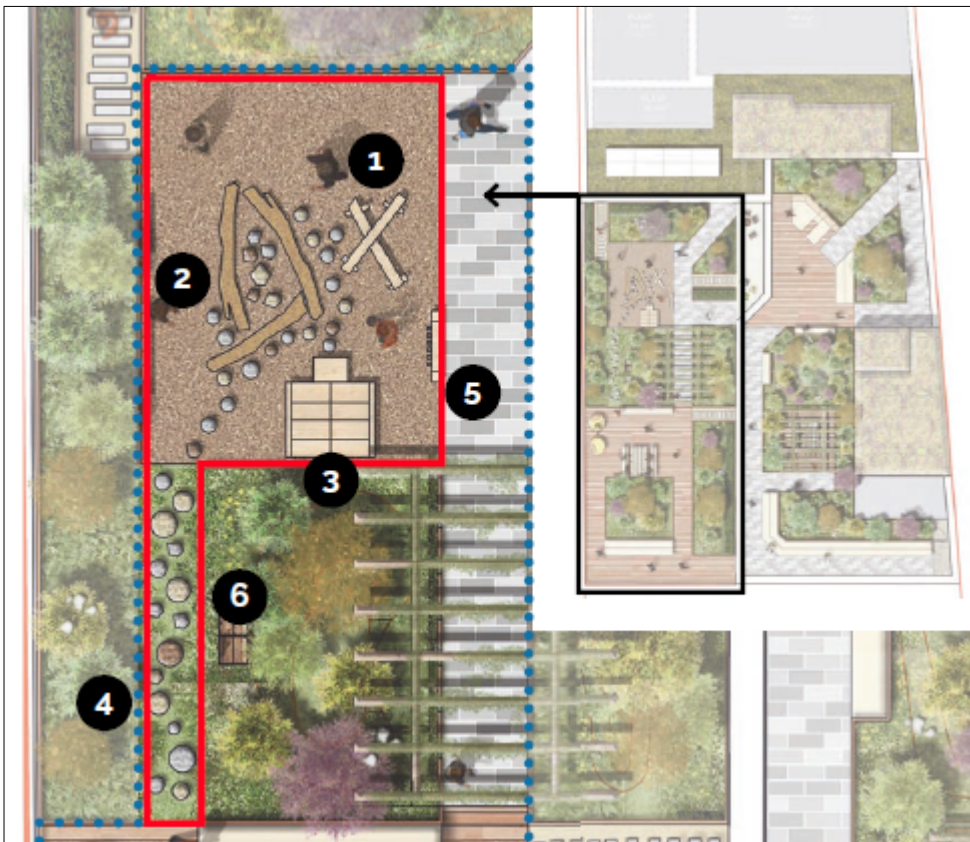
**Figure 20 : Second Floor Podium Visualisation**

Despite the shortfall, the proposal would deliver a mix of good quality amenity spaces, with dense tree planting that would also provide defensible space for flats that will face onto the second floor amenity space. The layout of the spaces would provide for different types of users, with pergolas, timber seating, raised planters, deck chairs and picnic tables providing for good quality space for future users and encourage social interaction amongst residents. Different types of planting, as well as insect hotels will encourage biodiversity.

**Children’s Play Space**

Children’s play space is required to be provided at a rate of 10sqm per child, with the projected child yield based on an established population yield calculated produced by the GLA. Based on this, the scheme would deliver a child yield of 23 children, requiring a minimum space of 230sqm. The age split would equate to 13 children within 0-4 years and 10 children within 5-11 years.

On-site play space would be provided in the form of balance beams, natural play, a timber play hut, stepping stones and sensory play installations. This is shown indicatively in the image below as the exact details of play space will be required to be submitted by condition.



**Figure 21: Play Space Proposal**

At the second-floor podium area, a total of 25sqm of formal play space and 110sqm of informal play space would be provided, totalling 135sqm of play space. The play space proposed would be designed for the 0-4 age category, and financial contributions within the Heads of Terms have been recommended for the off-site provision of play space for 5–11-year-olds. This is an acceptable outcome in this instance as Policy S4 of the London Plan states that play facilities for older children (such as the 5-11 age group) can be provided through off-site provision, where existing open space and play facilities are within “400m of the development and be accessible via a safe route from children’s homes”.

In this instance, the site is within adequate walking distance of West Park and Bollo Brook Park to cater for older age groups. These existing parks feature table tennis tables, an adventure playground, as well as a MUGA which can adequately cater for this age group. The financial contributions sought could be used toward increasing opportunities for play closer to the site, as identified within the South Acton LSIS Masterplan.

