

Public Document Pack



Notice of Meeting:

Planning Committee

Meeting Location:

The Atrium, ground floor, Perceval House,
14-16 Uxbridge Road W5 2HL

Date and Time:

Wednesday, 24 April 2024 at 7.00 pm

Contact for Enquiries:

Email: democraticservices@ealing.gov.uk

Telephone: 020 8825 6302

Chief Executive:

Tony Clements

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

Committee Membership: Councillors

R Wall (Chair), K Sahota, S Khan, P Driscoll, T Mahmood, A Kelly, A Raza, M Hamidi, S Padda, G Shaw, C Summers, G Busuttil and A Young

AGENDA

1 Apologies for Absence and Substitutions

To note any apologies for absence and substitutions.

2 Urgent Matters

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

3 Declarations of Interest

To note any declarations of interest made by members.

4 Matters to be Considered in Private

To determine whether items contain information that is exempt from disclosure by virtue of Part1 of Schedule 12A of the Local Government Act 1972.

5 Minutes

(Pages 5 - 12)

To approve as a correct record the minutes of the meeting held on 28 February 2024.

6 Site Visit Attendance

To share site visit details and note site visit attendance.

7 Planning application - 233551FUL - 42 Hastings Road and 50-54, Drayton Green Road, West Ealing W13 8QH (Hanwell Broadway)

(Pages 13 - 100)

8 Planning application - 240012FUL - 99-113 Broadway, West Ealing, London, W13 9YP (Walpole)

(Pages 101 - 176)

9 Date of the Next Meeting

The next meeting will be held on 5th June 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.

Published: Tuesday, 16 April 2024

Minutes of the meeting of the Planning Committee

Date: Wednesday, 28 February 2024

Venue: The Atrium - Perceval House

Attendees (in person): Councillors

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

Apologies:

R Wall (Chair), S Khan, S Kohli and S Padda

Also present:

J Robertson, J Holland, A Jackson, A Luff

1 Apologies for Absence and Substitutions

Apologies were received from Councillor S Khan, Councillor S Kohli and Councillor S Padda.

Councillor P Anand attended as a substitute.

2 Urgent Matters

There were none.

3 Declarations of Interest

There were none.

4 Matters to be Considered in Private

There were none.

5 Minutes

That the minutes of the meeting held on Wednesday 13 December 2023 and Wednesday 24 January 2024 were agreed as a true and correct record.

6 Site Visit Attendance

The site visit was attended by the chair, Councillor A Raza, Councillor Y Gordon, Councillor G Shaw, Councillor J Iqbal and Councillor J Ball.

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

John Robertson, Planning officer, presented the planning application for the Land opposite Ravenswood Court on Stanley Road, Acton. He outlined the proposal, which involved the demolition of existing structures and the construction of a mixed-use development with varying storey heights (ranging from ground plus part 9 to part 16). The development included industrial space on the ground, first, and second floors, 140 residential units, rooftop amenity space, plant facilities, landscaping, access, car and cycle parking, and other associated works.

Mr Robertson highlighted that the recommendation to grant planning permission was contingent on a Stage 2 referral to the Mayor of London and the successful completion of a legal agreement under sections 106 and 278 of the relevant planning acts. The site was part of a Locally Significant Industrial Site, and the proposed project aimed to replace 77 sqm of existing light industrial space with modern facilities, resulting in a net gain of 717 sqm.

Despite exceeding the 15-storey height limit, Mr Robertson noted that the development aligned with London Policy E7 and Policy E6 of the Reg19 Draft Ealing Local Plan, contributing to industrial capacity and fulfilling public benefits. These benefits included a net gain in industrial floorspace, creation of local jobs, improved access and servicing, public realm enhancements, tree planting, and the provision of 42 affordable flats.

While facing substantial objections from local residents and groups, Mr Robertson emphasised that the project underwent significant revisions in response to pre-application and post-application negotiations with relevant authorities. Changes include a reduction in building height, a decrease in the number of flats, adjustments to the housing mix, and alterations to the scheme from Build to Rent to conventional market sale/affordable units.

Acknowledging the conflict with Ealing and London Plan policies regarding tall buildings, Mr Robertson argued that the development adheres to key design criteria, aligning with the South Acton LSIS Masterplan initiated by the Council. He asserted that the proposal conforms to the principles of both Policy E7 of the London Plan and Policy E6 of the Reg 19 Draft Ealing Local Plan.

The visual impact appraisal indicated that the proposed development would have a moderate and beneficial effect on views, contributing to the changing townscape of South Acton. The Heritage Assessment found no harmful effect on nearby heritage assets, and the impact on neighbouring properties was deemed acceptable. The proposed mix of unit sizes, tenure, and amenities

met standards, with 42 affordable flats and communal spaces.

Despite falling below, the London Plan target for Urban Greening Factor, the proposal was deemed acceptable due to site constraints. The applicant addressed concerns about overshadowing and wind effects on adjoining allotments, providing information indicating sufficient sunlight for horticulture. Transport-related concerns were addressed through a Section 106 agreement, including financial contributions for highway improvements. Pollution and Technical Services raised no objections, with appropriate conditions applied to address noise and air quality concerns. The proposed energy strategy, endorsed by the Council's Energy Adviser, aligns with sustainability requirements.

In conclusion, Mr Robertson confirmed that the benefits of the proposed development, such as increased housing stock, modern industrial space, affordable units, and contributions to infrastructure, outweigh its limited deficiencies. He recommended conditional approval, subject to legal agreements under sections 106 and 278.

In response to questions from the committee Mr Robertson confirmed that the full height of the development was ground plus 16 stories. Members of the committee had concerns with the development being over the recommended height and daylight. However, the committee commented that the application that developers had made great progress. However, the committee was pleased with the good public engagement, improvements to pedestrian access, greenery, affordability, and safety implications.

RESOLVED:

That for the reasons set out in the committee report, planning permission for application **REF 195284FUL** be **GRANTED** subject to:

1. Stage II referral to the Mayor of London
2. The satisfactory completion of a legal agreement under section 106 of the Town
3. Country Planning Act 1990 (as amended) and section 278 of the Highways Act 1980

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

Joel Holland, Planning officer, introduced the proposal for the construction of a stepped building reaching up to 18 storeys. The building would comprise flexible industrial space (Class Eg (iii)/B2/B8), a café (Class E), and 124 residential units. The development included various amenities such as off-street servicing areas, blue badge parking, refuse facilities, cycle storage, plant rooms, landscaping, and amenity space, along with associated works. The recommendation to grant planning permission was contingent on the satisfactory completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 (as amended).

The application seeks full planning permission, involving the demolition of the

existing industrial building and the construction of a mixed-use building with varying storey heights. The ground, first, and part second storeys would house industrial space, providing a cumulative floor space of 2,159 sqm—an increase from the existing 1,750 sqm. The upper levels would accommodate 124 residential units.

Situated in a relatively isolated part of the South Acton Locally Significant Industrial Site (LSIS), the proposed development aligns with the co-location principles outlined in Policy E7 of the London Plan. While exceeding recommended height limits, the scheme offers significant benefits, including improvements to Greenock Road, a new one-way system, increased footpath widths, street trees, lighting, and more defined loading and parking areas. The proposal also contributed additional open space beyond the Masterplan requirements.

The Agent of Change principle has been considered, and with recommended conditions, it was deemed that industrial and residential use can coexist without compromising LSIS's continued operation and viability.

The proposed residential units adhere to various planning policies, ensuring good quality living conditions, compliant floor spaces, adequate access to daylight and sunlight, and measured addressing noise and air quality concerns. The Affordable Housing offer meets policy requirements, with a 60/40 tenure split in Favour of London Affordable Rent over Shared Ownership.

The design of the development was praised for its high quality, incorporating strong articulation, variation, and architectural references to South Acton's industrial heritage. Tall Buildings and Heritage policies have been considered, with the site deemed appropriate for a tall building, causing 'less than substantial harm' to heritage assets within long-range views.

Concerns raised during the consultation regarding impacts on neighbouring properties and allotment gardens have been addressed through a thorough Technical Assessment, concluding that impacts were generally acceptable.

The development promoted a car-free approach, offers sufficient cycle parking, and encouraged a modal shift towards sustainable transportation. Although the site's current accessibility conditions were noted as poor, the proposed adoption of Greenock Road and contributions to public realm improvements aim to enhance safety and accessibility for future residents. The Council's Energy Consultant supports the scheme, anticipating a significant reduction in site-wide CO2 emissions through "Lean" efficiency measured "Green" renewable energy.

The proposed development aligns with the Council's priorities, vision, and strategy by delivering more modern and flexible industrial capacity and providing good quality homes with an attractive affordable housing offer. The well-designed scheme contributed positively to the overall goals outlined in the Council Plan.

Simon Harrison, an objector to the development, made a representation to

the

Committee which included the following key points:

- that the height of the development was too high
- that the development would change the character of the street, and
- that the development would cause financial damage to residents living on the street

Simon Toplis, on behalf of the applicant, spoke in favour of the application.

The representation made the following key points:

- that the development offers affordable housing
- that the development was carefully considered by officers which deemed it to be acceptable, and
- that natural light in the allotments with daylight guidance.

Joel Holland commented that the potential maximum height was 15 stories and the report acknowledged that the development was 3 extra stories too high.

In response to questions from the committee, Mr Holland confirmed that the amenities spaces will be usable for children's formal place, the café was in proposal description so will be used as café or food space and that the noise impact will come through in the noise assessment provided. He also confirmed that marginal as three stories, that the larger podium was 18 stories with the short stories being then 15 and 12 stories high. Mr Holland confirmed that this instance was a one-off case that will allow the height of the building.

Members of the committee had concerns with the height of the building and what affect that will have on the street and the lack of space or children. However, members of the committee were happy with the design and believed the building to be good promotion for affordable housing.

RESOLVED:

That for the reasons set out in the committee report, planning permission for application **REF 231285FUL** be **GRANTED** subject to:

1. Stage II referral to the Mayor of London,
2. The satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended)

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

Joel Holland, presented the planning application for the property at 41-49 Stirling Road, Acton, W3 8DJ. The proposed development entails the demolition of existing structures and the construction of a mixed-use development featuring the following components:

- 943 sqm of industrial floorspace (an 11% increase compared to the existing)
- 51 new residential dwellings
- A building height of 12 storeys
- Communal amenity and children's play spaces on rooftop areas
- Ancillary refuse and cycling storage.

The committee was recommended to grant planning permission, subject to a Stage 2 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 to secure the outlined items.

This application, seeking full planning permission, involved the demolition of the existing industrial building and the erection of a mixed-use building with a maximum height of 12 storeys. The ground and first floor levels will house industrial space spanning 943 sqm. From the second floor and above, a total of 51 homes were proposed, offering a diverse mix of housing types. The scheme aligns with the co-location principles established by Policy E7 of the London Plan, contributing to an 11% increase in industrial space, meeting the needs of E(g)(iii)/B2 and B8 use classes.

While previous schemes adhered to a superseded Hawkins/Brown Masterplan, the current proposal aligns with the recently ratified South Acton Locally Significant Industrial Site (LSIS) Masterplan initiated by the Council. The Agent of Change principle has been considered, and with recommended conditions, it was believed that industrial and residential use can coexist without compromising the viability of LSIS.

The proposed residential units adhere to various planning policies, ensuring good quality living conditions, compliant floor spaces, adequate access to daylight and sunlight, and measures addressing noise and air quality concerns. The Affordable Housing offer meets policy requirements, with a total provision of 37.4% by Habitable Room (35.2% by unit) and a tenure split favouring London Affordable Rent over Shared Ownership.

The design of the development was of high quality, contributing positively to the local character. It included variations and articulations to activate frontages on Bollo Lane and Stirling Road, enhancing safety and visual interest. Transport and Highways considerations include a car-free scheme, cycle parking, and proximity to public transport nodes. Footpath improvements and on-street servicing will be secured through a s278 agreement.

The Council's Energy Consultant supports the proposed Energy Strategy, anticipating a significant reduction in site-wide CO2 emissions. Carbon offset and energy monitoring contributions have been secured. In summary, the proposed development aligns with the Council's priorities, vision, and strategy, delivering more industrial capacity in a modern and flexible housing offer. Approval was recommended, subject to a Stage II

referral to the Mayor of London and the completion of s106 and s278 agreements.

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

- that there were concerns with the development increasing the rent of local trading estates
- that there were concerns with the architecture of the building and
- that the current developments feel overbearing

Harry de Lotbiniere, on behalf of the applicant, spoke in favour of the application.

The representation made the following key points:

- that the development was designed to follow neighbouring developments
- that the development was at a high quality, and
- that the development enhanced commercial spaces

In response to questions from the committee, Mr Holland confirmed that the development being close to residential properties meant that building needs to be appropriate. Development will be subject to environmental control, if there were any concerns from residents, the council could step in. Mr Holland also commented that Residential refuse will continue with regular hours and that sound insulation should address any noise pollution concern.

Members of the committee commented that there was concern of traffic in the area, however, the focus on film and TV was welcomed, it was well designed, and that there were positive views on the green space.

RESOLVED:

That for the reasons set out in the committee report, planning permission for application **REF 224830FUL** be **GRANTED** subject to:

1. Stage II referral to the Mayor of London
2. The satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended)
3. Section 278 of the Highways Act 1980

10 Date of the Next Meeting

The next meeting will be held on 24 April 2024.

Meeting commenced: 7.00 pm

Meeting finished: 8.29 pm

Signed:

Dated: Wednesday, 24 April 2024

**ITEM 1- 42 Hastings Road And 50-54 Drayton Green Road
West Ealing
W13 8QH**



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Ref:	233551FUL
Address:	42 Hastings Road and 50-54, Drayton Green Road, West Ealing W13 8QH
Ward:	Hanwell Broadway
Proposal:	Demolition of existing buildings and erection of a mixed-use development comprising purpose-built managed student accommodation (sui generis) and commercial space (Class E), with parking and servicing, landscaping and associated works
Drawing Numbers/ Plans/Reports:	See Appendix
Type of Application:	Full Application
Application Received:	30/08/23
Amended:	16/11/23 & 14/03/24

Report by: Gregory Gray

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

Executive Summary:

The application site forms a substantial part of the EAL11 (and Regulation 19 Local Plan 16EA) DPD Site Allocation intended to deliver a mixed-use development appropriate to this Metropolitan town centre location. As such future residential and town centre uses would also need to be appropriate to the notation. The proposed purpose-built student accommodation (PBSA) and commercial uses on this part of the Allocation are acceptable in principle in compliance with Policy and in helping to meet wider national and development Plan objectives.

In the current DM DPD, the application site is not allocated for a 'tall building' (i.e. in excess of 6 storeys) as defined by London Plan Policy D9A. Further, it has not been identified in an adopted Plan as an appropriate location for a tall building, as required by Policy D9B. The new student accommodation would be delivered in the form of a single, C-shaped tall building typology of up to 16 storeys. Regarding storey heights, due to the efficiency of the modular construction system the applicant uses, typical storey heights are 2.85m, versus 3.075m for a traditional construction. As such, the proposed maximum 16 and 13 storeys equal 15 and 12 in traditional construction.

Assessment of the scheme by GLA, Design Review Panel (DRP) and Community Review Panel (CRP) consultations endorsed the principle of a tall building in this location. Collective concerns about a 21-storey block as originally submitted and viewed by the Panels and GLA have been addressed. The tower has been reduced by 5 storeys, including shoulder heights below 13-storeys making it lower than the West 55 tower (about 11.6m lower). The number

of student rooms was reduced from 448 as submitted to 412 and the density and height reduced accordingly, enabling it to better relate to lower scale, traditional housing to the south and east. The extent of open public realm has also been improved.

In this context, LBE Development Strategy DPD Policy 1.2(h) and DMD Policy 7.7 and London Plan Policy D9 state that tall buildings are acceptable where they contribute positively to the local context and do not cause harm to heritage assets. Design quality and accessibility are key considerations. Regard is also had to national and London Plan policy and guidance concerning the positive contribution that tall buildings can have towards meeting objectives for the full and efficient use of small urban sites like this, especially to help address the identified London Plan Policy H15 need for more purpose-built student accommodation.

The site has since identified in the Tall Buildings Study and in the published Reg19 Local Plan Allocation 16EA as suitable for a tall building, with the taller element preferred to the west side of the site, which incorporates the application site. Therefore, the proposal for a tall building should be expected to be confirmed as a site allocation in due course. In the meantime, the proposed heights up to 16 storeys (15 storeys in traditional construction) exceed the 13 storeys threshold in the Allocation and are tested against the visual, environmental, functional and cumulative impacts criteria in Policy D9C. Having assessed these, as set out, it is considered the proposal will satisfactorily comply with the relevant tall building Policy impacts criteria.

In conclusion, the application will assist in delivering national and strategic development plan objectives to make optimal use of suitable, allocated, urban land. It positively contributes to requirements to ensure a significant increase in the number of new, high-quality, purpose-built student housing including 35% affordable student accommodation, which entitles it to the fast-track process. In addition, the application demonstrates it can be delivered without prejudicing delivery of the remainder of the Site Allocation.

GLA Officers support the scheme as reduced. Transport, heritage, environment, energy, CIL liability, and s106 matters and requirements are assessed. Representations have been reviewed and are addressed. Collectively, the public benefits of the development are considered to be of sufficient weight to outbalance the less than substantial harm to the significance of heritage assets and would tip the NPPF para.202 balance in favour of a grant of permission.

Having careful consideration to all the material planning considerations, including that contained in National Framework and Guidance, National Design Guide, GLA and LBE development plans and on its merits and in weighing the impacts and benefits in consideration of the Planning Balance and taking account of the performance of the application scheme against the provisions of the development plan as a whole, it is recommended that planning permission be Granted, with conditions and subject to prior completion of a s106 agreement and following Stage 2 referral to the Mayor of London.

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

- A. Non-Financial obligations:
 - a. Minimum, on site 35%, by bed space as affordable student accommodation held in perpetuity in accordance with London Plan Policy requirements.

- b. Use of Student Accommodation/Full-time Course/Nomination Agreement with Higher Education Funder//Prescribed Establishment/Student/Summer Course etc/Rent charged to include all services and utilities.
- c. Minimum 50% of the units for occupation by students during the academic year to be affiliated with one or more Third level (higher) education institutions.
- d. Preferential rate letting of ground floor Amenity Rooms 01 or 02 for community use (to be defined) outside of the academic year.
- e. CPZ Permits Restriction.
- f. 2-year Membership Credits towards 1 x Car Club space.
- g. Restoration of roads and footways damaged by construction.
- h. Agreement for ss38 and 278 works in the highway in accordance with a specification to be agreed with the Council to include relocation of any affected existing on street parking bays.
- i. Appointment of Travel Plan(s) annual Monitoring for review by LBE for 5 years from occupation.
- j. Agreement to secure the long-term provision, maintenance and management of the defined areas of public realm within the site.
- k. Payment of an Additional Carbon Off-set contribution to mitigate against any further actual CO² reduction shortfall beyond that predicted in the Energy Strategy and as built calculations or from monitoring renewable energy heat pumps and PV panels after 1 year of full activation and use.
- l. Monitoring contribution payable on completion of the Agreement and equipment/processing contribution on Commencement of Construction or prior to the installation of the renewable/low-carbon equipment.
- m. Financial contributions to be index-linked, with staged payments at first residential occupation and 50% occupancy on a pro rata basis according to the relevant number of dwellings and any non-residential floorspace comprised in each phase of development.
- n. CIL payments obligations and compliance with Regulations.
- o. Payment of the Council's reasonable legal and other professional costs incurred in preparing and monitoring the s106 agreement.

B. Financial Obligations:

- 0. Air Quality Monitoring; £42,725
 - 1. Carbon Off-Setting and monitoring and equipment: £124,611
 - 2. Energy Monitoring Platform: £6,118
 - 3. Energy Monitoring Equipment: £4,984
 - 4. Town Centre Improvements and Management Plans: £150,000
 - 5. Regeneration, Employment and Skills: £425,000
 - 6. Private and communal amenity space: £65,000
 - 7. Active Ealing: £200,000
 - 8. Trees (CAVAT): £5,005
 - 9. Link and Junction Improvements to Uxbridge Road: £20,000
 - 10. Pedestrian Infrastructure improvements: £10,000
 - 11. Signal junction of Drayton Green Road(B452) j/w Hastings Road: £10,000
 - 12. CPZ Review (Parking Stress): £5,000
 - 13. Cycle Infrastructure Improvements: £10,000
 - 14. Relocate Hastings Road on street EV parking space:
 - 15. TfL Bus Service Enhancements: £50,000
 - 16. Travel Plan(s) Student arrival/departure Management Plan Monitoring: £3,000
- (Total contributions £1,131,443)

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

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

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

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

Contents

1.SITE AND SURROUNDINGS.....	5
2.HERITAGE ASSETS	7
3.ECOLOGY AND BAT SURVEY	7
4.ARCHAEOLOGY.....	7
5.APPLICATION DESIGN DEVELOPMENT	8
6.PRE APPLICATION CONSULTATION.....	8
7.APPLICATION PROPOSALS	13
8. APPLICATION NOTIFICATION	27
9. EIA SCOPING	27
10. PLANNING HISTORY	27
11. REPRESENTATIONS	27
12. EXTERNAL CONSULTEES	33
13. INTERNAL CONSULTEES	35
14. REASONED JUSTIFICATION	36
15. ASSESSMENT OF APPLICATION MERITS	43
16. HERITAGE ASSETS AND PUBLIC BENEFITS	54
17. FIRE SAFETY.....	55
18. S106 CONTRIBUTIONS.....	56
19. COMMUNITY INFRASTRUCTURE LEVY	56
20. EQUALITIES ANALYSIS	56
21. OVERALL CONCLUSIONS AND RECOMMENDATION	57
22. HUMAN RIGHTS ACT.....	58
23. PUBLIC SECTOR EQUALITY DUTY.....	59
APPENDIX: CONDITIONS AND INFORMATIVES.....	59
Conditions	59
Informatives.....	75

1.SITE AND SURROUNDINGS

1.1 Site

The site is prominently located on the west side of Ealing town centre at the confluence of a number of roads and West Ealing Station/Crossrail rail corridor and bridge. It has a PTAL5. It has an area of about 0.15ha and is broadly rectangular in shape, narrowing to the south to which there is a separate vehicular access and shopper and servicing parking for the Majestic store onto Hastings Road:



It forms part of Development Plan DPD Site EAL11 (Regulation 19 Draft Local Plan Site Allocation 16EA) taking in a (No.42) Majestic Wines retail store and storage unit and customer parking and 2 units (Nos. 48 – 54) of a small parade of 5 single storey commercial/retail units fronting Drayton Green Road, a cul de sac within a CPZ, part of the Five Roads Home Zone. The rest of the Allocation is made up by the single storey Halfords auto repair and MOT centre with carwash (No.41) (the ‘Halfords site’):



The site lies at the north - south transition fronting Drayton Green Road/Manor Road/Gordon Road, of more modern tall building typologies and traditional suburban 2- and 3-storey houses and terraces. Taller blocks to the north (on Gordon Road) form the backdrop to the lower buildings on the site, which contrast with the lower storey developments to the south, emphasised by the rising level of the Drayton Green Road site frontage (about 3m north to south) passing over the Crossrail bridge forming the northern site boundary. Railway lines are in a cutting about 4m below the site:



View south from Argyle Road



Blocks on The Avenue and Gordon Road



Rear of shop units (fronting Drayton Green Road) and Majestic Wine on Hastings Road.



View east on Hastings Road towards Halfords site on left with residential properties to right of photo and beyond.

The site lies in Flood Zone 1 (the lowest flood risk) and contains no statutory or local heritage assets and is outside of any environmental or ecological designations, the closest being the railway lines, which are a designated SINC. A belt of trees covered by TPO749 is located on the Crossrail embankment and straddling the north and north-western site boundary. Those 5 within the site, marked in pink below, are proposed to be felled:

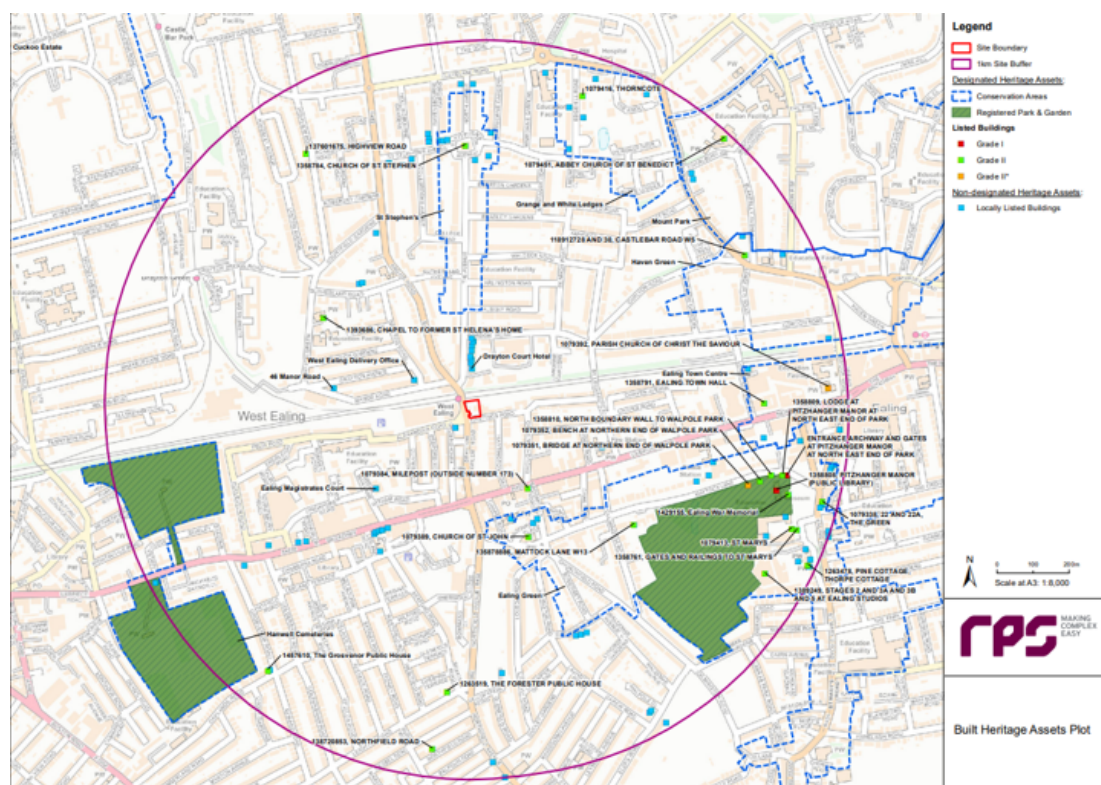


Rear of Majestic store and extract from application of trees to be removed.



2. HERITAGE ASSETS

The applicants’ Townscape Assessment identifies 7 Conservation Areas, 23 listed buildings, 3 locally listed buildings and 3 Registered Parks and Gardens within a 1km isochrone of the site. Closest are St. Stephen’s Conservation Area, locally listed buildings along The Avenue approximately 250m to the north. Ealing Green Conservation Area is 300m to south east. Historic England (HE) has requested also that Osterley House and Park be also be assessed for impacts:



3.ECOLOGY AND BAT SURVEY

Sites of nature importance including SINCs are about 2km from the site. Adjoining the northern and western boundaries of the site is a Green Corridor, a non-statutory designated site of Borough (Grade II) Importance to Nature Conservation (SBINC). A Preliminary Ecological Assessment confirmed that trees and shrubs like others in the area have ecological potential to nesting birds; the remaining habitats are of low ecological value. Buildings and trees inspected are considered by the Report to have low or negligible potential to support roosting bats.

4.ARCHAEOLOGY

GLAAS considers development of the site to be unlikely to have significant effect on heritage assets of archaeological interest.

5.APPLICATION DESIGN DEVELOPMENT

The scheme has been developed during the pre-application stage and tested in consultations with the GLA, Ealing CRP and DRP and engagement with the community. Details of the pre-submission consultation and engagement undertaken are set out below.

6. PRE APPLICATION CONSULTATION

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

- a. LBE Officer Pre-Application Meetings: formal pre-application consultation between May 2022 and May 2023,
- b. GLA and TfL Officer meetings: July 2022
- c. DRP: 4th July 2023
- d. CRP: 4th July 2023
- e. Consultation leaflets, 2 public exhibitions and drop-in session: September 2022 and July 2023
- f. Meetings with Community Groups
- g. Ward Members and MP
- h. Dedicated consultation website.

6.1 GLA Pre-Application Consultation

In pre-application consultation, GLA comments on the proposal is summarised below: *'78...The uses proposed are appropriate to this town centre site; however, while it is acknowledged that the applicant has been unable to acquire the other parts of the Site Allocation, there are significant concerns that the current proposals would not allow optimisation of the Site Allocation and would prejudice development of the remainder of the Site Allocation for anything other than a very limited scale of development. The proposals would also result in a reduction in town centres uses (Class E) compared to the retail use currently existing. The applicant is strongly encouraged to further investigate options to incorporate the other parts of the Site Allocation within its proposals; or alternatively, a significant reduction in the scale/quantum of the proposals is required to allow development of the other parts of the Site Allocation and to respond appropriately to the local context.'*

In more detailed comments on the proposed PBSA use and scale of development GLA Officers advised: *'27. The London Plan states that need for a new PBSA development should be demonstrated either by being operated directly by a higher education provider or the development must have a nominations agreement with a provider. It is recognised that this is likely to come later in the planning process and secured by section 106 agreement on any permission. The applicant stated that discussions with higher education providers are underway, with a view to securing a nominations agreement, with the intention to provide 35% affordable student accommodation, which is welcomed.*

'28. While the points made by the applicant in relation to supply and demand for student accommodation are generally accepted, subject to securing a nominations agreement; there are significant concerns about the scale of the building.'

On matters of urban design, Officers stated: *31. The site forms approximately half of Site Allocation 'EAL11 West Ealing Station Approach' (0.27 hectares) within Ealing Council's Development Sites DPD (2013). Significant concerns were raised at the meeting that the proposals would not allow optimisation of the Site Allocation, since redevelopment of the remaining parts of the Allocation would be prejudiced for anything other than a very limited scale of development.*

32. In response, the applicant has provided a 'Site Allocation - Safeguarding Future Development (August 2022)' document. This includes two options for how the adjacent Halfords site could be developed....

'33. GLA officers have significant concerns with both options. Separation distances across the residents' garden, to the applicant's proposed scheme, and to the adjacent existing

house would be very limited, resulting in restricted outlook and privacy, and private outside amenity space in the form of balconies would be more severely impacted. Both options include tall buildings so these restrictions would impact a significant number of homes... This reflects the restricted area of the Halfords site and would also result in significant overshadowing to adjacent residents' gardens. GLA officers consider that only a much smaller scale of development would be acceptable in design terms on the Halfords site due to its restricted nature. Should the applicant pursue an application on the red line boundary as currently proposed, this suggests that the proposal would need to be of a significantly lesser scale, and/or of a different layout and massing.'

With regard to site capacity and density optimisation, Officers found: *'36. The site is within a town centre; within an area with recently completed and consented high density development; and has very good public transport connectivity with a PTAL of 5, which supports higher density development. However, the density proposed is extremely high (2,649 rooms per hectare). Such a high density has not been justified, and there are significant concerns that the proposals would prejudice the development of the remainder of the Site Allocation and does not respond appropriately to the local context. The density of the scheme, with all parts of the building being defined as tall buildings, requires a greater level of design scrutiny, including further consideration against London Plan Policy D9...'*

With regard to the principle of a tall building, it was found: *'41... The site forms approximately half of Site Allocation 'EAL11 West Ealing Station Approach' ...noting it is vulnerable to inappropriate and overbearing design. It states that height, scale and massing must reflect the historic character of surrounding residential areas... The Site Allocation does not,... identify the site as appropriate for tall buildings; tall buildings on the site would not be in accordance with London Plan Policy D9 (Part B); and a rigorous assessment against Policy D9 (Part C) will be required at pre-application stage, and for any application.'*

'44. Significant concerns were raised at the meeting about the height and massing of the proposed scheme, which goes far beyond that stated in the Site Allocation, and far exceeds heights in the immediate context. The applicant has subsequently provided a 'Tall Building Design Rationale (August 2022)' document...'

'45. GLA officers accept that these points [in the Design Rationale] provide some justification for a building of greater height than that proposed in the Site Allocation, which identifies up to 4 storeys, but also notes that the site is vulnerable to inappropriate and overbearing design. However, the appropriate height requires consideration and assessment against Policy D9 (Part C), which the Design Rationale goes on to address...'

'46. GLA officers have significant concerns about the visual impact of the proposals in immediate views from the surrounding streets...'

'47... The massing of the proposed building also appears overbearing from all directions, which adds to concerns on height...'

'48... GLA officers have concerns about the form and proportions of the building, which would appear overly bulky and lacking a slender appearance,... [and] ...consider that there is no justification for a taller building on this site, and considerable justification for the proposal to step down to the lower rise context to the south and east.'

The applicant has sought to address these concerns in the application, as set out in more detail below.