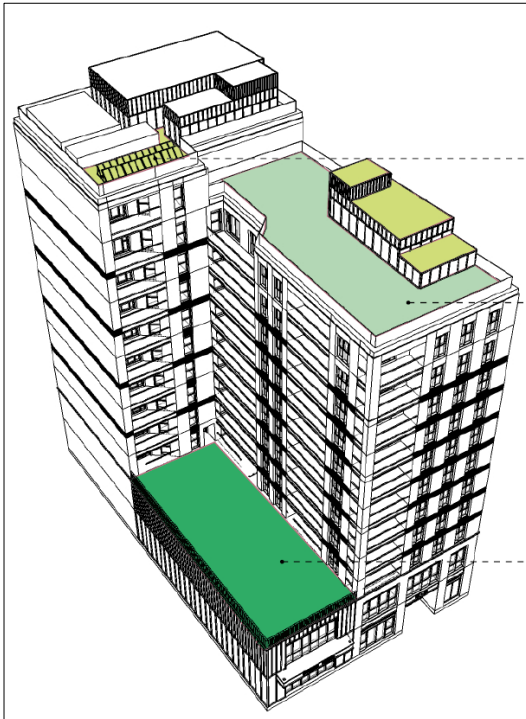
Overall, the total children’s play space, whilst representing a shortfall, would be an acceptable outcome for this site, particularly given its constrained nature and would comply with the objectives of Policy S4 of the London Plan.

**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, and by incorporating measures such as high-quality landscaping, green roofs, green walls and nature based sustainable drainage”.

The existing site and its surrounds are generally devoid of any significant green spaces or landscaping and accordingly the proposal will result in a significant improvement on the existing situation.

As shown within the image below, the application site maximises the opportunities for urban greening within the space available to it. This includes the use of green roofs, intensive planting within the proposed amenity areas and opportunities for habitat.



**Figure 22: Spatial Layout of Landscaping**

Policy G5 of the London Plan also states that in relation to the Urban Greening Factor, “the Mayor recommends a target score of 0.4 for developments that are predominately residential”. The measures taken within the proposed scheme to maximise the level of urban greening delivers a UGF of 0.42, which exceeds the minimum requirement and is a good outcome for the site.

***Impacts on Neighbouring Properties***

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. Council Officers acknowledge the impact on the industrial premises at 51-55 Stirling Road, which was raised as an issue during the consultation period, however, this has been addressed within the Consultation section of this report.

The only property that is likely to be impacted by the proposed development is the development at 29-39 Stirling Road. Whilst this proposal is currently under construction with no existing residents, it is important to consider the impact that the proposal will have on this adjoining development within the future.

The proposed development would create a wall along the central podium area of 29-39 Stirling Road. Whilst the proposal will inevitably have an impact, it should be noted that this form of development was always envisaged as part of the Hawkins/Brown Masterplan, as has been detailed earlier within this

report. The applicant was requested to provide imagery of how the visual impact of the proposed development would be experienced by users of this central podium area, which is shown in the image below.



**Figure 23: View from Central Courtyard of 29-39 Stirling Road**

It is noted that the flank elevation of the proposed development includes a number of windows, however it should be noted that these windows are to the communal corridors of the proposed development and not into or out of any habitable spaces.

**Daylight**

A relevant concern is the impact that the proposed development would have on daylight and sunlight to both the central podium and the homes proposed within this adjoining scheme that would be close to the flank wall of the proposed development. As such, the Daylight and Sunlight report has been scrutinised by Council Officers to determine the overall impact.

In measuring the daylight to adjoining residential premises, Vertical Sky Component (VSC) is the most relevant test. This test quantifies the amount of available daylight received at a particular window and measured on the outer pane of the window. BRE Guidance recommends that the VSC of a window is 27%, or at least 0.8 times its former value. When a room or window does not comply with this requirement, this would effectively mean that the impact would be ‘noticeable’ but not necessarily ‘detrimental’. It should be noted that BRE Guidance is purely advisory and non-compliance does not inherently mean that a proposed development would be unacceptable.

The report, by a suitably qualified professional, also notes that a VSC in an urban location, such as that proposed, of 18% is common. The results of the analysis show that 77% of the analysed rooms meet the strictest criteria of 27% and are accordingly acceptable. A further 6% of the rooms meet the 18% criteria. The greatest impact, naturally are those rooms closest to the flank elevation of the proposed development. Many of the rooms tested only result in a minor non-compliance with BRE Guidance. In any case, the proposal is broadly consistent with similar forms of development on other sites and is acceptable in this instance.

## **Sunlight**

Based on BRE Guidance from 2022, the main requirement for sunlight in housing is in living rooms, whereas in bedrooms and kitchens sunlight is viewed as less important. For interiors, access to sunlight can be quantified. BS EN 17037[1] recommends that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1 February and 21 March with cloudless conditions. It is suggested that 21 March (equinox) be used. For dwellings, at least one habitable room, preferably a main living room, should meet at least the minimum criterion.

In accordance with the BRE guide, only windows facing within 90 degrees of due south need to be assessed. In this instance, a total of 54 rooms were assessed. Similar to the VSC test, BRE Guidance states that an APSH (Annual Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours) of at least 0.8 times its former value is considered to be adequate.

On this basis, the results of the test show that on an annual basis, the number of rooms that are fully compliant with BRE Guidance is 46, equating to 85%. In winter months, the rooms that meet BRE Guidance is 51, equating to 94%. This is a very good outcome for an urban location and comparatively to other schemes.