6.2 LBE Officers Pre-Application Consultation

Pre-application meetings were held between May 2022 and July 2023, followed by a formal pre-application letter. During this process the applicant sought to address concerns and made amendments to redistribute and reduce block/tower heights about the site, increasing the site area to include 2 of the existing retail units fronting Drayton Green Road, increasing the student rooms from 408 to 483 (reduced subsequently for the DRP/CRPs to 467 rooms and reduced further still in this application to the current 412 rooms), commercial space, extent of public realm and footway widening.

6.3 Community Review Panel

The proposals were presented to the Ealing Community Review Panel (CRP) on 4th July 2023. The Panel Report concluded: *'The panel is supportive of the principle of developing this site and is pleased to see the potential for the active commercial and human life the project will bring to the area. The panel praises several aspects of the design, including the sensitivity and responsiveness of the proposed materials and architectural detail to local character. The potential of modular construction is welcome, particularly given the shorter build times and reduced vehicular impact during construction. The panel is also pleased to see an approach to construction that addresses embodied carbon issues.'*

'The panel has strong concerns about the proposed height and massing. It notes that the design should stand on its own merit and not be justified by other emerging tall buildings, such as West 55. The panel also feels that a reduction in scale could offer more and better amenity space. The panel feels that student use could be an appropriate use for the site, but it suggests that the density of the development would negatively affect both students and local residents. The building must be a good place to live to enhance the wellbeing of the occupants and locals, with good living spaces and plenty of green space. It would like to see the design team push this much further.'

6.4 Design Review Panel (DRP)

An Ealing Design Review Panel (DRP) was held on 4th July 2023. The Panel Report concluded in summary: *'...In the panel's view, the site can take a tall building, although it feels strongly that the proposed building heights are excessive. It would urge the design team to reduce the bulk and massing to be subordinate to the new West 55 tower. The Tall Buildings Study being commissioned for the Council may be a helpful guide in this respect.'*

'The panel is supportive of the proposal for student accommodation on this site and notes that it is acceptable within the local policy framework. The panel sees the value of the applicant being an experienced provider of PBSA. The modular, partially off-site construction strategy has clear benefits in terms of reduced construction time and disruption. The local architectural analysis was well presented, and the panel appreciates the development of the architectural design. The approach to sustainability is promising, although further analysis is still needed.'

'The panel feels that the quality of living and amenity space that the scheme offers needs improvement, especially as the site is within an area deficient in open space. Reducing the bulk of the scheme could provide more space at street level for public realm opportunities and green space. Due to its high density, there will likely be a high volume of daily deliveries to residents. The impact this scheme will have on the local area is worth acknowledging and the panel would like to see how this will be managed. Given the complexity of the other elements of the site allocation, the panel suggests that the design team take a step back and rethink the plan. It feels that simplifying the scheme would help rationalise construction economics and lead to better quality of living and amenity spaces.'

The applicant responded to these comments, and those arising from consultations in amendments to the scheme. Further amendments have been made during the currency of the application with regard to height and number of rooms as already indicated.

6.5 Community and Stakeholder Engagement

The applicant has undertaken the following consultation events involving:

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

The applicant sent out over 3390 leaflets and public exhibition invitations to homes and businesses posted locally and workshops using in-person events and on-line consultation via a dedicated website for the application). The following Community Groups and Associations were met:

- a. Five Roads Forum: Monday 22nd August 2022
- b. Ealing Civic Society: Wednesday 24th August 2022
- c. Stop the Towers: Wednesday 24th August 2022

A second phase of engagement was arranged in June 2023.

Meeting with Ward Members 3rd November 2022.

Meeting with Constituency MP: 24th August 2022.

A public exhibition at the Drayton Court Hotel was held on 29th September 2022; 138 people attended and 83 completed feedback forms. In July 2023 a further leaflet drop took place informing residents of the intention to host a new drop-in session to present revisions to the proposals. 51 people attended and 21 feedback forms completed. Lastly a dedicated consultation website began in August 2022, with regular updates and information since. 780 people viewed the website and 12 left comments.

The applicant’s SCI records the feedback across the various consultations undertaken as follows:

‘Respondents were typically sceptical of each of the closed questions [covering the scheme itself, amounts of commercial and public space and promoting sustainable transport options], with the largest number of respondents stating their opposition to each of the three propositions.’

‘Nonetheless, while the scepticism of respondents to the proposals came through in each of the questions, responses to the second and third questions were far more balanced than responses to Q2. For instance, when combining responses of those who said they were either ‘strongly’ or ‘somewhat’ in support of the public realm proposals for the site, this was almost equal with the numbers expressing opposition.’

‘Similarly, on the question relating to the transport proposals for the site, respondents expressing either strong or qualified support were almost equal to the number who said they could not support these proposals at all.’

‘Slightly under half of the 83 feedback forms contained concerns relating to the height of the building, while a quarter featured comments relating to the potential impact of the building on West Ealing’s neighbourhood character.’

‘Parking, traffic impacts, demand for student housing and the effect of the development on local infrastructure were also prominent themes in the feedback.’

'A small number of the 83 forms expressed support for the proposals, while others expressed qualified support, though with certain caveats around the design, density or access arrangements for the building.'

'...more respondents said that they agreed with the reduction of height of the proposed building (either 'strongly' or 'somewhat') than disagreed. On the question related to the changes made to the colours, materials and detailing to be used on the building, a far higher proportion of responses expressed support for these changes than expressed opposition.'

'Likewise, the questions regarding the expanded footprint of the building and the public realm proposals for the site typically received positive feedback from event attendees.'

'Similar to what happened in September 2022, the single largest category of responses took issue with the height of the building, including a number of responses which welcomed the reduction in height, but said that a greater reduction was required for the scheme to be acceptable. While there were again a certain number of positive responses, these were less numerous than responses expressing concern about neighbourhood character and the building's impact on local infrastructure and resources.'

'A small number of additional responses to the public consultation were also received as direct submissions to the dedicated consultation inbox. Four emails were received in response to the consultation – three from individuals, and one as a group submission from the Five Roads Forum, a local residents' group with whom the applicant had met prior to the public consultation opening...'

The SCI summarises the main feedback issues and measures taken by the applicant to address them:

a. Building design

- 'The proposed development is too tall*
- The development would be out of keeping with the neighbourhood's character*
- The proposed building would be too dense*
- The proposals would lead to overshadowing and overlooking*
- The proposals are unsuitable so close to local conservations areas'*

b. Environmental concerns

- 'The development is unsustainable*
- The proposed development would increase pollution in the local area*
- The building would represent a fire hazard'*

c. Local community

- 'The local community is already experiencing overdevelopment*
- The area needs more family homes, not student accommodation'*

d. Local services and infrastructure

- 'Local infrastructure is not equipped to deal with the influx of students*
- Local medical services would be overwhelmed'*

e. Other issues

- 'The proposals are incompatible with the Ealing Plan*
- Local opposition to the proposals is being ignored'*

f. Concerns relating to students

- *Students in the development will have a poor quality of life*
- *There is no demand for student accommodation in the local area'*

g. Transport and parking

- *The proposed development has insufficient numbers of parking spaces*
- *There will be negative impacts on the roads, particularly around moving-in and moving-out days*
- *The new students moving to the area will overwhelm West Ealing rail station'*

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

- *The height of the building has been reduced*
- *The massing of the building has been reduced, making the building less 'bulky' in appearance overall*
- *The taller elements of the building have moved further to the north-west corner of the site, and away from the nearest neighbouring properties on Hastings Road*
- *The footprint of the building now includes the space currently occupied by two shops on Drayton Court Road*
- *Changes have been made to the colours, materials and detailing to be used on the building*
- *Improvements have been made to the proposed public realm offer to accompany the building'*

Overall, the applicant's community, stakeholder, Panels and resident engagement is considered to satisfy the Council's SCI requirements.

7.APPLICATION PROPOSALS

7.1 Block Design and Layout

Following submission, the applicant has reduced the scheme further from 429 to 412 student rooms and reduced the central tower height from GF plus 21 storeys to GF plus 16, reduced the shoulder heights and the height of the commercial unit fronting Hastings Road from 7 storeys to 4 storeys, as described below.

The Majestic Wine retail store on Hastings Road and 2 of the 5 retail units on Drayton Green Road flats would be demolished and replaced by the following development:

(a) Student Accommodation:

- 412 purpose built and managed student bedspaces (including 35% affordable student rooms) comprised of
- 14 (3%) cluster rooms,
- 350 (85%) student units,
- 4 (1%) Premium studios
- 44 (11)% Accessible rooms

The applicant also proposes through the s106 agreement, that 2 of the ground floor student amenity rooms (totalling 31sqm) fronting Drayton Green Road, along with the adjacent undercover frontage colonnade area will be made available for community use outside college term times.

(b) Commercial space:

- 157sqm (GIA) of flexible commercial space (Class E) on the lower ground floor fronting Hastings Road, with a return elevation to Drayton Green Road behind, but physically separated from, the

- Retained 3 existing commercial units (Nos.44,45 and 46) fronting Drayton Green Road
- The scheme is designed so that if the applicant can acquire the existing units in the future, a fully articulated elevation will be presented to Drayton Green Road

(c) Public Realm:

- 276sqm of ground floor public realm including new tree and shrub planting, fronting Drayton Green Road and Hastings Road

(d) Building Form and Heights:

A C-shaped block comprising:

- a central tower in the north west corner (Ground Floor GF plus 16 storeys), flanked by
- east and south shoulder blocks (each GF plus 13 storeys) and
- a further, lower, block adjoining the southern shoulder (GF plus 2 storeys) facing south onto Hastings Road
- As noted in the site description, there is a roughly 3m level change north-south along the Drayton Road frontage, giving a semi-basement plant and fire lift level.

Image below of the ground floor layout and upper floor amenity areas and green roofs:

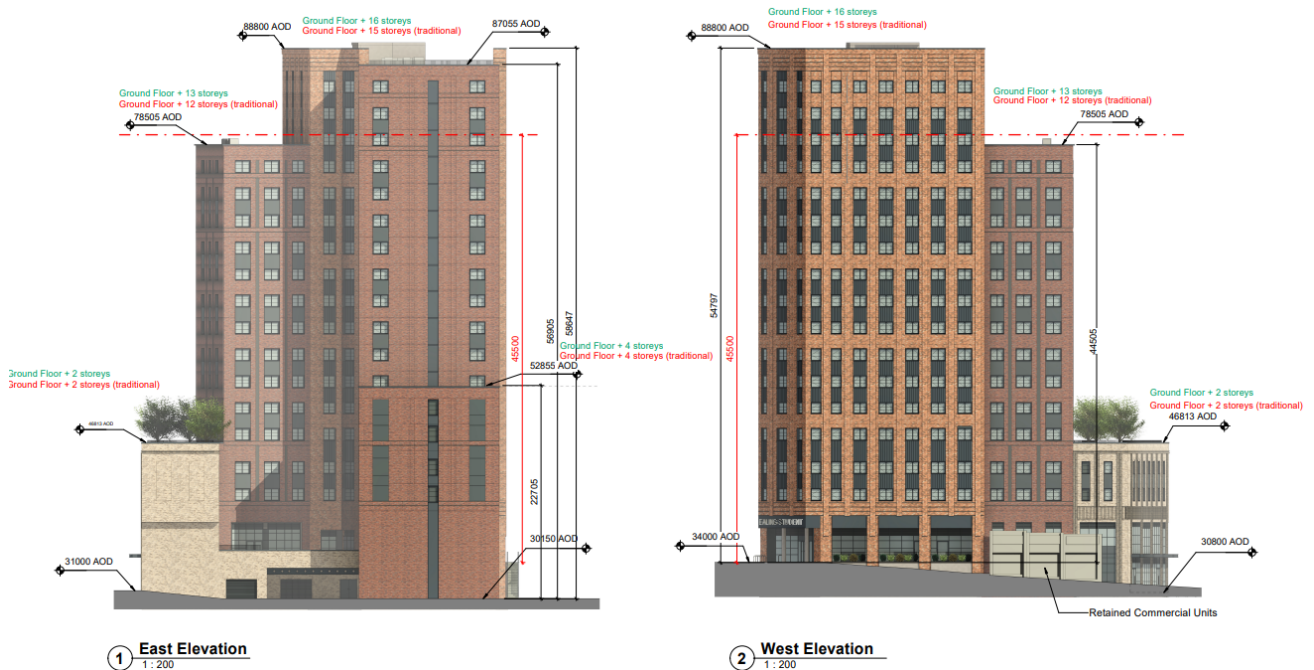


Illustrative landscape site plan (Community use hatched in purple)



With regard to the storey heights, the applicant’s DAS notes: ‘...due to the efficiency of the modular system..., the proposed levels [16 and 13] would equal 15 and 12 in traditional construction.’ This arises from the means of construction such that typical storey heights are 2.85m, versus 3.075m for a traditional construction.

The applicant is experienced in the provision of PBSA schemes and employs an off-site modular construction format intended to improve sustainability and reduce embodied carbon, construction build time and impacts on amenity and traffic etc. compared to traditional construction methods. Below are images that give measured heights for the block and comparative storey heights with traditional construction:





The elevations above also show in red a measurement of 45.5m, which relates to the 13 storey height indicated the Reg 19 Local Plan. This will be relevant to the discussion later in this Report concerning Local Plan Policy applicable to this site.

(d) Parking:

- car free, except for 2 on-site disabled parking spaces (for PBSA)
- 310 (PBSA) cycles with a mix of two-tier stands, Sheffield stands and e-bike charging, 5% for larger cycles, and 2 long stay cycle parking spaces on the lower ground floor,
- 2 spaces for the commercial unit and
- 10 external short term cycle spaces for students and 10 for the commercial unit.

(e) Landscaping:

- private and landscaped student courtyard, within the centre of the C-shape, on the upper ground floor level
- rooftop student’s garden providing amenity spaces on the 7th floor
- biodiverse green roofs

(f) Access:

- Close existing and widen other vehicular access from Hastings Road to use for PBSA Blue Badge parking, servicing, refuse collection and delivery
- Main student access pedestrian and cycle access to the buildings from Drayton Green Road

(g) Energy:

- high-performance fabric-first building with renewable technologies on-site, including
- Air Source Heat Pumps (ASHP) and
- photovoltaic panels

7.2 Principle of Purpose Built Student Accommodation (PBSA)

The applicant does not currently have a contract with a higher education institution or institutions to deliver this scheme but has prepared supporting documents for the application in the form of:

1. Student Demand Study

The Study concludes:

'Considering the projected growth in student numbers in the area and also wider again in the London market as a whole, the student housing supply versus demand imbalance is expected to increase and as a result will continue to place more unwanted pressure on the local private rented market.'

'On the basis of student demand, the proposed new development at Hastings Road would satisfy part of the undisputed shortfall in supply in both Ealing and neighbouring boroughs. Knight Frank's analysis demonstrates how the proposed new development located at Hastings Road would fulfil a local requirement for a conveniently located scheme delivering high quality accommodation. Crucially, the development would provide an opportunity to reduce the reliance of students on the wider private rented sector and HMO market in Ealing and those students who are required to look for purpose (sic) -built accommodation in neighbouring markets. The proposed development would ease the pressures on local housing across Ealing and enable greater access for students to good quality purpose -built accommodation to support their studies.'

'Student demand' in this area is not quantified in this Study other than in relation to increases national and London-wide terms, driven in part it states by growth in international students attending Institutions, the close proximity of universities - West London in particular, an increasing proportion of the local population comprising 18-21 year olds and an increasing number of full-time students living in the Borough (up 34% since 2016-17).

The Study states:

' Based on previous trends for key student groups, the total number of full time students at the University of West London is projected to increase by 13.3% over the next five years. This represents an increase of approximately 346 full time students per annum. Assuming the current proportion of students living at home with parents (23%) this suggests that 266 additional full time students will require accommodation per annum.'

' Within a four kilometre radius of Hastings Road, there are 650 PBSA beds in the pipeline. If the potential development and planning pipeline within a four kilometre radius is included within current supply, alongside the projected five-year increase in full time student numbers, the future student to bed space ratio decreases marginally to 8.7 students per bed space (0.12 bed spaces per student).'

Altogether these indicate an ongoing future need for which a supply of PBSA should be kept available in the pipeline. Further, whilst the Study states it will provide opportunity to ease pressure on the private housing sector (e.g. HMOs) in the area, it does not explain how students might be positively attracted away from them and to the scheme.