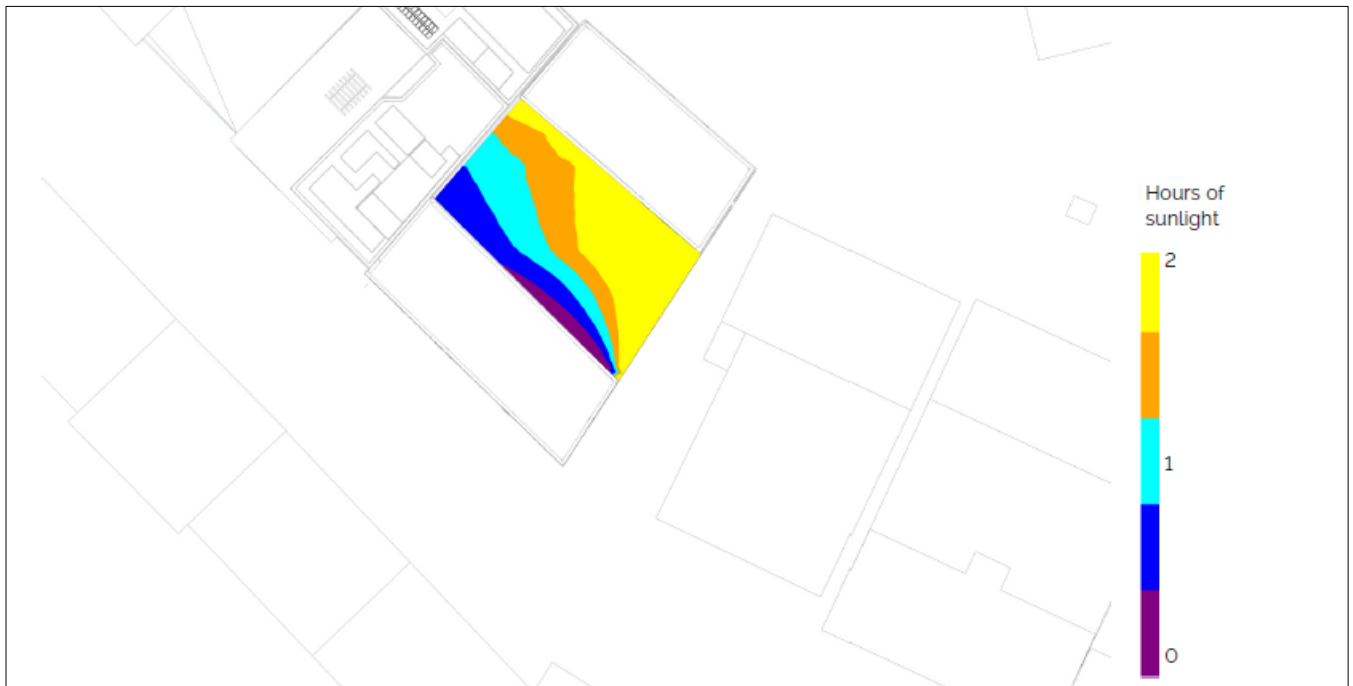
There are 8 rooms achieving annual APSH values below the recommendations. These are located on the lower floor of the property. Given the different massing proposed in front of these windows, it is inevitable that lower sunlight values are achieved in this location.

## **Overshadowing**

In relation to the impact on overshadowing, the main concern is the central podium to 29-39 Stirling Road, which is an area that will provide open space and amenity to future residents of this adjoining development. However, given the fact that the proposed development is located to the north-west of no. 29-39, it is expected that any impact on sunlight to this amenity space, as a result of the proposed development, would be minimal.

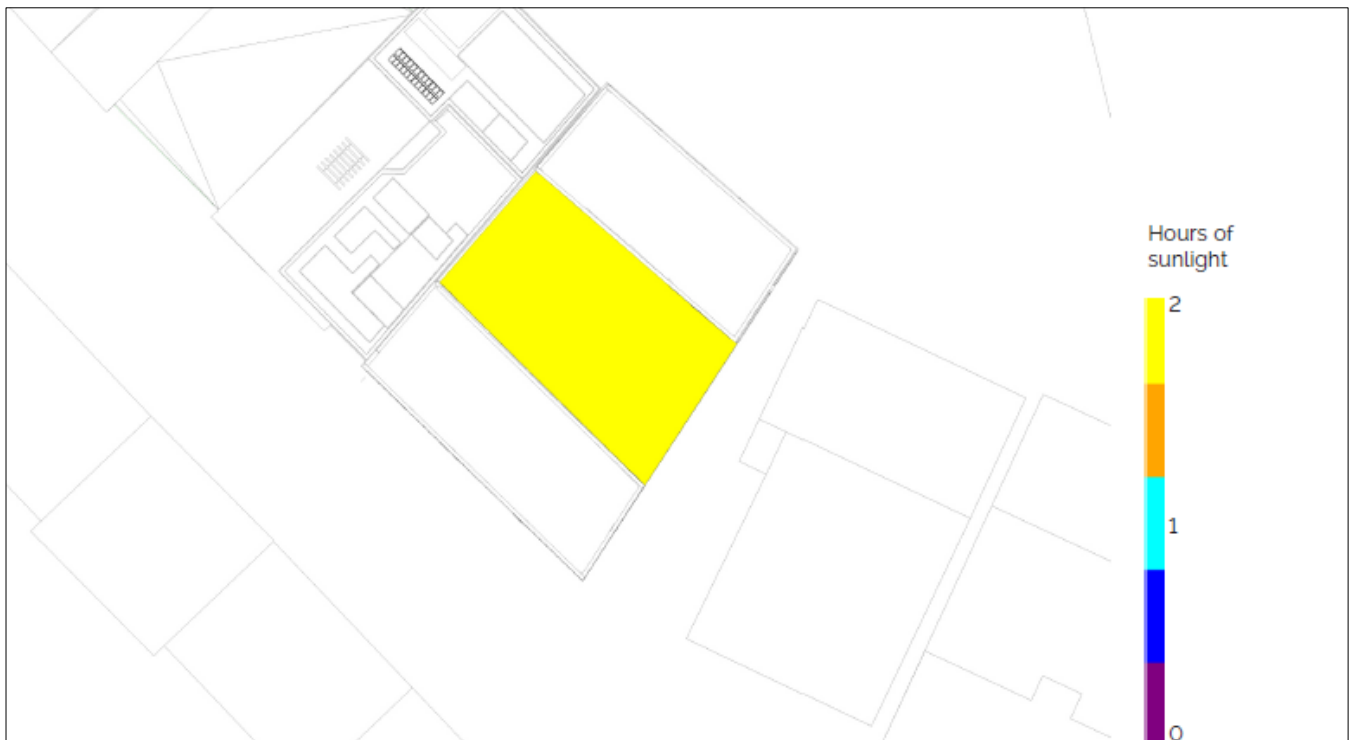
BRE Guide recommends that for a garden or amenity to appear adequately sunlit throughout the year, at least half of it should receive at least two hours of sunlight on 21 March (Spring Equinox). Where this does not comply, a proposal is considered acceptable where it is 0.8 times its former value. On 21 March, 41.79% of the podium space would receive 2 hours of direct sunlight. Whilst this is below the 50% requirement, this is the exact same condition as existing and therefore the proposal results in no reduction in sunlight, based on BRE Guidance, and is therefore acceptable.