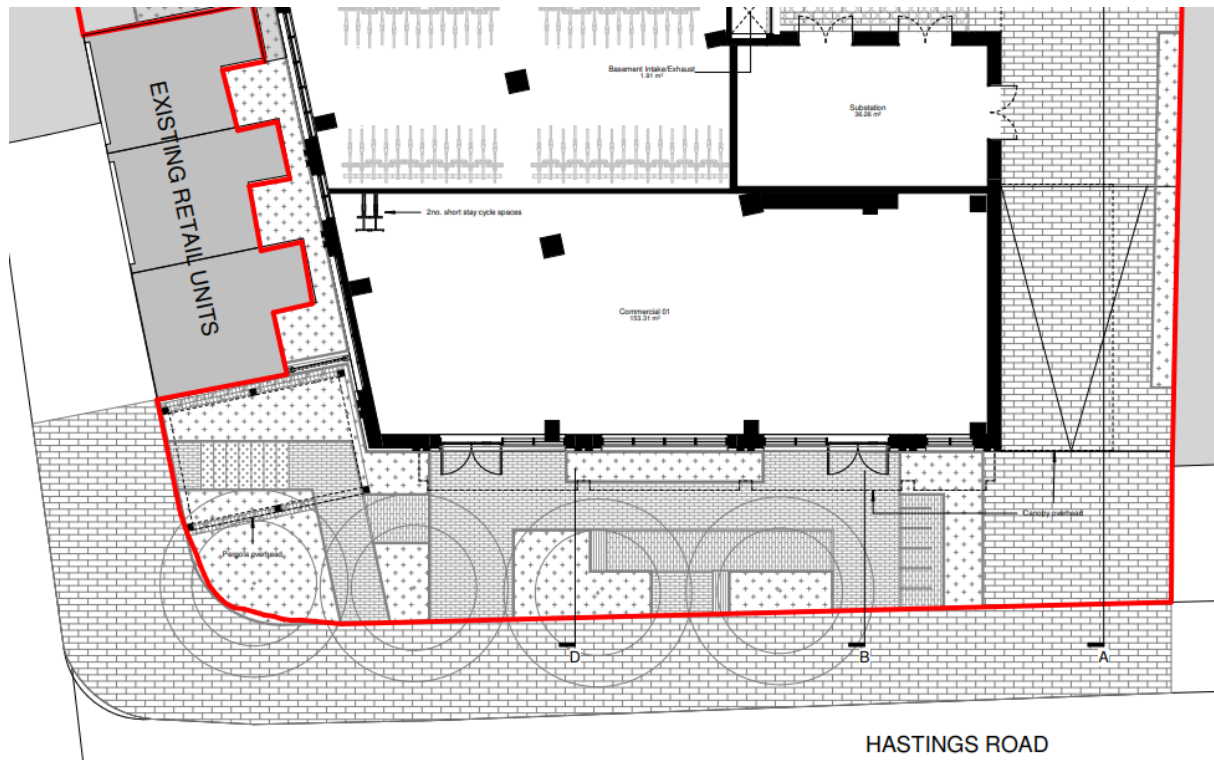
2. Student Management Plan

Fresh Management has been appointed to manage the development. They would provide on-site services for students, tenancy management and a liaison with the local community and community groups.

7.3 Commercial Floorspace

The existing retail/commercial floorspace consists of the Majestic Wine store and ancillary store (totalling 388sqm GIA) along with 2 of the 5 retail units (totalling 48sqm GIA), making a

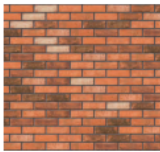
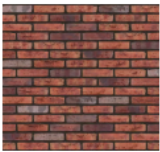

total of 436sqm. In their place, the proposed development would provide a single unit of 157sqm (GIA) of replacement floorspace, in the form of a Use Class E commercial unit.






7.4 Appearance and Materiality

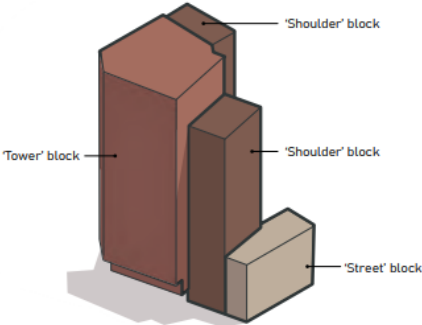
The external facades appearance and materials are mainly comprised of facing bricks in three complementary colours – dark brown, light brown and buff – to help distinguish the tower from the shoulders and the commercial unit, with metal cladding between recessed window panels as illustrated below:

PRIMARY BRICKS

		
B1 - Red brick	B2 - Brown brick	B3 - Buff brick
Location: 'Tower' block	Location: 'Shoulder' block	Location: 'Street' block

SECONDARY MATERIALS

		
B4 - Darker buff brick	B5 - Dark grey brick	C1 - Dark grey colour
Location: 'Street' block - projecting stretcher bond detail	Location: 'Tower' block / 'Shoulder' block - projecting stretcher bond detail	Location: Window frames, metal spandrel panels, parapet copings, handrails



7.5 Landscaping

External landscaped public realm and amenity areas are proposed. The application proposes 264.5sqm of external landscaped, student amenity space, which is a shortfall against the Council’s standard of 781sqm. In addition to external amenity space, the scheme incorporates internal areas for students, totalling 590sqm. No dedicated child play space is proposed, although the student’s activity area could be used by visiting children. In combination with the open areas, the scheme provides 850sqm, equivalent to 1.92sqm space person student room. Utilising ‘Green Roofs’ the scheme has an Urban Greening Factor (UGF) of 0.4 and a Biodiversity Net Gain (BNG) of 10.58%.



7.6 Highways and Parking

The development is designed to optimise its accessible PTAL5 location. car parking provision to DDA only, with emphasis placed on students and visitors walking, cycling and using public transport (bus routes and West Ealing Station).

The application includes a Car Parking Management Plan and a Delivery and Servicing Plan. Vehicle access will continue to be from Hastings Road along with loading/unloading, turning and refuse access and delivery vehicle parking. 2 DDA spaces for students are proposed. This is below the London Plan standards, which would require 14 DDA spaces and 32 others, a total of 46. The same standard would require 1 space for the commercial use but none are proposed.



Neither LBE Transport nor TfL raise objections to the shortfall and it should be noted that the Reg 19 allocation supports a car-free scheme.

7.7 Framework Travel Plan

The applicant has prepared a Framework Residential (including Wheelchair parking) and Commercial Travel Plan. Arrangements for student arrival and departure are included in the Student Management Plan, which states:

'3.2 On site student parking

Hastings Road will have blue badge parking spaces, however no other car parking facilities will be provided and the site does not allow for any student parking near the premises. The tenancy agreement and tenant handbook specifies the location is car free and that residents are not to bring their own cars to the property. Student leases will specify that students will be unable to apply to the Council for parking permits.

'3.3 Start and End of Term

The following is the procedure employed by Fresh for the arrival and departure of 448 residents at the beginning and end of the academic year.

Prior to arrival, all residents are contacted by email to confirm the arrival arrangements and move-in procedure. They are provided with details of travel arrangements from key airports, the main line train stations, cost of taxis from these key arrival hubs. We will also provide information about the location and cost of public paid car parking facilities close to the site.'

'Residents are required to book their arrival online through the student portal. Limited time slots are built into the system to avoid congested arrival periods. If a student misses their timeslot, they will be asked to park away from the check-in zone and wait for a space to come available and or park away from the property and move their belonging manually.'

'Residents who arrive by car with family and friends are given information about local car parks before they arrive. They are advised to park away from the site before they have been checked in...'

...

'To ensure the move-in process is managed efficiently, additional staffing resources are employed to manage the road congestion and for directing residents quickly to their property. We will liaise with the local police and traffic management bodies and agree a strategy to avoid blocked roads and parking problems.'

The Car Parking and Management Plan includes arrangements for students moving in and moving out. The Report states:

'3.6 Move in and move out days for students usually take place over several weekends. To ensure vehicle activity is managed efficiently at the site during this time, students who wish to arrive at the site via private vehicle will be allocated a 20-minute slot within one of the parking bays, or the loading area for pick up / drop off. This will help prevent an overspill of parking on these days.'

'3.7 The two parking bays and loading area will accommodate three vehicles, each with a 20-minute slot, from 07:00-19:00, across the weekend. To sufficiently cater for all 448 students, this will take slightly over two weekends, with 16 students (3.6%) not accounted for within the two weeks. This excess of students is not seen as an issue, as it likely underrepresents the number of students who are predicted to move in/out via public transport means.'

The 'move out' period would essentially be the reverse of the above.

A Delivery and Servicing Management Plan (DSMP) sets out measures with regard to servicing and delivery arrangements the PBSA and new commercial unit. This has been agreed with LBE Transport. One on street parking bay will need relocating on Hastings Road at the applicant’s expense. Servicing, delivery, waste collection, cycle access and DDA parking, will take place from Hastings Road as with the existing access. Another access on the western boundary will be closed. There are no proposals to incorporate arrangements for the retained existing retail units, which in any event do not have any current dedicated on site servicing or parking.

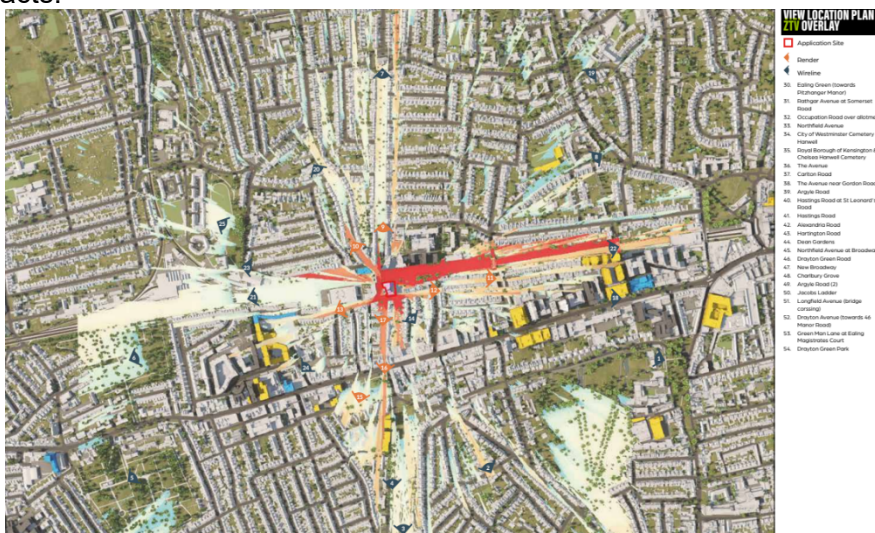
7.8 Construction Management

Arrangements will be made for access, site access, demolition etc as set out in a Construction Logistics Plan (CLP), which includes measures to regulate, dust, noise, wheel washing, waste and lighting. There will be limited on site operatives parking. They will be encouraged to use public transport, walking or cycling.

Construction vehicle traffic routing is not currently determined. The intention is to use direct routes to the strategic highway (A40 and M4). Given the site immediately adjoins dwellings and locally, the contractor will appoint a Neighbours and Public Liaison Officer contact for the site operations, complaints investigation and resolution, updates etc.

7.9 Visual Impacts

Townscape and Visual Impact Assessment (TVIA) and Built Heritage Statement (BHS) accompanying the application. In accordance with established guidance townscape and visual impact on CAs are assessed by the applicant in the BHS. using a Zone of Theoretical Visibility (ZTV) 3-dimensional modelling system with a red colour gradation for red (greatest impact) to white (least impact) These are used to inform the potential locations for ground level viewpoints and photographic renderings, whether full CGI or wireline and are assessed later for impacts:



These are used to inform the potential locations for ground level viewpoints and photographic renderings, whether full CGI or wireline. Below are Verified Views (taken from the TVIA), using the same numbering.

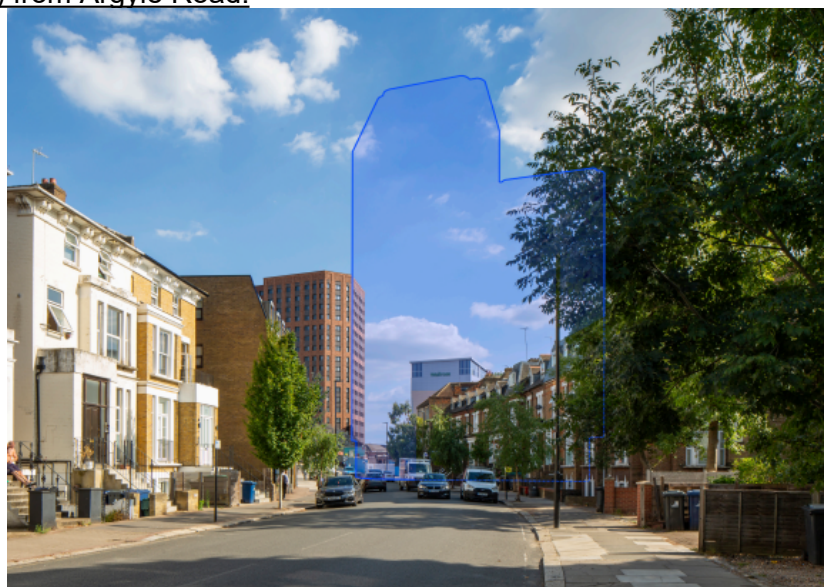
Verified Summer time wireline View 2 of block (in pink) in conjunction with West 55 tower (in blue) from Rathgar Avenue in Ealing Green CA:



Verified Summer and Winter time wireline View 9 of block (in pink) in conjunction with West55 tower (in blue) from The Avenue/Gordon Road in St Stephens CA:



Verified Summer time CGI View 10 of block (rendered in colour) in conjunction with West55 tower (in blue) from Argyle Road:



Verified Summer and Winter time CGI View 12 of block (rendered in colour below blue arrow) in conjunction with West55 tower (in blue) from Hastings Road/Broughton Road junction:



Verified Summer time CGI View 13 of block (rendered in colour) in conjunction with West 55 tower (in blue) from Alexandria Road:



Verified Summer time CGI View 29 of block looking from Alexandria Road/Drayton Green Road/Hastings Road junction:



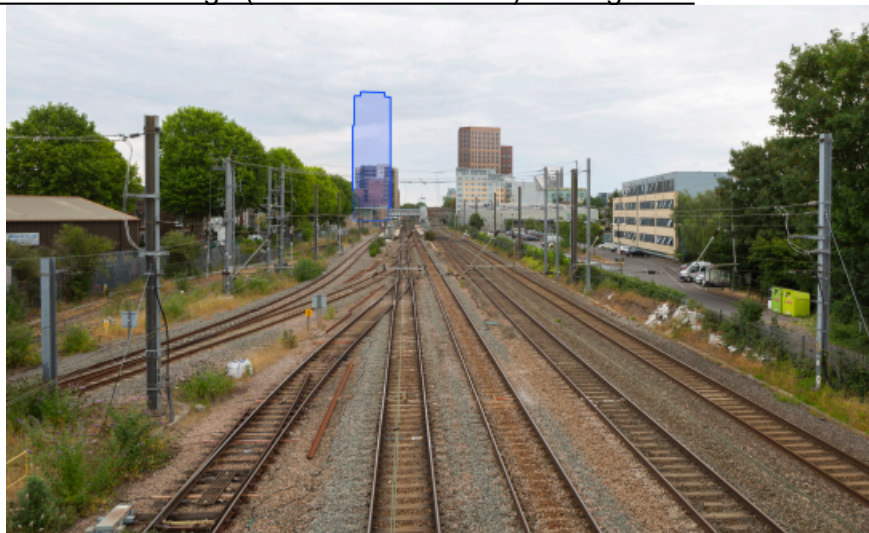
Verified Summer time CGI View 17 of block (rendered in colour) in conjunction with West 55 tower (in blue) from Drayton Green Road looking north:



Verified Summer time CGI View 15 of block (rendered in colour below Blue arrow) in conjunction with West 55 tower (in blue) from Dean Gardens adj. Broadway:



Verified Summer time CGI View 21 of block (rendered in colour) with West 55 tower (in blue) from Jacobs Ladder rail bridge (on Alexandria Road) looking east:



Verified Winter time CGI View 23 of block (pink outline behind red brick No.46 in centre of photo) with West 55 tower (in blue) from 46 Manor Road (locally listed heritage asset) j/o Drayton Green looking east:



In response to a request from Historic England, the applicant has provided additional viewpoints of the scheme from Osterley Park and Gardens.

Verified Winter time wireline View 27 of block (in pink) in conjunction with West55 tower (in blue), both marked with red arrow, from Osterley Park and Gardens:



The applicant's TVIA and townscape effects, including cumulative effects, has been independently assessed for the Council by Temple. It does not find any basis to disagree with the applicants' Report findings that, bearing in mind the scheme has been reduced in size, it would still be likely to give rise to improvements to the appearance and function of the landscape. No reason is seen to disagree with this independent conclusion.

7.10 Energy and Renewables

The proposal is all electric with no gas infrastructure on-site. The strategy proposes a communal Air Source Heat Pump (ASHP) distribution loop for space heating with a separate loop for hot water. Cooling the amenity and commercial space will come from VRF (Variable Refrigerant Flow air conditioning) ASHP. Also proposed are two areas of PV arrays on the shoulders of the roof. There is no available "Clean" district heat network.