**Figure 24 : Sunlight on the Ground – 21 March**

On 21 June, the longest day of the year, 100% of the podium area would receive at least 2 hours of direct sunlight. The proposed development therefore has no impact and the amenity space on the adjoining site would retain good quality living conditions as shown in the image below.



**Figure 25 : Sunlight on the Ground – 21 June**

***Transport Considerations***

Policy T6.1 of the London Plan states that car-free development should be the starting point for all development proposals that are (or are planned to be) well-connected to public transport. In this instance, the site is located within a PTAL of 4, which suggests a moderate to high level of public transport accessibility. This includes frequent bus services along Bollo Lane, as well as the site being in close proximity to Acton Town Station (Piccadilly and District Lines) as well as South Acton Station (Overground or the newly named "Mildmay Line") as well as potential future access to the West London Orbital. The proposed development, aside from disabled parking, would represent a car-free scheme, which would be wholly acceptable in this instance.

Policy T6.1 of the London Plan also notes that disabled persons parking should be provided at a rate of 3% of dwellings from the outset and demonstrate how an additional 7% could be delivered should the need arise. The proposal would require a total of 5 spaces, with 2 spaces to be provided from the outset, with it to be demonstrated how an additional 3 spaces could be accommodated. In this instance, 4 spaces would be provided from the outset. This falls short by 1 of the overall maximum requirement, but it should be noted that other schemes within the street are also delivering on-street disabled parking and there will likely be spill-over between different developments. In this instance, given the number of proposed disabled parking spaces that will be coming forward, particularly on Stirling Road, the overall provision is acceptable to avoid an oversaturation of disabled parking spaces at the expense of all other users.

In order for the proposed industrial space to be successful for occupants falling within the Use Classes of E(g)(iii)/B2 and B8, it is considered necessary for there to be appropriate provision for loading and servicing areas. Along with other developments within the street. The applicant's indicative plans for loading and servicing are shown on the below plan, with indicative plans showing loading bays on both Stirling Road and Bollo Lane. The loading bay on Stirling Road would be consolidated with that of the loading bay of 29-39 Stirling Road, adjacent to the proposed development. The acceptability of this proposal will be subject to further detailed design through a recommended s278 agreement for works to the highway to establish the acceptability of this proposal. However, the proposed provision would be acceptable in principle for providing good access to the industrial spaces proposed. These loading areas would have a dual function of providing access for both the residential and industrial spaces within the proposed development.



**Figure 26: Loading Bay and Blue Badge Parking Spaces – Indicative Plans**

Policy T5 of the London Plan seeks to ensure that new developments are provided with the required amount of cycle parking provision, to encourage a modal shift to more sustainable forms of transportation. The table below, outlines an assessment of the requirements.

Use	Rate	Requirement
Residential – Long Stay	1 space per studio 1.5 spaces for 1b2p dwelling 2 spaces for all other dwellings	99 spaces
Residential – Short Stay	5-40 dwellings = 2 spaces Thereafter 1 space per 40 dwellings	2 spaces
Industrial – Long Stay	1 space per 500sqm	2 spaces
Industrial – Short Stay	1 space per 1000sqm	1 space

The proposal would provide cycle parking for residents at first floor level within two separate storage areas being 54.9sqm and 84.2sqm. Collectively the proposal would provide for 99 bicycles and 7 cargo bicycles, exceeding the minimum requirement. A condition has been recommended, requiring that the proposed cycle parking provision complies with the London Cycle Design Standards. Each of the cycle storage areas would be provided with an adequately sized lift to allow residents and bicycles to reach ground floor level.