The Overheating Analysis report with proposed mitigation measures assumes full mechanical ventilation and heat recovery (MVHR). At the current design stage, site-wide CO₂ emissions will be cut by at least 38.36% against BR Part L 2021 (using SAP10.2 emission factors), with 7.76% through “Lean” efficiency measures, and 30.61% through “Green” renewable energy. There is a shortfall of 1311 tonnes CO₂ (over 30 years) that would need to be mitigated through a s106 financial contribution along with undertakings to install energy monitoring devices.

7.11 Whole Lifecycle Carbon

A Whole Life-Cycle Carbon Assessment (WLC) has been prepared and submitted to the GLA. The applicant intends to address the zero-carbon shortfall by way of a financial contribution.

A Waste Management will be prepared to manage the disposal and reuse/recycling of materials. This sets a minimum target of 95% waste, 100% of reinforcement steel, 70% recycled concrete binders and 90% recycled structural steel profiles being reused or recycled.

7.12 Fire Strategy

As the block exceeds 30m in height, the applicant has designed it with 2 fire-protected staircases as well as 2 lifts plus a 3rd dedicated fire fighter lift in accordance with current LFB standards. In response to HSE design comments the applicant has produced a Fire Statement, updated in a RIBA Stage 2 – Fire Strategy Report, which HSE has now accepted. The GLA is examining the Strategy to confirm compliance with London Plan Policy.

8. APPLICATION NOTIFICATION

The geographical extent of the Council’s neighbour notification consultation area corresponds, for consistency, to the area used by the applicant for the community consultations. The same area has been used for re-notification of amended plans.

9. EIA SCOPING

An Environmental Impact Assessment (EIA) Screening Request 233190SCE was submitted in August 2023. The Council determined:

‘The proposal does not fall within the definition of development within Schedule 1 of the Regulations. Therefore, an EIA is not automatically required. The proposal would fall within Schedule 2 10(b)(ii)(as amended 2015), being an ‘urban development project’ whereby the development would include more than 150 dwellinghouses. The proposal would provide up to 448 student rooms.

‘In consideration of the Review Report prepared by Temple Group Ltd, the Council considers overall that the impacts associated with the construction and operation of the development will largely be localised and not have environmental significance beyond this to require the submission of an Environmental Impact Assessment. This is not to say that the proposed development will not have environmental effects of a localised nature which will need to be considered in determining any planning application(s).’

10. PLANNING HISTORY

The planning history relates to the use, reuse and alterations to the shop/café units and the Majestic Wine store.

11. REPRESENTATIONS

Including representations received in relation to amended plans.

Ealing Civic Society (ECS)

Objects strongly. Provided feedback to the developer at consultation stage regarding fire safety of the proposed floor layouts and regarding green roofing materials. No satisfactory responses were received or changes made. Recent revisions do not overcome fundamental reasons why it should be refused. Simply too tall, ignore Ealing draft local plan for the site that states heights should be 7-13 storeys maximum. This alone is adequate reason to refuse. Towers will loom over the surrounding low rise residential area, creating overshadowing and loss of privacy. Massive overdevelopment of a relatively small site and inadequate open space for numbers of residents. Principle of student housing not a reason to refuse, it is not needed locally - would at best create a dormitory for students travelling elsewhere to study. 'Affordable' housing provision means reduced rents for some student occupiers, not the provision of social or affordable housing for those in need. Site would be better suited to human scale residential, perhaps for a social housing that would truly meet need. Inadequate amenity space, no additional infrastructure such as health facilities, placing further pressure on already strained facilities. S106 monies does not create new green spaces or new health centre. Elizabeth Line and West Ealing station already over capacity at peak times. Urge refusal.

(Officer Note: Comments are addressed in this Report).

Creffield Area Residents Association (CARA)

Strongly object. Traditionally a suburban area which implies family housing. Don't need more flats and high-rise buildings. Should concentrate on lower density affordable housing with green space to create the neighbourhood people wish to live in. 20 storeys does not fit with draft local plan - which states a maximum of 7-13 storeys. Will significantly affect resident's quality of life through loss of day light and out of keeping with the area.

(Officer Note: Comments are addressed in this Report).

Five Roads Forum (5FR)

Development should be proportionate to and in sympathy with the local context, predominantly 2-3 storey Victorian housing. Concerns about any inappropriate development or overdevelopment. Object to lack of electricity, not designated for tall buildings, excessive height and density, lack of social/affordable housing, no infrastructure improvements, cumulative impacts with West 55 and John Lewis (Waitrose).

(Officer Note. Impacts and merits of the development are assessed below. Concerns regarding an electricity supply shortage were raised in July 2022. The Mayor subsequently clarified this will not result in a 'ban' on future housing developments and that developers should continue to consult with utilities and suppliers. National Grid has not currently responded to consultation on this application. The Waitrose application has not yet been determined.)

Stop The Towers (STT) and Draytons Community Association (DCA)

Support sustainable housing development, particularly affordable. Proposal does not offer any affordable housing. Represents a missed opportunity. Type and density that would unbalance and overwhelm the local area contrary to the site-specific guidance, Local plan and London Plan. Creates very dense housing development low in amenity space. Not provide high quality students accommodation.

Level of amenity unacceptably low. Does not contribute to a mixed and inclusive neighbourhood contrary to London Plan Policy. Too large and dense to be accommodated in the area.

Not consistent with Sustainability and Net Zero objectives - tall towers create a very high carbon footprint due to the need for deep and substantial foundations. Energy strategy will 'greenwash' inefficient energy intensive tower design. Current site is almost entirely denuded of plant or animal life. Hard to reduce biodiversity and the proposal adds very little.

Capacity of local transport to accommodate additional journeys should be reassessed in the light of existing new proposals. West Ealing town centre is already over-developed and at risk of becoming gridlocked. Placing so many students would place major strain on station and bus routes.

Failed to take account of fire safety for the tall building and density, with limited fire vehicle access.

(Officer Note: Comments are addressed in this Report. The scheme is for student accommodation and includes the requisite 35% affordable student accommodation required by Policy. The scheme provides a high quality mix of internal and external amenity spaces. A variety of student rooms sizes is proposed).

St Stephens CA Panel

No realistic assessment of the damage to our largely low rise Edwardian and Victorian built environment by disorganised cluster of over scaled, ugly, characterless and ultimately cheaply constructed buildings.

Council's own guidelines propose that these 'opportunity sites' should be developed in a range of 7 to 13 storeys. Panel feels strongly that the proposals to the south of the railway line should be in the range of 5 to 7 storeys.

West Ealing residents well acquainted with Manor Road, Hastings Road, etc. and have no need of unnecessary and unwelcome dense high-rise developments. By all means redevelop these sites with sorely needed residential dwelling that address local demand for low rise family accommodation.

Further response from St Stephens CA Panel to amended plans:

Your Authority has, after very careful consideration and a widely conducted consultation determined that Castle Parade, located between the junctions of The Avenue with Gordon Road and with Argyle Road, merits Conservation Area status and is to be included in St Stephens Conservation Area, as a satellite.

The subject scheme, located within 200m of the Conservation Area, to the south of the railway line and east of the bridge abutment, singly fails to provide a transition in height from the medium rise buildings to the north of the railway and the historically attractive Victorian and Edwardian residential neighbourhood to the south of the railway.

Your Authority's own development guidance has been ignored in respect of development density and height of building/s that should be permitted.

We believe that the proposal represents a bulky cluster of over-scaled, characterless and architecturally undistinguished buildings that are likely to be cheaply constructed.

We believe that studies must be carried out to properly assess the cumulative affect of proposals in this area to include, the Manor Road tower (under construction), the Waitrose proposal, the other 'opportunity' site in Hastings Road together with this unfortunate scheme. West Ealing is a suburban area and developers efforts to maximise their profits by developing a series of very dense seemingly random overly tall buildings severely diminishes the character of the neighbourhood and ultimately devalues the setting of our conservation area.

The panel accepts that it is reasonable to seek to optimise 'opportunity sites' but this should be with sorely needed medium to low rise residential dwellings that address local demand for affordable family accommodation and are sympathetic to the neighbourhood.

(Officer Note: Comments regarding heritage impacts and Policy are addressed in this Report).

Central Ealing Residents' Association (CERA)

Do not object to the site being re developed but do object to the scale, density and height of the proposed scheme.

Particularly concerned about the scheme's height which at 21 stories at its highest point is well above the Council's draft Local Plan which states a 7-13 storeys maximum for the site. The tower will be completely out of scale visually with adjacent 2-3 storey houses in Hastings Road and the roads to the south.

he scheme will only provide bedsits with no links to a named university. There will be no family homes and no, much needed, affordable housing when a scheme of this size should provide a minimum of 20% affordable housing.

Further response from CERA to amended plans

The Central Ealing Residents' Association (CERA) objects to the proposed scheme. We do not object to the site being re-developed but we do object to the scale, density and height of the proposed scheme.

We are particularly concerned about the scheme's height which, although the latest proposal has been reduced slightly in height, is well above the Council's draft Local Plan which states a 7-13 storeys maximum for the site. The tower will be completely out of scale visually with adjacent 2-3 storey houses in Hastings Road and the roads to the south such as Hartington Road. It will overshadow them, visually dominate them, adversely affect daylight to them and cause a loss of privacy. These points have been made repeatedly by local residents but the applicant has paid little attention to them.

Furthermore, the scheme will primarily provide small bedsits rather than much needed family homes although, thankfully, some much needed affordable housing is now proposed.

This proposed scheme is unacceptable due to its excessive height and should be refused (*Officer Note: The scheme is for a PBSA and is based on single student rooms. PBSA contributes to housing need and mixed communities and is acceptable in principle on this town centre site. 35% of rooms are at affordable rents for students which accords with London Plan Policy for this type of specialist housing*).

Gordon Road and Surrounding Streets Residents Association (GRASS)

Height of the proposed building is excessive. The proposal for a 21- storey tower block is well above the guidance of 7-13 storeys for this site which was set by the London Borough of Ealing and would also be above the commitment made by the Leader of the Council. together with the application by John Lewis for towers of up to 20 storeys high, which is also in breach of the Council's local plan, would be completely unacceptable in a low -density family suburban area.

Would deprive the properties of privacy and increase air and noise pollution. Would also and destroy the historic character of the surrounding residential area on Hastings and Drayton Green Road, which is comprised principally of 2 storey terrace properties.

No evidence additional student accommodation on this scale is required suggesting that this is a highly speculative proposal. There is plenty of evidence of the need for affordable family housing

Even if it is car free there would be numerous deliveries which would have a negative impact on local roads. Local roads are already congested and this proposal would exacerbate the problems. The large number of students would also put pressure on the already congested Elizabeth line and Cross Rail.

(Officer Note: Comments are addressed in this Report).

Neighbour Representations

These Include the above listed community groups and in relation to amended plans, making 555 objections, 4 support, 1 neutral (a total of 560) received at the time of finalising this Report, summarised as follows:

Support

- Site is at a prominent station. Offers perfect redevelopment for scale and height and increased density. Design is quite detailed, with layering and stepping which helps to

reduce what could have been a single monolithic design.

Student housing can reduce need on existing stock and clearly must be a local need for this. the Train network is at capacity - however with the proposed users, times of train use might not be at the same peak hour travel times. Support the application if you can create a community space and conditioned in the approval.

- Good location, near public transport links. Failure to build enough student accommodation will only see more family homes converted to HMOs to accommodate students in less appropriate locations.
- Like the look of proposed building. Ealing needs more housing, as part of an ever-expanding major city, not some village in the middle of nowhere. Many of the ancient "low level Victorian" houses in the area more of a blight than this new building.

Object or Neutral

- Too tall.
- Makes a mockery of Local Plan and commitment to ‘clamp down’ on towers.
- Contrary to draft Local Plan 7-13 storeys maximum for the site.
- No affordable housing, no local people helped.
- No guarantee of university take up.
- Will become ‘slums in the sky’.
- Block out daylight.
- Will affect many local businesses.
- Appropriate for development but not this.
- Better utilised site for social housing.
- 90% of local community objects. Does not address housing need.
- No extra amenities. Traffic congestion.
- Out of keeping and insufficient amenity space.
- Concrete tower will use more concrete and energy than low rise.
- Traffic chaos during construction.
- Loss of outlook and views. Need more spaces for trees and shade.
- Height not in keeping with the area. Multiple high rises within touching distance of each other.
- Not listening to local residents.
- Not sure there is demand for temporary student housing in the area.
- Overdevelopment in conjunction with Waitrose development. West Ealing is ot a metropolitan town centre.
- Proud of Elizabeth Line but tall and large developments out of keeping. Traffic and parking will be worsened.
- Serious strain on local infrastructure.
- Unacceptable visual, functional, environmental effects. Overshadowing. Stepped design out of character, will tower over everything. Spine of development along railway should be objected to.
- Excessive traffic and vehicle movements at beginning/end of term. Nearest car park is small and busy and about to be closed. No where to park.
- Concern about management of 400 plus students, does not align with specific university.
- Lost opportunity for low rise family housing.
- Strain on public transport. Trains already at capacity.
- Exceeds Council guidelines on heights. Views of St Stephens church. Taller than tower.

- Will the development free up housing as claimed by application? Will alter skyline and community character. Flats will be unaffordable for many. Does not address housing need.
- Limited consultation with local community.
- Not truly affordable shared ownership.
- Disastrous legacy, infrastructure strain, light loss and privacy issues, traffic, safety, delivery concerns, air pollution.
- Too high and out of place.
- Missed opportunity. Ealing needs family homes.
- Do not agree this is good for the neighbourhood or West Ealing in general.
- Affront to character of the area and vastly over scale. Where is consideration for the servicing and quality of life of new tenants on top of existing local inhabitants? Needs to be reduced down by 75%.
- Will not improve quality of life in Ealing. Already overcrowded and full of traffic and pollution.
- Already vast student towers in St Leonard's Rd/Uxbridge Road. Hanger Lane Gyrotory, Brentford, North Acton, East Acton, Wood Lane and Wembley.
- Risk of a wind tunnel in conjunction with Waitrose development. Lack of Water Pressure, Strain on National Grid, Permanent smell of Gas leak on the bridge.
- Development has to be carefully planned so it can enrich the area not to bring a further burden to the local facilities. Ask council representatives to please look at the bigger picture before giving approval to high rise schemes in the area. NHS services are quite strained. Putting further stress to the NHS workers will be madness.
- When will Ealing Council release the housing figures? Allows developers to get away with flagrant abuse of our area. Where will we buy our wine if Majestic is gone?
- Local infrastructure will not cope while water pressure (which is currently at an all time low) will be non-existent. Where are students coming from? Must already have accommodation.
- Poor use of a site which could be better itself for social housing at an appropriate scale.
- Aim high and get pushed back to what the developer wanted in the first place. Is that the strategy?
- Too many people in the vicinity of the station will put a strain on services. Not well thought out at all.
- Local infrastructure will hit be able to cope - doctors and parking.
- Too big. Ill thought out. The wrong sort of housing. Massively insensitive .Out of keeping with the area. High rise has been proven since the 1960s to be bad for humanity psychologically and physically. High rise is dangerous. We don't want a Grenfell in Ealing. There is no green space provision and the area is already polluted.
- Far too many high rise developments in the area, completely changing the nature of the borough. Sympathetic developments would have my full approval.
- Student housing so will not address the local need for affordable and social housing.
- Very close to short terraced housing. The jump in height is very bad cityscape design.
- Student accommodation is not needed in an area without a university. There are no facilities for students in the area.
- Why is the borough obsessed with these vertical developments which aren't really offering any solution to the housing problem? Why so aggressively tall?
- Too many people for this area. Strain on local schools and Health Services. The residents will have cars and they will be left in residential roads nearby.

- Redevelopment must take out all the poor quality Victorian shops on Drayton Green Rd bridge. If not done there will be a ragged street scene and no prospect of redeveloping the small plot on which shops stand at a later date because unattractive economically.
2 Blue badge spaces is not enough for wheelchair provision.
Management Plan provides for only 9-5.30pm 5 days a week staffing. Inadequate and many servicing elements are missing from the Plan.
- Utter ruination of the character of our well-loved area, which comprises Victorian terraces, semis and villas, all of a traditional suburban height.
- Previous comments stated would never allow piece meal development of this corner site. Unbelievable monstrosity will sit between an Autocentre and dilapidated shops.
- Not in location for tall buildings. Council Strategy sets a limit of 13 storeys.
- Object for ecological reasons, pollution, loss of light and out of keeping with the area's character.
- The towers will impede on neighbouring properties' light and privacy. Flats will be small. After Covid and Grenfell who would want to live in a flat in a tower block?
- No objection to this site being developed per se and being developed for housing, but it should complement and be sympathetic to what is already there.
- Height and scale of the proposed building is completely inappropriate for the residential area and will blight many of the surrounding homes blocking direct sun light and heat in the winter months when it is needed most.
- Council needs to take into account the cumulative effect of so many tall buildings being proposed for such a small area. proposal contains minimal outside space for with the nearest park being Deans Gardens 10 minutes walk away which is already overcrowded and unpleasant. No full Environmental Impact Assessment has been made of the site. Had it been done they would have found that within yards there are bats, slow worm, newts and stag beetles protected species.
- Size and height of this development ruins the quality of life for those who live nearby. It changes the nature of the area and adds to problems with local roads.
- Would like to see greater investment in the local community by the developers as a result of this development (i.e. greater profit sharing). Creation of a new sports centre, or ice rink, or park or stadium by collaborating with the other planned development.
- We need more affordable housing for young families with green space for them to thrive.
- Wholly unsuitable for the area and drives a coach and horses through the local plan.
- Goes totally against commitments made by the leader of the Council. It has an absurdly high floor area ratio for a suburban site, it is most similar to buildings in Canary Wharf. Unfounded, speculative development that is hoping some university will back.
- Considerably in excess of the 13 storeys maximum indicated in the draft new local plan. Visual impacts in no way reflect the Local Plan's imperatives. Independently prepared TVIA could not fail to make this clear. The TVIA provided to support this project shows every sign of having been written to underplay the impacts of the development. No established lack of student accommodation. If there are to be new residential uses on this site of whatever density, it must be allocated to family homes for which the demand is greatest. Will generate considerable numbers of home deliveries, plus the trips generated by other developments proposed for this area, will add to the local congestion considerably.
- Overbearing impact on shops fronting Drayton Green Road.
- Just build sensible sized buildings to fit with neighbourhood and stop ruing Ealing.

(Officer Note: The above points are addressed in the Report, including in relation to Screening for environmental impacts).

12. EXTERNAL CONSULTTEES

Metropolitan Police	Request condition.
	No comments.
Crossrail	No objections. Content with fire safety design.
HSE	
NHS Property Services	No comments received. (Officer Note: It is noted in the applicant’s Health Impact Assessment audit of the healthcare facilities within the Ealing Network Primary Care Network, are currently operating below the recommended HNS benchmark and the nearest GP surgery is currently accepting new patients. Further, It states it is normal for students not to register with GPs during their studies as most higher education institutions offer medical and healthcare facilities for their students situated on their respective campuses. Accordingly, no financial contribution would be expected to be sought in this case).
Environment Agency	No comments received.
Affinity Water	
	No comments received.
GLAAS	No archaeological requirements.
London Fire Brigade	No comments received.
GLA	Stage 1 Report (received prior to reduction in tower height and the number of student rooms):

‘Strategic issues summary

Land use principles: *The intention to redevelop an underutilised site forming part of a Site Allocation is supported; however, there are concerns about the quantum of development proposed and implications for development of the remainder of the Site Allocation. The student accommodation use (including 35% affordable) and Class E use space are supported, subject to affordable student accommodation and nominations agreement requirements being confirmed and appropriately secured.*

Urban design and historic environment: *Tall buildings are not identified as appropriate on this site in the existing Local Plan, and the emerging Local Plan Site Allocation identifies indicative heights of up to 13 storeys. The proposals are considered to maximise, rather than optimise, the site’s capacity and density. The limited size of the site and the significant height of 21 storeys does not allow the massing to appropriately step down to the existing context. A low level of less than substantial harm is identified to a conservation area. Additional information is required to finalise assessment of the visual, functional, environmental, and cumulative impacts of the tall building. A London Plan compliant Fire Statement is required.*

Transport: Concerns about delivery and servicing, and student move-in/move-out, should be addressed.

Climate change and environment: Further information is required on energy, whole life carbon, circular economy, green infrastructure, and water.'

The GLA indicated that heritage harm to the St Stephens CA is considered to be less than substantial.

(Officer Note. In consideration of the amendments now proposed, GLA Officer considers the applicant has satisfactorily addressed the above concerns.)

Transport for London (TfL)	Transport concerns addressed. Request conditions and contribution to bus improvements.
Transport for London (TfL) Infrastructure Protection	No objection.
MoD Estates Assets	No objection.
Natural England	No comments received.
NATS/Heathrow Safeguarding	Request conditions.
Network Rail	No objections.
Thames Water	Request conditions.
London Wildlife Trust	No comments received.
National Highways	No objection.
Historic England	Less than substantial harm to Osterley Park and House.
Cadent Gas	Require Plan of extent of works before works commence.
Sport England	No comments.

13. INTERNAL CONSULTEES

Housing and Regeneration	No objections.
Transport Services	Request conditions/s106 obligations.
Environmental Services (Refuse Team)	Request details on waste storage/collection.
Energy & Sustainability	Request conditions/s106 obligations.
Pollution Technical (Air Quality)	Request conditions/s106 obligations.
Pollution Technical (Contamination)	Request conditions.
Pollution Technical (Noise)	Request conditions, informatives and s106 obligations.
Tree Service	No objection to tree removal. Request conditions and CAVAT contribution.
Leisure & Parks	Request conditions/s106 obligations.
Active Ealing	Request s106 obligation.
Regeneration and Economic Growth	Request active retail and commercial frontages and floorspace in the scheme and public realm enhancements, contribution towards affordable workspace and active travel and high street improvements to meet needs within a 20 minute neighbourhood in West Ealing.
Employment, Enterprise Apprenticeships	Request Employment Learning and Skills Plan (ELSP) condition and financial contribution towards delivery of ELSP objectives in the Borough.
LLFA	No comments received.

14. REASONED JUSTIFICATION

The proposal is assessed in terms of its potential impact on the area, on the amenities of the occupiers of neighbouring development and taking into account the relevant development plan policies for the area, considerations of the impacts of the development and all other material considerations.

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

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

- National Planning Policy Framework (NPPF),
- NPPG,

- National Design Guide (NDG)
- London Plan
- Ealing Development (Core) Strategy
- Development Management DPD
- Development Sites DPD
- Draft Ealing Local Plan Regulation 19
- Other Ealing Supplementary Planning Guidance/Documents
- Mayoral Supplementary Policy guidance

14.2 NPPF, 2023

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

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

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

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

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

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

'12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making....Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

The objective to secure a sufficient supply of housing, including specialist housing, states:

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

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

In meeting the housing needs of a range groups in the community para 62 states:

'62...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, ...students... , people who rent their homes...)

In relation to making effective use of land, the Framework states:

'119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and

ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'

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

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

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

'125. Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

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

...; and

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

On design quality, the Framework states:

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

Para. 130 states:

'130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

In line with key Framework design principle para.130(c), Government advice on design was significantly expanded in the National Design Guide (NDG) and the NPPG requiring new development to be sympathetic to local character, the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change is incorporated in Site Allocation Policy EAL11 and Reg 19 Local Plan Allocation 16EA objectives.

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

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

Guidance on the best practice approach in the NDG, para.16 states:

'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context'.

The NDG also says:

'63. Compact forms of development bring people together to support local public transport, facilities and local services. They make destinations easily accessible by walking or cycling wherever this is practical. This helps to reduce dependency upon the private car'.

64 'Well-designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context' and

'65 Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context, accessibility, the proposed building types, form and character of the development'.

14.3 Housing Land Supply

Student accommodation is included in the London Plan definition of housing (Policy H15). It is also identified in adopted LBE DPD Policy 3B as specialist residential accommodation. As such it contributes to housing land supply through housing students and indirectly through helping to alleviate pressure on traditional rented housing. This PBSA development would contribute the equivalent of 165 general needs dwellings towards the Council's housing supply.

The Council's latest 5-Year Housing Land Supply (HLS) position statement is dated November 2023, and reflected the provisions of the then contemporaneous NPPF (September 2023), which required LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement. This position statement established that the identified supply over the next 5 years in Ealing fell short of the requirement calculated for the same period.

Since this time however further revisions have been made to the Framework (published December 2023), which change the circumstances around when authorities need to establish a supply position and how this should be calculated when required. This is detailed in Framework paras. 76, 77 and 226. As revised, in circumstances where the adopted Local Plan is over 5 years old (as is the case in Ealing), the authority is required to continue to update annually a supply of specific deliverable sites.

This should be measured against a reduced requirement equivalent to 4 years' HLS, where the authority is advancing a new Local Plan which has reached either Reg 18 or Reg19 stage. Having published Reg 18 and 19 Plans in November 2022 and February 2024 respectively, Ealing can therefore take advantage of this reduced 4-year requirement.

Adjusting the calculations to account for the new provisions, Ealing's identified supply exceed the 4-year requirement, and in doing so the authority avoids triggering the presumption in favour of development. Separately, the presumption is also avoided as a result of the latest published Housing Delivery Test measure (2022).

14.4 Development Plan Policy

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

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

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

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

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

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

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

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

H2 (Small Sites) states Boroughs should actively support well-designed new homes on small sites (defined as below 0.25ha in size – the application site is 0.154ha) as a strategic priority. The policy seeks incremental intensification in PTAL3-6 areas or within 800m of a station. The application site is in PTAL 5.

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

H15 (Student Accommodation) requires:

- The development contributes to a mixed and inclusive neighbourhood.
- At least 35% of the student accommodation is 'affordable', defined as 'the rental cost for the academic year is equal to or below 55% of the maximum income that a new full-time student studying in London and living away from home could receive from the government's maintenance loan for living costs for that academic year.'
- Majority of the rooms are secured through a nominations agreement by a higher education provider (unless all rooms qualify as 'affordable').
- Non-self-contained student accommodation counts towards meeting London's housing targets based on a 2.5:1 ratio. The application would therefore contribute the equivalent of 165 (412/2.5) dwellings.

SD6 (Town Centres and High Streets) directed to, inter alia, promoting the vitality and viability of centres identifying locations for mixed-use or housing-led intensification to optimise residential growth potential, community uses, securing a high-quality environment and complementing local character and heritage assets, making best use of land through mixed use or residential development, including a diverse range of housing.

SD7 (Town centres: development principles and Development Plan Documents) supporting town centre first approach for development, including by making site allocations that include higher density mixed uses suitable for mixed-use residential intensification and supporting the diversity of town centres by providing a range of commercial unit sizes. SD8 (Town centre network) Metropolitan (and Major) town centres should be the focus for the majority of higher order comparison goods retailing, whilst securing opportunities for higher density employment, leisure and residential development in a high-quality environment.

S1 (Developing London's social infrastructure) supporting the needs of the community and uses. Note also S3 Education and Child care facilities.

14.5 Ealing Core Strategy/Draft Local Plan Designations and Allocations:

The site has the following designations or notations:

- i) Developed Area
 - ii) Site Allocation DPD – EAL11 West Ealing Station Approach. The site forms a significant portion, equivalent to about a half, of the Allocation.
 - iii) Metropolitan Town Centre
 - iv) Secondary Shopping Frontage
 - v) Air Quality Management Area
 - vi) Area of Local and District Park Deficiency
- and it adjoins:
- vii) SINC
 - viii) Green Corridor
 - ix) West Ealing Opportunity Area

14.6 Regulation 19 (Reg19) Draft Ealing Local Plan, 2024

The site remains allocated as part of the Draft Ealing Local Plan 16EA, West Ealing Station Approach. The Allocation is the same as EAL11 in the current adopted DPD.

14.7 Principle of PBSA Development

The site is identified as suitable to include residential use in the adopted and draft Local Plans. London Plan Policy H15 and DPD Policy 3B state specialist residential accommodation including student hostels will be supported where it meets the identified needs of a specific local group and satisfies the amenity and other objectives of the Plan. In principle, PBSA will contribute to objectives to secure mixed and inclusive communities.

14.8 Affordable Student Accommodation Policy

London Plan Policy H15 and the Consultation Draft Mayoral LPG October 2023 states the affordable student accommodation bedrooms should be allocated by the higher education provider operating the accommodation, or the nomination right to it, to students most in need of the accommodation. In this case, the applicant does not have an undertaking with a specific institution.

To follow the Fast Track route (London Plan Policy H15 4a) the scheme must provide an element of affordable student accommodation on site and be at least 35%, which this application proposes.

14.9 Metropolitan Centre Retail Policy

Core Strategy Policies 1.2(c) and 2.5(b and c) look to revitalise Ealing Metropolitan Town Centre and West Ealing in particular and maintain and increase the supply of retail floor space to meet demand and to sustain the vitality and viability of the retail hierarchy. Ealing DM DPD Policy 4B and Draft Plan Policies TCS, E.2 and SP4.4F seek the same. For West

Ealing Centre the Core Strategy states: ‘ 2.5(a) To regenerate Ealing Town Centre and develop a vibrant and diverse range of new homes, shops, offices, sport and leisure and other public facilities ...

The units on Drayton Green Road and the Majestic Wine store are designated a Secondary Retail frontage. Designated shopping frontages inform policies to maintain convenient access to local shops. Site Allocation EAL11 (and 16EA) is integral to the policy objective.

Core Strategy 2.5 seeks: ‘(b) West Ealing – value and convenience goods and a wide range of eating-places’.

‘(c) To strengthen and extend the retail core of the town centre leading to an increase in the quantum, quality and diversity of the existing retail/leisure offer and sustain the town centre’s position in the retail hierarchy.

‘2.5 (f) To modify Ealing Broadway and West Ealing stations to cater for Crossrail services including enhanced bus interchange facilities (at Ealing Broadway) and facilities for cycling and walking to and from the town centre, improvements to the public realm including enhancement of the streetscape, upgrading the quality of existing open spaces in the vicinity of the town centre, improved signage, street furniture, lighting and public art.’

Draft Local Plan policies maintain these established objectives through Ealing Spatial Policy E2: Ealing Metropolitan Town Centre, not least through: ‘4.2.32 In addition to their social, civic, and recreational value, the retail and business functions of the town centre are unique assets for the borough as a whole. Future growth will recognise that these function as an integrated whole in attracting visitors, businesses, and residents.

‘4.2.33 The Metropolitan Town Centre also benefits from having two main hubs, centred around Ealing Broadway station and West Ealing station... West Ealing provides a complementary offer of local retail...’

The proposal involves a reduction of about 60% in the current amount of retail/commercial floorspace (comprised from Nos 52 and 54 Drayton Green Road but principally in the Majestic Wines building) from 435sqm to 157sqm. The proposed (Use Class E) commercial unit on the Hastings Road frontage, replacing the Majestic store, maintains that part of the designated Secondary Retail frontage.

However, on the Drayton Green Road frontage the PBSA entrance and ground floor accommodation (replacing Nos. 52 and 54) reduces the Secondary Retail Frontage from 28m to 19m. To help compensate for this, the applicant proposes, through s106 obligations, that the 2 ground floor student amenity rooms will be made available, outside College/University Term time, for local community space (exhibition space, meeting rooms, creches, day centres or nurseries) to align closer to the Draft Local Plan 16EA Allocation.

The space available would be 31sqm and if used in its entirety would maintain the Drayton Green Road Retail Frontage in flexible use(s) capable of helping to sustain the town centre albeit confined to periods outside of Term times. These objectives are supported by London Plan Policies S1 and S3, Core Strategy Policy 2.5 (Revitalizing Ealing Town Centre) and 6.2 Social Infrastructure and Reg 19 Policy 2.3 Thriving Communities and are deemed to satisfy the Council’s Regeneration and Economic Growth objectives.

15. ASSESSMENT OF APPLICATION MERITS

15.1 Scale and Site Capacity

This site is a sustainable location suitable for higher density development. The London Plan seeks to secure the delivery of good design, per Policies D3, D4, D6, D8, D9 and H2. Core Strategy Policies 1.2(h), 2.5(e), 2.10 and E7.4.1 of the Ealing Development Strategy DPD, Policies 7.4 and 7B of the Ealing Development Management DPD and Good Growth principles SP4.1 in the Draft Ealing Local Plan all apply.

Density is an indicator of the scale and intensity of a development. Higher density involving a tall building places greater emphasis on the environmental quality for new and existing residents, compatibility with the existing character of the area and transport impacts.

Policy D3 (in line with the Framework) highlights that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, particularly small sites like this (Policy H2), through careful consideration of issues such as form and layout, experience, alongside consideration of quality and character. Site optimisation in this case must also apply to the ability to successfully deliver the balance of the Site Allocation, which is assessed later in the Report.

15.2 Tall Building

The objective of Policy D9 is to avoid isolated tall buildings in locations considered unsuitable by the LPA. A ‘tall building’ is defined by London Plan Policy D9A as: ‘Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.’ The application exceeds the threshold.

Policy D9B (and paras 3.9.2 and 3.9.3) set the criteria where tall buildings may be appropriate as:

1. Any locations to be an appropriate form of development, subject to meeting other requirements of the Plan,
2. Locations identified on Development Plan maps,
3. Locations identified as suitable in a Development Plan.