A total of four x cycle parking spaces are provided for both the short and long stay requirements for the industrial use, this exceeds the minimum 3 spaces requirement. For the short stay residential provision, two spaces would be provided on the footpath on Bollo Lane, close to the residential entrance, meeting the minimum requirement. The total cycle parking provision would be acceptable.

Overall, the proposal raises no concerns with relation to transport and the proposed development is considered acceptable on these grounds.

***Refuse and Recycling Storage***

Based on Council's Waste Management Guidelines, the formula used for the capacity requirements for refuse and recycling storage states that the necessary capacity would be 12,230L. There would be two separate refuse storage areas with each having access to either Bollo Lane or Stirling Road. The total capacity provided would be 13 x 1,110L euro-bins (14,300L). This exceeds the minimum requirement and is acceptable. Both spaces would be accessible to the individual loading bays on both roads, for ease of collection. This is considered to be acceptable.

***Energy/Sustainability***

The Council's Energy Consultant is broadly supportive of the proposed energy strategy produced by HTA in November 2022 (v3) with Technical Note of 16/10/2023. The development is all electric with no gas infrastructure on-site.

The strategy proposes a mid-temperature communal site-wide mid temperature (approx 60/40° flow/return) (air-to-water) Air Source Heat Pump distribution loop with (assumed) dwelling heat exchangers (HIU) feeding underfloor heating and/or panel radiators, and domestic hot water (DHW). Also proposed are two PV arrays on the roof with a combined capacity of (approx) 7.8 kW (5.4 kWp and 2.27 kWp).

The Council confirms that there is no available "Clean" district heat network (DHN), however, the energy plant room will be futureproofed for connection to any future DHN by ensuring sufficient space is allocated for a valve and heat exchange.

The Strategy has been assessed against Part L 2021 using SAP10.2 emission factors and follows the London Plan policy SI2/SI3 "Lean, Clean, Green, Seen" energy hierarchy.

The predicted Energy Use Intensity (EUI) is 26.74 kWh/m<sup>2</sup>/p/a for the residential element, and 100.5 kWh/m<sup>2</sup>/p/a for the non-residential space.

An Overheating Analysis report with proposed mitigation measures has been submitted. The analysis assumes full mechanical ventilation and heat recovery (MVHR). It is compliant with Part O (TM59/Guide A) and TM52 (non-domestic buildings) and follows the TM49 methodology of modelling against the DSY1 average summer year (2020) weather data files, as well as the more intense (but non-mandatory) DSY2 (2003) and DSY3 (1976) data files.

All rooms (and corridors) comply with the mandatory DSY1 modelling for criteria (a) and (b). XX of the rooms failed DSY2 and DSY3 but the proposed mitigation measures in the assessment will help to minimise overheating risk. The commercial space is compliant with Guide A.

At the current design stage the overall site-wide CO<sub>2</sub> emissions will be cut by at least 60.40%, with 13.96% carbon reduction through "Lean" efficiency measures, and 46.44% through "Green" renewable energy.

There is a shortfall of 884.1 tonnes CO<sub>2</sub> (over 30 years) in the zero-carbon that will be mitigated through an "offset" S106 payment at £95 per tonne to the Council of £83,990.

If after one year of in-situ monitoring the renewable energy systems do not deliver, within a reasonable margin of error, the carbon reductions predicted in the Energy Strategy then the Developer may need to pay an additional Carbon Offset contribution to mitigate some or all of the shortfall.

The WLC strategy produced by HTA in October 2022 (v2) confirms that the development has the potential to be compliant with the GLA Benchmark targets. Modules A1-A5 should achieve 791 KgCO<sub>2</sub>e/m<sup>2</sup>, and B1-C4 (excluding B6/B7) 358 KgCO<sub>2</sub>e/m<sup>2</sup>, with a total carbon emissions baseline scenario (over 60 years) of 1,052 KgCO<sub>2</sub>e/m<sup>2</sup> (including module D and sequestration benefits). The Circular Economy statement produced by HTA in November 2022 (v2) confirms that the development 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.

***Environmental Health***

**Noise**

As outlined within the Agent of Change section of this report, the existing acoustic environment has been robustly assessed by the applicant through monitoring. The results of this acoustic assessment will be used as a basis to determine the appropriate level of sound insulation of the external building fabric, to ensure that the internal living conditions meet relevant British Standards.

Council's Pollution-Technical Officer has reviewed the Environmental Noise Assessment and Agent of Change Assessment and is satisfied with the conclusions of this report. Accordingly, the officer has recommended an appropriate condition to secure the details of the external building fabric prior to commencement of the superstructure.

Other conditions have also been recommended for internal sound insulation between the industrial and residential uses, as well as between communal spaces and residential properties and between individual residential homes.

**Air Quality**

The Council's Air Quality Officer has reviewed the submitted scheme and recommended a number of conditions to ensure that the proposal would not have a negative impact on air quality. A ventilation strategy has also been recommended to ensure that all future residents would have access to a fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter.

A financial contribution has also been requested to mitigate and monitor local air quality. An Air Quality and Dust Management Plan for the demolition and construction phases of the development has also been recommended.