EAL11 West Ealing Station Approach
Drayton Green Road / Hastings Road West Ealing W13



Site area: 0.27ha
 Ownership: Private
 Current uses: Retail, vehicle repair/MOT, and storage space
 Development Strategy Policies: 1.2(e), 2.5
 Setting: Urban
 PTAL: 4
 Planning Designations:
 Metropolitan Centre
 Adjacent to Green Corridor
 Relevant Planning Applications: None

Allocation: Mixed used development appropriate to the town centre.

Justification: Currently dominated by small-scale retail units and car parking, the site is underused in relation to its location within the town centre, and appropriate for an intensified mix of uses. The proximity to a residential area and the arrival of Crossrail make it suitable for the introduction of higher-density mixed use, enhancing the character of the town centre and the main route from the station to the high street area.

Indicative Delivery Timetable: 2016-2021

Site Context: The site sits by the railway in a highly accessible location opposite West Ealing Crossrail station. The site's immediate surroundings have seen a large amount of development in recent years with Waitrose, Luminosity Court and Sinclair House. This site however sits in a residential area as well as being within town centre

boundaries, making it particularly vulnerable to inappropriate and overbearing design. The adjacent railway further makes development sensitive to potential issues for end users such as noise and pollution.

With the introduction of Crossrail, a substantially increased pedestrian movement to and from the station is then to be expected between the nearby residential areas, West Ealing high street, Crossrail and the designated shopping parades of Waitrose and the Avenue. Traffic congestion is known to take place along Drayton Green Road, and Hastings Road has been closed to circulation to avoid rat-running.

Design Principles: The height, scale and massing of new development must reflect the historic character of the surrounding residential areas on Hastings and Drayton Green Road. New development along Hastings Road must be low rise and not overlook the adjacent two storey terraced residential properties on this side, to create a harmonious streetscape and respect the current building line.

EALING EALING

A stepped design with increasing height towards Drayton Green Road may be appropriate, in reflection of the increased scale of development at the intersection. Along Drayton Green Road, heights of up to four storeys will generally be appropriate, reflecting the height of Wilton House on the corner opposite.

Active frontages providing a variety of commercial units of different sizes should be provided on the ground floor of Drayton Green Road to provide a lively and agreeable frontage to this increasingly busy thoroughfare.

Due to the proximity of the railway line, a convincing case would need to be presented that proposals for residential accommodation would have a satisfactory level of amenity. Any residential use on the site must be designed to adequately shield residents from the noise and vibrations coming from the adjacent railway through proper insulation and ventilation.

Residential development must provide adequate levels of communal and private garden space for residents; any balconies fronting the railway must achieve acceptable quality and usability standards particularly with regards to noise and air quality, and the provision of accessible roof space or terraces incorporating biodiversity features will be expected in flatbed schemes.

Residential units should be dual aspect (north facing single aspect units are not acceptable). Means to provide secure access to residential units on the site will need to be carefully considered. The constrained nature of the site and its location in a town centre next to a Crossrail station would support a car free scheme.

As the DM DPD extract above shows, this site is in the designated Ealing Metropolitan Town Centre, identified in the Core Strategy as one of the Borough's primary locations for new homes. It is allocated under current Site Allocation EAL11 for redevelopment, however it is not currently defined as suitable for a tall building. Therefore, the scheme is contrary to London Plan criterion D9B.

Ealing DM DPD defines tall buildings as *'those that are substantially taller than their neighbours and/or which significantly change the skyline'*. As illustrated by the image below from the applicant's DAS, in the vicinity of the site (showing the proposed scheme), currently on Drayton Green Road there is the 9-storey Luminosity Court opposite, 7-13 storey blocks on the north side of the railway along Gordon Road including Dominion House. Additionally, there is an adjacent permission for a 14-20-storey block on Manor Road, like the application site parallel to the railway, called West 55:



London Plan para.3.9.2 sets out that Boroughs should employ a sieving exercise form of evidence gathering to identify areas for growth including the locations where tall buildings could have a role to play *'in contributing to the emerging character and vision for a place'* within the Borough.

In the above context, the Council prepared a Character Study and Housing Design Guide to inform the approach to identifying development locations to be included in the Draft Local Plan. Current Reg19 Local Plan Site Allocation 16EA re-identifies current EA11 Allocation, which includes the application site and adjacent land as: *'in principle suitable for a tall building'* up to a maximum height of 13 storeys (45.5m):

the Local Plan Reg 19

Ealing – 16EA

West Ealing Station Approach

SITE ADDRESS	SITE AREA (Hectares)	OWNERSHIP
44–54 Drayton Green Road & 41 Hastings Road, West Ealing, W13 8RY	0.27	Private



CURRENT USE Small shop units, warehouse retail unit and an MOT testing centre.	PLANNING DESIGNATIONS/ CONSTRAINTS Locally listed buildings (nearb Stephen’s CA and Osterley Pa (nearby), SINC (borough) (adjac Green Corridor (adjacent), TPO industrial uses (non-designated Metropolitan Town Centre.
PROPOSED USE Residential-led and mixed-uses appropriate to the Town Centre.	KEY INFRASTRUCTURE REQUIREMENTS Public realm improvements, le and greening and measures to active travel.
RELEVANT PLANNING APPLICATION(S) 2331905CE, 233551FUL.	INDICATIVE TIMEFRAME FO DELIVERY Within years 6–10 (2028/29–
SETTING/TYOLOGY Centres.	
PTAL 4–5	
TALL BUILDINGS The site is in principle suitable for a tall building. Design analysis indicates a maximum height of 13 storeys (45.5 metres).	

In applying Reg19 Plan Policy, the approach is that this should generally receive weight as a material planning consideration until such time as it formally replaces the current Local Plan and DM DPD Site Allocations, when it becomes the statutory Plan. The Reg19 Policy Allocation accords with the London Plan tall buildings Policy D9 and the equivalent Policy in the Reg 19 Local Plan.

Even so, the potential for a tall building typology on the application site is still subject to testing as it exceeds the maximum 13 storeys (45.5m) identified in the Tall Buildings Study. It is subject to assessment against the criteria in Part C of D9, relating to visual, environmental, functional and cumulative impacts. These are assessed in Section 15.3 onwards below, having regard to the design criteria considered by the adopted Plan to be applicable to the current Site Allocation EAL11.

The EA11 criteria state that height, scale and massing must:

1. reflect the character of surrounding residential areas on Hastings Road and Drayton Green Road
2. new development along Hastings Road must be low-rise and not overlook the adjacent two storey terraced residential properties, to create a harmonious streetscape and respect the current building line and
3. deliver a stepped design, with increasing height towards Drayton Green Road.

In addition, the 16EA adds the following:

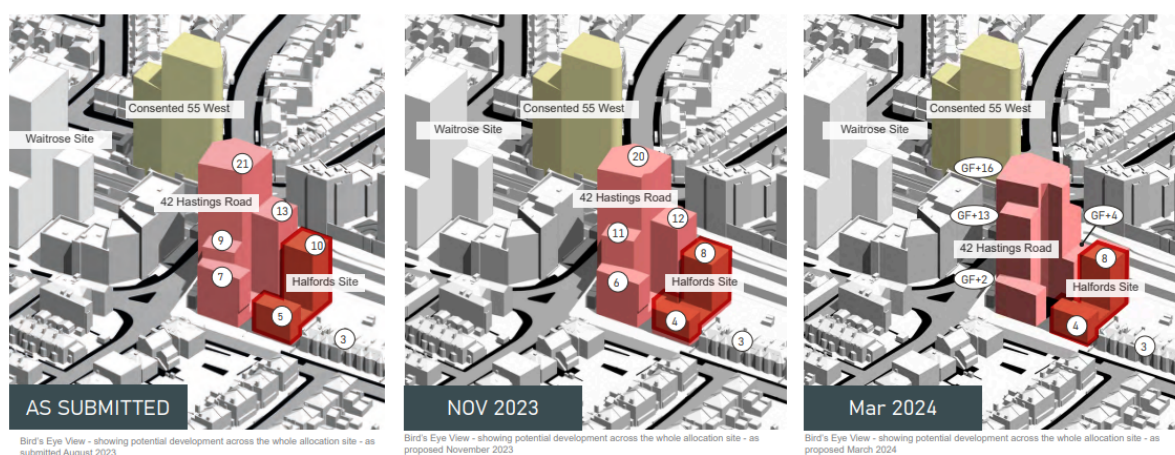
- a. give preference to a comprehensive development of the whole Allocation or demonstrate the remainder can deliver an optimal development,
- b. ensure heights are developed in accordance with the Tall Buildings Strategy, in a range of 4-13 storeys subject to testing in townscape, heritage and visual/residential amenity terms,
- c. provide active commercial frontage to Drayton Green Road and Hastings Road, retaining or reinstating existing commercial uses,

- d. be fundamentally car-free but offer satisfactory off-street parking and servicing for new or replacement uses,
- e. significant and coordinated public realm and Town Centre uses on routes to and from West Ealing Station and
- f. incorporate no/low levels of residential/commercial parking.

15.3. Visual Impact, Layout, Massing, Scale and Design

National Design Guide (NDG) para. 70 gives advice on tall buildings typologies: ‘proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character’.

The application was subject to the Design Scrutiny advocated in London Plan Policy D9C and D4. GLA and LBE Officers, the CRP and DRP all expressed concerns about the layout and massing strategy and height of this scheme at the pre-application and initial consultation stage of the application. The applicant has responded to these as illustrated below, in terms of reducing the height and scale of development:



The applicant has reduced the number of student rooms from 448 as submitted, to 412 as now proposed and reduced the maximum tower height from GF plus 20 to GF plus 16 storeys. In addition, the commercial wing fronting Hastings Road has been reduced in height from GF plus 6 to GF plus 2 storeys. However, the tallest central part of the block exceeds the 13 storey/45.5m threshold identified by the Tall Buildings Study and set out in Reg 19 Policy 16EA by 3 storeys/9.3m. The scheme is assessed with this in mind.

The Townscape and Visual Impact Assessment (TVIA) has been independently assessed for the Council by Temple. The proposal would impact upon views from the north along Argyle Road, including in cumulative views with the permitted West 55 tower albeit the latter would tend to impinge on views of the proposal by reason on being in the foreground. Summer and Autumn views, when leaf cover from trees varies, offer obscuring or filtered views sufficient to mitigate the visual impact, from Argyle Road, The Avenue in the St Stephens Conservation Area and from the locally listed Drayton Court Hotel, 4-24 (even) The Avene, the West Ealing Delivery Office and 46 Manor Road.

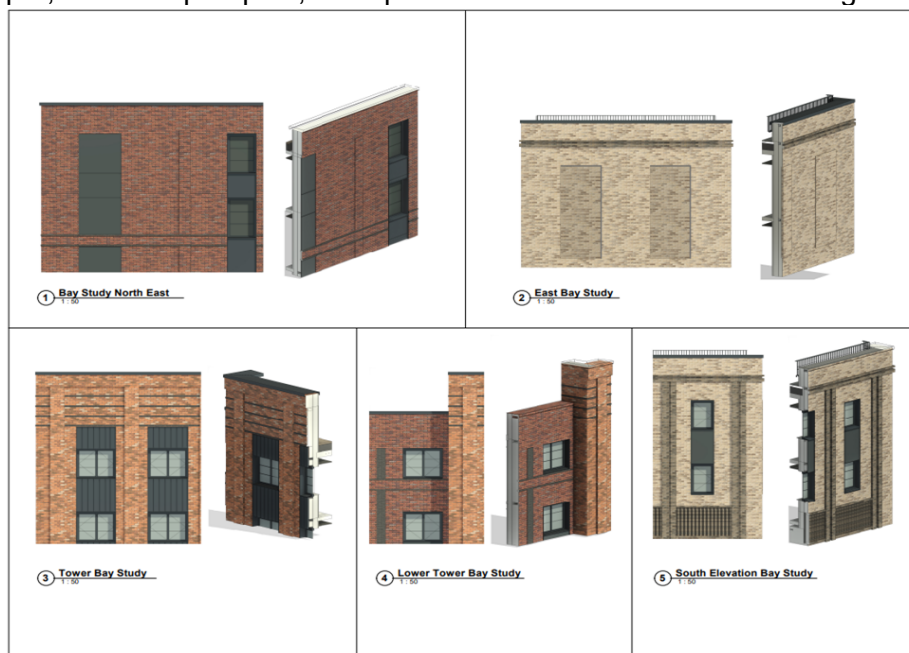
Short to mid-range views from the south, on Drayton Green Road and Hastings Road, as well as from Dean Gardens and Alexandria Road would impinge the skyline but not in a harmful way. In contrast it would appear subordinate in the views and locations north on

Northfield Avenue. Where visible it is essential (as required by Policy D4) the block delivers architectural quality, with materials of an exemplary standard and avoid heritage harm.

As sought by the Site Allocation Design Principles, the scheme completes a rise in scale through the site towards the Drayton Green Road frontage and at its southern junction with Hastings Road, enabling the declining scale towards the 2-3 storey housing surrounding the site, in combination with the sympathetic palette of dark to buff coloured facing bricks comprised in the three main elements of the block. In terms of visual impact criteria Policy D9C, the location, scale and massing of the proposed tall building is considered to be satisfactorily incorporated into the locality which it is desirable to maintain in accordance with Core Strategy Policy 2.10. It would constitute a positive intervention as required by E7.4.1 and Policy E7.4 and 7B of the DM DPD.

Policies also require that development complements scale and detailing, displays high quality architecture and makes a positive visual impact, with external treatment and materials that complement new buildings and context without impairing the visual amenity of surrounding uses. The EAL11 Allocation refers to the need for the height, scale and massing of development to reflect the historic character of the surrounding residential area.

Facing to the north, the block presents articulation of the elevations in terms of set backs to the principle elements. The height and scale facing south to Hastings Road is satisfactorily moderated by the elevational treatment that reflects the traditional low rise suburban setting of this primarily residential, mixed-use area. Included are detailed treatments for the taller block parapet, shoulder parapets, inset panels and windows and contrasting brick banding:



To avoid or prejudicing a future development of the Halfords site, the visual impact of what might otherwise be significant area of unrelieved flank facade facing east along the railway corridor and from Hastings Road is moderated by the GF plus 4 storey step that incorporate inset metal panels, recessed brickwork and corridor windows above the ground floor.

Overall, the proposal achieves an exemplary quality design that successfully responds to the scale and character of the existing surrounding context, without having significant adverse impacts on the character and appearance of the area, even including the additional height of the central element of the tower above the Allocation allowance.

15.4.Functional Impacts

The GLA is examining the Fire Strategy for policy compliance.

The scheme has been revised to provide a shared surface parking and servicing arrangement to Hastings Road. Transport concerns have been addressed and can be controlled by conditions and/or obligations.

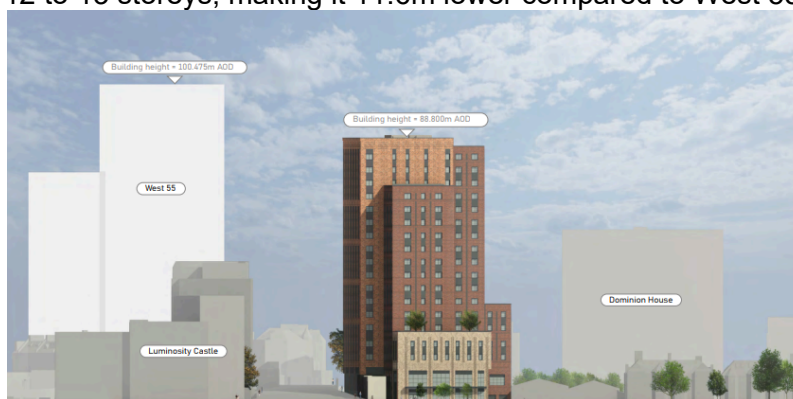
It is not feasible to incorporate public access to the roof of the Block to allow wider views of London as proposed by Policy D9D as it would compromise potentially resident security and amenity and require significant design changes. Further, other than the PBSA podium garden, the roofs are intended mainly for PVs and green roofs, which would also prohibit scope for public access other than those invited by the students. Functional impacts are therefore satisfactorily addressed.

15.5.Environmental Impacts

These are assessed below. The overall conclusion is that these have been satisfactorily addressed or could be regulated by conditions and/or obligations.

15.6 Cumulative Effects

In the vicinity of the site, the permitted West 55 block when constructed will represent the maximum block height in the surrounding area at GF plus 20 storeys. The application scheme has been reduced in height, to a maximum of GF plus 16 storeys (equivalent to GF plus 15 storeys compared to other tower blocks of equivalent height to that proposed) within a range 12 to 13 storeys, making it 11.6m lower compared to West 55:



In conjunction, the rising 5-9 storey Luminosity House fronting Drayton Green Road will interact with the rise of the new block on the application site. Together they contribute to a ‘family’ of blocks in a highly sustainable location, around West Ealing Crossrail Station, that would not appear bulky, overbearing and merges satisfactorily with the surrounding area and will not prejudice the delivery of the rest of the Site Allocation.