**Contaminated Land**

Council's Contaminated Land Officer has reviewed the submitted Phase 1 Risk Assessment, which notes that a site investigation has been recommended. The Officer agrees within this recommendation.

Conditions relating to a site investigation, remediation scheme and verification report have been recommended.

***Crime Prevention***

London Plan Policy D11 states that Boroughs should work with their local Metropolitan Police Service 'Design Out Crime' officers and planning teams to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime.

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.

***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](mailto:cilcollections@ealing.gov.uk).

***Conclusion***

The application site in its current form is dilapidated and does not make a significant contribution to the quality of the public realm or the local character or visual amenity of the area. Whilst the existing building is somewhat functional in its existing form, the proposal would result in an uplift of industrial capacity in a more modern premises that will ensure that the development would contribute positively toward to the economic regeneration of Ealing and deliver good quality jobs for local residents.

The proposed development is consistent with the principles established by the South Acton LSIS Masterplan. This includes being within an identified co-location zone, that is consistent with other neighbouring developments that are either approved or under construction. The heights proposed within the scheme (11 to 12 storeys) would be consistent with the maximum heights outlined of 12 storeys. The applicant will make proportionate financial contributions towards delivery of public realm improvements that have been identified within the Masterplan.

The scheme delivers good quality homes in a desirable location, somewhat equidistant to two significant public transport nodes, that offer rail services on three separate lines. The site is also along a relatively frequent bus route, and with the provision of cycle parking and the lack of car parking, the scheme would positively contribute to a modal shift to more sustainable forms of transportation across the Borough.

The design of the development is considered to be high quality, with variation and articulation, both in its form and materiality, offering improved engagement with the street and providing active frontages to Bollo Lane and Striling Road. The height, bulk and massing of the proposed development are considered to be appropriate to their local context, as well as in short-, medium- and long-range views.

All of the homes would meet the relevant space standards of both the London Plan and local policy, providing for good internal and external living spaces that would provide good quality living conditions. Residents would have access to good quality communal spaces with integrated landscaping, open space and children's play areas. Good amounts of affordable housing would be integrated into the scheme.

Overall, it is considered that the scheme complies with all relevant local, regional and national planning policy and it is recommended that the application be approved, subject to Stage II GLA referral, conditions and s106 and s278 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***

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.

**APPENDIX A**

**Conditions/Reasons:**

**COMPLIANCE**

1. **Statutory Timeframes**

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

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

2. **Approved Plans and Documents**

The development hereby approved shall be carried out in accordance with drawing title numbers:

AP00 rev B (Ground Floor Plan); AP01 rev B (First Floor Plan); AP02 rev B (Second Floor Plan); AP03 rev B (Third-Fifth Floor Plan); AP06 rev B (Sixth-Eighth Floor Plan); AP09 rev B (Ninth Floor Plan); AP10 rev B (Tenth Floor Plan); AP11 rev B (Eleventh Floor Plan); APRF rev B (Roof Plan); 0252 rev A (Eastern Boundary Elevation); 0253 rev A (Bollo Lane Elevation); 0260 rev A (Proposed Section West-East); 0261 rev A (Proposed Section North-South); 0254 rev A (Bollo Lane and Stirling Road Elevations); 0250 rev A (Western Boundary Elevation); 0251 rev A (Stirling Road Elevation); DVP-SRE-200-0900 rev B (Illustrative Landscape Plan); DVP-SRE-200-2900 rev B (General Arrangement Plan); DVP-SRE-200-2901 rev B (Levels Strategy Plan); DVP-SRE-200-2902 rev B (Planting Strategy Plan);

Revised Affordable Housing Statement (Newsteer, July 2023); Agent of Change Assessment (IDOM, October 2022); Air Quality Assessment (IDOM, October 2022); Revised Circular Economy Statement (HTA, June 2023); Revised Daylight, Sunlight and Overshadowing Assessment (HTA, June 2023); Design and Access Statement (HTA, October 2022) with Addendum (HTA, June 2023); Drainage Strategy (IDOM, October 2022); Economic and Industrial Assessment (Iceni Projects, November 2022); Energy and Sustainability Assessment (HTA, November 2022); Environmental Noise Assessment (IDOM, October 2022); Framework Travel Plan (RPS, November 2022); Geo-Technical and Geo-Environmental Desk Study (IDOM, October 2022); Healthy Streets Transport Assessment (RPS, October 2022) with Addendum (RPS, July 2023); Revised London Plan Fire Statement (BB7, June 2023); Outline Construction Logistics Plan (RPS, October 2022); Outline Delivery Servicing Plan (RPS, November 2022); Revised Planning Gateway One Fire Statement (BB7, June 2023); Planning Statement (Newsteer, October 2022); Statement of Community Involvement (HTA Design, undated); Verified Views Document (AVR London, November 2022); Whole Life Carbon Assessment (HTA, October 2022); Revised Schedule of Accommodation (HTA, ref: DVP-SRE-200)

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



3. **Restriction of Commercial/Industrial Uses**

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 as amended, or any future amendments, the industrial workspace at ground floor within both buildings hereby permitted shall be used only for purposes within Use Class E(g)(iii)/B2/B8 of the Town & Country Planning (Use Classes) Order 1987 as amended, and for no other purpose, without the prior written permission of the local planning authority. The industrial workspace must be completed in full prior to the occupation of the proposed residential flats. For the first floor of the commercial space, more flexible Class E(g)/B2 and B8 uses only are permissible, as is ancillary space associated with industrial uses at ground floor level.

Reason: To safeguard the industrial uses on the site in accordance with Policy 1.2(b) of the Ealing Development (Core) Strategy 2012 and Policy E7 of the London Plan (2021)

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. **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.

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 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.

6. **Refuse Storage**

Each of the refuse and recycling storage facilities hereby approved for the residential and industrial 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).

**7. No masts/satellite dishes or external equipment**

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

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

**8. Opening of Doors**

Doors to all buildings should be fixed to ensure that they do not open onto the public highway, except for doors for the purposes of fire escape and access to electricity stores.

Reason: To protect pedestrian safety in accordance with policies T1, T3 and T4 and of the London Plan 2021.

**9. Passenger Lifts - Operation**

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), Policy D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

**10. Anti-Vibration Isolators**

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 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

**11. 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 (2023).

**12. External Lighting**

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

Reason: 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.

**PRIOR TO COMMENCEMENT**

**13. 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 "41-49 Stirling Road" dated October 2022. The AQDMP will provide a scheme for air pollution mitigation measures based on the findings of the Air quality report.

The plan shall include:

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

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 S11 of the London Plan(2021); and National Planning Policy Framework (2023).

**14. 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 considerate complaints procedure,
- Public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works, in case of emergencies, enquiries or complaints.

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 D6, D14 and T7 of the London Plan and Policy 7A of the Ealing Development Management DPD.

**15. 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.

**16. Thames Water - 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.

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

**17. London Underground – Detailed Design and Method Statement**

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- a) prior to commencement of each phase of the development, provide details of foundations, groundworks, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent)
- b) provide details on the use of tall plant - e.g. tower crane and piling rig as they pose a potential risk to LU. The applicant will need to satisfy LU that there is no over sail and risk of collapse is mitigated
- c) provide details on the use of scaffolding - There is also the potential risk from any scaffold if erected. The applicant is requested to provide details of any temporary works design to satisfy LU that correct industry standards and guidance have been adhered to

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

**18. Contaminated Land – Site Investigation**

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within the approved desk study phase 1 report - IDOM DS-22486-22-335 Nov 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.

**19. Contaminated Land – Remediation Scheme**

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

**20. Contaminated Land – Verification Report**

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

**21. Details of Materials**

Prior to the commencement of the superstructure, 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 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 (2023).

**22. Whole Life-Cycle Carbon Assessment**

- a) Prior to the Commencement of Construction (excluding demolition, site clearance, site investigation and site remediation) 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](mailto:ZeroCarbonPlanning@london.gov.uk). The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.
- c) The Development shall implement the potential measures identified in the WLC Assessment prepared by HTA in October 2022 (v2). Modules A1-A5 should aim to achieve 791 KgCO<sub>2</sub>e/m<sup>2</sup>, and B1-C4 (excluding B6/B7) 358 KgCO<sub>2</sub>e/m<sup>2</sup>, with a total carbon emissions baseline scenario (over 60 years) of 1,052 KgCO<sub>2</sub>e/m<sup>2</sup> (including sequestration and 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.

**23. Sound Insulation – Building Envelope**

- a) Prior to commencement of the superstructure, 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) 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 where required to confirm compliance with the noise criteria and details, including any mitigation measures, be submitted for the Council's approval before the premises are occupied.

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

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

**24. Noise – Plant and Equipment**

Prior to the commencement of the superstructure, details shall be submitted to the Local Planning Authority for approval in writing, of plant/ machinery/ equipment/ducting/air in- and outlets/ mechanical installations and their external rating noise level, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the

development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014 +A1 2019, with all plant/equipment operating together at maximum capacity. Where required, a post installation sound assessment shall be submitted to the Local Planning Authority for approval in writing. The assessment shall be carried out to confirm compliance with the noise criteria and shall include additional steps to mitigate noise as necessary.

Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

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

**25. Sound Insulation – Separation of Uses**

Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of at least 10/15/20dB as necessary above the Building Regulations value for residential use, of the floor/ceiling/walls separating the commercial/communal areas and plant rooms/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 Policy 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

**26. Sound Insulation - Noise Sensitive Rooms in Neighbouring Flats**

The sound insulation of the floor/ceiling /wall structures separating different types of rooms/uses, eg. kitchen/living/dining/ bathroom adjoining/above/below bedroom of separate dwelling, should be enhanced by at least 5dB above the recommended Building Regulations values. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

**27. 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 7A of the Ealing Development Management DPD and Policy D14 of the London Plan.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

**28. Air Quality – Ventilation Strategy**

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).

**29. Digital Connectivity**

Prior to commencement of the superstructure, 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).

**PRIOR TO OCCUPATION**

**30. 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 HTA in November 2022 (v2) 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).

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

- 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 CO<sub>2</sub> emissions of at least 60.40% (equating to 45 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2021 and using SAP10.2 conversion factors. These CO<sub>2</sub> savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by HTA in November 2022 (v3) with Technical Note of 16/10/2023 including:
  - i. Lean, energy efficiency design measures to achieve an annual reduction of at least 12.11% equating to at least 7.80 tonnes in regulated carbon dioxide (CO<sub>2</sub>) emissions over BR Part L 2021 for the residential development, and at least 25.74%, equating to at least 2.6 tonnes, over Part L 2021 for the non-residential space.
  - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 7.8 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 46.44%, equating to 34.6 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2021.
  - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the heat pump system(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 loop schematics, the exact number of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the renewable energy installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.
- c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) The development shall incorporate the overheating mitigation measures detailed in the dynamic Overheating Analysis by HTA in November 2022 (as part of the Energy Strategy v3). Any later stage version shall be compliant with CIBSE guidance Part O (TM59/Guide A), 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 will be 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 figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) and/or the Display Energy Certificate(s) (DEC's) 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.

**32. 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 CO<sub>2</sub> Condition(s).
- b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency 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.

**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. Deliveries and Servicing Plan**

A Delivery and Servicing Plan (DSP) for the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The DSP should clearly identify how the on-street loading bay will be managed to ensure that, as far as possible, that space is continually available for deliveries. No deliveries or servicing shall occur within the proposed disabled bays or on Bollo Lane.

The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on adjoining uses and highway safety and the free flow of traffic in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012 and policy T3 and T4 of the London Plan (2021).

**35. Site-Wide Waste Management Plan**

Prior to the first occupation of the hereby approved development, details of the refuse and recycling storage for both buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number and capacity of bins, the location of storage and the materials for the store. The approved storage shall be brought into use prior to the first use of the hereby approved development and shall be permanently retained thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policy SI 8 of the London Plan (2021).

**36. Travel Plan**

A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for the residential and industrial uses of the development. 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.

**37. 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
- 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).

**38. Diesel Generators**

Prior to their operation, details on all new installed diesel generators demonstrating compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) must 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 ensure LA 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.

**ONGOING CONDITIONS**

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

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

- a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being 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.

**Informatives**

1. The decision to grant planning permission has been taken having regard to the policies and proposals in National Planning Policy Guidance (2023), 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

14 Meeting the challenge of climate change, flooding and coastal change

London Plan (2021)

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D5 Inclusive design

D6 Housing quality and standards

D8 Public realm

D9 Tall buildings

D10 Basement development

D11 Safety, security and resilience to emergency

D14 Noise

E4 Land for industry, logistics and services to support London's economic function

E5 Strategic Industrial Locations (SIL)

E6 Locally Significant Industrial Sites

E7 Industrial intensification, co-location and substitution

HC1 Heritage conservation and growth

HC3 Strategic and Local Views

HC6 Supporting the night-time economy

S4 Play and informal recreation

G5 Urban greening

G6 Biodiversity and access to nature

G7 Trees and woodlands

SD6 Town centres and high street

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

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking

T6.4 Hotel and leisure uses parking

T7 Deliveries, servicing and construction

T8 Aviation

T9 Funding transport infrastructure through planning

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)

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 7C : Heritage

Policy 7D : Open space

Draft Ealing Local Plan (Reg19) (2024)

Policy DAA: Design and Amenity

Policy D9: Tall Buildings

Policy HOU: Affordable Housing

Policy E3: Affordable Workspace

Policy E4: Land for Industry, Logistics and Services to Support London's Economic Function

Policy E6: Locally Significant Industrial Sites

Policy G4: Open Space

Policy G5: Urban Greening

Policy OEP: Operational Energy Performance

Policy WLC: Whole Life Cycle Carbon Approach

Policy SI7: Reducing Waste and Supporting the Circular Economy

Policy FLP: Funding the Local Plan



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
<b>Total <math>L_{Aeq,1hr}</math> for spectrum 16 – 8K Hz</b>	<b>67</b>	<b>64</b>

5. Land contamination:

- a) Reference should be made at all stages to appropriate current guidance and codes of practice; this would include:
  - i. Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
  - ii. Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
  - iii. LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
  - iv. BS10175:2011 Investigation of potentially contaminated sites – Code of Practice
  - v. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
  - vi. Verification of Remediation of Land Contamination’, Report: SC030114/R1, Environment Agency, 2010
  - vii. Planning Policy Statement 23: Planning and Pollution Control;
  - viii. PPS23 Annex 2: Development on Land Affected By Contamination;
  - ix. Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008
- Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
- All raw data should be provided in a form that can be easily audited and assessed by the Council (e.g. trial pit logs and complete laboratory analysis reports)

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

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

9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. 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](http://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. 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.

#### 13. Dark smoke and nuisance

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

#### 14. 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.

15. 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.

16. 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.

17. Street Numbers

The applicant is advised that the Council is the street naming and numbering authority, and you will need to apply for addresses. This can be done by contacting the Street Naming and Numbering officer, prior to construction commencing. You will need to complete the relevant application form and supply supporting documentation e.g. site layout and floor plans so that official street naming and numbering can be allocated as appropriate. If no application is received the council has the authority to allocate an address. This also applies to replacement buildings and dwellings. Full details of how to apply along with guidance can be found [Street naming and numbering | Street naming and numbering | Ealing Council](#)

18. 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 .

This page is intentionally left blank