15.7 Heritage Impacts

No World Heritage Sites, Scheduled Monuments, Statutory or Local Listed Buildings, Registered Parks and Gardens, Historic Battlefields or Historic Wreck sites are recorded within the site. The site adjoins or is visible from statutory and local heritage assets.

A. Statutory Designated Heritage Assets and Assessment of Harms

S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires that when determining planning applications, special regard must be had to the desirability of preserving designated listed buildings, their setting and any features of special architectural or historic interest which they possess. Decision makers should

give: “considerable importance and weight to the desirability of preserving the setting of listed buildings’.

When carrying out the balancing exercise, which is undertaken in this application, the Court of Appeal decision in the case of *Barnwell* made it clear that in enacting s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Parliament’s intention was that ‘*decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings’.*

The application does not directly involve a listed building either in terms of its demolition or alteration, nor on land comprising one. Any harm in this application relates to impacts on the settings of assets in the area.

S72(1) of the LBCA Act applies to statutorily designated Conservation Areas (CA). CAs are designated because of an area’s special architectural or historic interest. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

In respect of the analysis of impacts on those statutory heritage assets likely to be affected by the development:

a. St Stephens CA

With or without the potential future impact of the West 55 tower, which will tend to dominate the foreground and partly obscuring the proposed block, views towards the site from The Avenue and Argyle Road on the south side of the CA, the proposal will be visible in near and middle ground, but less so in longer views, lessening its significance in the street scene, moderated by summer leaf cover from street trees. The proposed tower will have a narrowing effect on the generally open, corridor, view along this avenue flanked by traditional, lower scale, 2 and 3 storey houses that characterise the CA albeit much less than the West 55 development. Overall, therefore the harm caused is considered to be less than substantial at the lower end of the spectrum.

- b. Osterley House and Park: Historic England (HE) requested assessment from Osterley House a Grade I listed building and Grade II* Registered Park and Garden, as well as a CA. HE is concerned that sufficient steps have not been taken to minimise or avoid conflicts between the conservation of these exceptionally significant heritage assets and the proposals, as this impact has not informed the development of the scheme. HE considers the harm would be low in the range of less than substantial. This conclusion is agreed.

B. Non statutory (Locally Listed) Heritage Assets

Framework para.203 states: ‘*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*’

In relation to the site and scheme, the nearest Locally List buildings to the site are:

- a. Drayton Court Hotel
- b. 4-24 (even) The Avenue
- c. West Ealing Delivery Office
- d. 46, Manor Road.

The consequent degree of impact on their settings and significance will differ, however they will suffer ‘harm’ nevertheless. Given their separation distances and settings relative to the

scheme, individually and cumulatively the degree of harm is considered to be less than substantial at the lower end of the spectrum.

C. Overall conclusion on impacts on heritage assets

Framework and Policy states that development affecting heritage assets and their settings should conserve their significance, being sympathetic to their form, scale, materials and architectural detail. The impacts of this proposal on the settings of the assets constitutes less than substantial harm, at the lower end of the spectrum. It is necessary therefore to consider whether the harm is capable of being balanced by the public benefits of the scheme.

15.8 Highways/Transport

LBE Transport and TfL are satisfied with access, parking and servicing arrangements.

15.9 Trees and Landscaping

Tree Service expressed concern about the loss of TPO trees adjacent to the railway. A CAVAT-based tree replacement financial contribution is sought and conditions in respect of tree protection/monitoring during construction and new planting as appropriate as set out in the applicant's Arboricultural Method Statement.

15.10 Amenity Space

London Plan Policy GG3 and the Healthy Streets objectives, state new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. Although the footprint of the building relative to the site area is large and limits the opportunity to accommodate new open space, conditions and s106 contributions are recommended by LBE Landscape to secure implementation and maintenance and address shortfalls, whilst providing a reasonable area of new public realm along the Drayton Green Road entrance to the PBSA and the Hastings Road commercial frontage.

15.11 Ecology

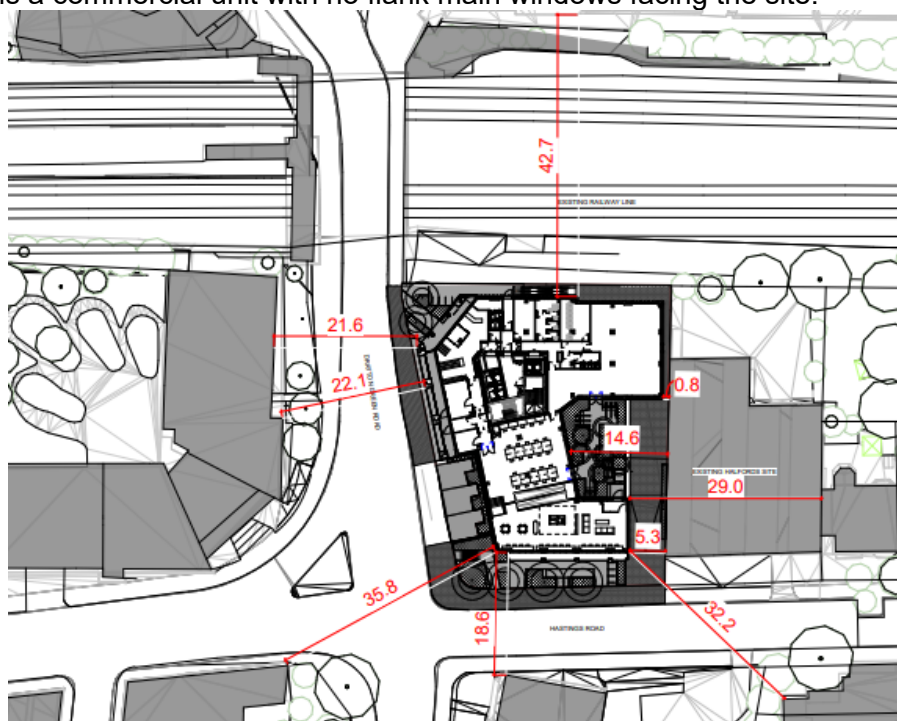
Natural England has not responded to the statutory consultation. A Phase 1 Habitat Survey and Desk Study confirmed that the site is not designated as being of ecological value. A tree, the buildings and other structures have low or negligible potential for roosting bats. The adjacent SINC to the railway line would be expected to be protected during construction. Bird and bat roosting potential plus other safeguarding or enhancements measures are recommended.

The development achieves an Urban Greening Factor (UGF) of 0.4. There would be a +10.85% net gain in Area Habitat Biodiversity Units (AHBU), in line with the Environment Act 2021. No objection is raised by the MoD to the applicant's Bird Hazard Management Plan to manage the risk of bird strike for aircraft on the Heathrow flightpath.

15.12 Privacy and Overlooking

London Plan Policy D8 reiterates the importance of ensuring that tall buildings do not compromise the comfort and enjoyment of neighbours and open spaces. Neighbours concerns regarding the prospect of overlooking and loss of privacy from the development are noted but not considered likely to give rise to significant adverse impacts. In relation to the retained shop units fronting Drayton Green Road, the units have no principal windows facing east towards the front of the new block and most are blocked in any event. Further they are flat-roofed single storey units facing west to Drayton Green Road so the perception of an overbearing impact is unlikely to arise.

LBE Development plan policies and guidelines seek minimum separation distances of between 18 and 21m. The residential separation distances generally range from 25m to the flank of 36 Drayton Green Road, 27m to the flank of 40 Hastings Road and 41m to the front of Luminosity Court. Although the block would lie immediately to the flank of the Halfords store, this is a commercial unit with no flank main windows facing the site:



Overall, this will not give rise to a significant unacceptable loss, or the perception of loss, of privacy or amenity between existing and proposed residential accommodation.

15.13 Sunlight, Daylight and Overshadowing

The applicant’s Report analyses the daylight and sunlight impacts having regard to Framework, NPPG and local policy, BRE guidance and the character of the area and site. Assessed are impacts on neighbouring properties, proposed accommodation, Daylight and Sunlight to Neighbouring Properties, external and internal to the development, including to new amenity spaces within the scheme.

The Framework makes clear that Guidelines are not to be employed rigidly. They are not mandatory and as the BRE Guidance states: ‘...*should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer*’.

The Reports have been independently reviewed by Temple on behalf of the Council. Their conclusion on the daylight and sunlight assessments, internally and externally, for existing neighbours and proposed occupants, are that the impacts of development are generally within acceptable limits.

Overall, the proposal provides acceptable amenity and environmental standards and can therefore be concluded to accord with NPPF, London Plan Policy, Mayor’s Housing SPG and the draft Housing Design Standards LPG and DM DPD.

15.14 Environmental Impacts

On the environmental impacts, the following are identified in the application documents and Reports:

a. Air Quality

Ealing Borough is an Air Quality Management Area (AQMA). The applicant has carried out an Air Quality Assessment (AQA) that finds:

'7.4. The Proposed Development is compliant with the requirement of the AQN guidance and is therefore termed as an air quality neutral development.

'7.5. Overall, based on a conservative assessment and suitable mitigation being incorporated into the development design and construction works, the air quality effects are compliant with all regulatory standards and are judged to be 'not significant'.'

This is not to suggest that the development is unlikely to have any effects but that it complies with the Policy requirement, in terms of building and transport related emissions levels below the relevant benchmarks. Pollution Technical seeks a s106 contribution to the Council Air Quality Action Plan and conditions.

b. Noise

London Plan Policy D13 requires adherence to Agent of Change principles. The Applicant's Noise Report and Construction Management Plan (CMP) has been assessed by LBE Pollution Technical, who request conditions and Informatives.

c. Wind and Microclimate

London Plan Policy D8 and D9 addresses the impact of tall buildings on wind conditions around them and their neighbours. The applicant has produced a Report to address the local environmental impacts of the development in respect of wind and air movement, including a pedestrian level assessment and within the podium amenity areas, based on the Lawson Comfort Criteria.

The Report has been reviewed by Temple on behalf of the Council. They are satisfied with the analysis and overall conclusions that in terms of existing and cumulative conditions, including with other permitted development, no significant harmful conditions would be created.

d. Energy and Sustainability

The Applicant's Report concerns sustainable energy usage, sustainability, alternative technologies, management of CO₂ emissions, PV provision and other relevant matters. It has been appraised by Emergence, who consider the strategy can be supported. assessed against the draft SAP10 benchmark and the standard energy hierarchy of "Lean, Clean, Green" required by London Plan Policies S12 and S13 and Ealing DPD Policy 5.2. The applicant has responded to the GLA Stage 1 request for further clarification.

The overall site-wide CO₂ emissions will be cut by at least 38.36% against BR Part L 2021 (using SAP10.2 emission factors), with 7.76% through "Lean" efficiency measures, and 30.61% through "Green" renewable energy. There is a shortfall of 1311 tonnes CO₂ (over 30 years) in the zero-carbon that would be offset at the LBE level of £95/tonne, along with other s106 clauses and conditions.

e. Environmental Health (Contaminated Land)

The application is supported by a preliminary risk assessment. Conditions and Informatives are requested by Pollution Technical.

f. Flood Risk

The site is in Zone 1, at the lowest risk of flooding. It is not in a Critical Drainage Area. The applicant has produced a Flood Risk and Drainage Strategy and SUDS assessment.

The LLFA has not commented on the application. Thames Water raises no objections in relation to foul or surface water and request a condition to prevent implementation until water network upgrades or phasing is agreed.

15.15 Balance of the EAL11/EA25 Site Allocation

Site Allocation EAL11 (and Reg 19 16EA) do not require all parts of the Site (which are in different ownership) to come forward at the same time. Nevertheless, this is a brownfield site in a sustainable urban location where Framework and development plan policies and guidelines seek full and efficient use of land and site optimisation. Accordingly, the application must be capable of demonstrating that it would all be likely to be able to come forward in a satisfactory manner.

In response to pre-application consultation concerns expressed by Officers and the GLA that the application may frustrate delivery of a comprehensive scheme the applicant has provided further illustrative information to demonstrate how other parts of the Allocation may come together with the application, whilst complying with EAL11 and 16EA Design Principles set out in Section 15.3 above.

The design suggestion contained in the DAS for the shop units on Drayton Green Road is reasonable, without affecting current servicing arrangements. The applicant has demonstrated that in conjunction with a reduction in the height of the proposal from 7 to 4 storeys to the Hastings Road frontage and the scope to reduce massing and scale at the rear of the site as well, initial concerns about amenity and overshadowing impacts from development of the Halfords site should be capable of mitigation in proposals that may be likely to come forward when assessed against the criteria in Policy D9.

In relation to the retained shop units fronting Drayton Green Road, the scheme is designed to be physically separate from them, with a shopfront for the commercial unit, should the existing units be removed at any time in the future. In addition, their removal would facilitate an increase in the area of open public realm as illustrated in the 2 images below:



New public realm: 1. outside PBSA entrance on north side and 2. new store on south side

It is considered therefore the proposal will not be likely to preclude the optimal development of the balance of the Allocation, alongside helping to achieve active retail and commercial frontages and floorspace in the scheme and public realm enhancements that will contribute towards meeting the needs of residents in the 20-minute neighbourhood in West Ealing

16. HERITAGE ASSETS AND PUBLIC BENEFITS

As noted in Section 15 above, there would be less than substantial harm to statutory and locally designated assets. It is necessary therefore to follow the national policy test and balance the harm with any public benefits of the scheme. Framework para. 202 requires the public benefits must be substantial. The NPPG provides guidance on what may be regarded as public benefits.

The NPPG provides guidance on what may be regarded as public benefits: *'Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits...'*

The applicant's TVIA has been assessed and shows that the development would be visible in views of designated and local heritage assets, albeit generally at a distance so that while it will have some impact on their settings it is not considered to cause substantial harm either individually or cumulatively. The conclusion therefore is that the harm to assets would be at the level of 'less than substantial' harm.

The applicant states the scheme will deliver the following benefits:

1. development of the substantial part of an Allocated, accessible mixed use urban site,
2. contribute to housing supply and mixed communities from the increase in PBSA,
3. 35% affordable student rooms,
4. reduced use of HMOs in the area by students increasing the local supply,
5. sustainable modular construction and energy efficient building performance,
6. new public realm and spaces,
7. new construction and training and apprenticeships,
8. ongoing student resident expenditure in the area,
9. environmental, UGF, BNG and ecological enhancements.

In addition to the above, the applicant proposes to offer two of the ground student amenity rooms facing Drayton Green Road, for community uses at preferential-rates outside of college term times and beneficial town centre uses.

All the above stated benefits are advanced against the acknowledged harm. In accordance with the NPPG test, they are demonstrably clear, substantial, flow from the development and are genuinely of a significant scale and nature to benefit the public at large. They are not exclusively private; particularly in respect of their contribution towards the delivery of development plan policies and objectives.

It concluded that the public benefits of the application outweigh the harm to heritage assets and tip the balance under Framework para.202 in favour of a grant of permission.

17. FIRE SAFETY

The Fire Strategy for this development, taking account of its compliance with current London Plan Policy for tall buildings, is set out in this Report. Consultation has also been carried out with LFB and HSE. At the time of preparing this Report the LFB has not responded to the Council's consultation request.

Large schemes may require different consents before they can be built. Building Control approval needs to be obtained so that certified developments and alterations meet building regulations. Highways consent will be required for alterations to roads and footpaths. Various licenses may be required for public houses, or a 'house in multi-occupation'. The planning system allows assessment of interrelated aspects of development when planning applications are submitted to the Council.

The proposed materials to be used may be approved under a planning permission based on the details submitted as part of the planning application or may be subject to a condition

that requires such details to be submitted and approved prior to the commencement of the development. Whichever the case, planning officers' appraisal of materials is focused on the visual impact of such materials in relation to the design of the overall scheme itself, the character of the local area, or on the amenities of local residents.

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

Any person or organisation carrying out development can appoint either the Council's Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure the requirements of the Building Regulations are met. The BCB would carry an examination of drawings for the proposed works and carry out site inspection during the course of the work to ensure the works are carried out correctly. On completion of work the BCB will issue a Completion Certificate to confirm that the works comply with the requirement of the Building Regulations.

In relation to fire safety in tall buildings high rise residential developments some of the key measures include dual lifts and stairs above prescribed heights, protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

18. S106 CONTRIBUTIONS

The scheme would be mitigated by financial and non-financial clauses in a s106 agreement to secure affordable student housing in perpetuity, transport, health, amenity/open space, construction, employment and training, apprentices and placement, energy monitoring, parking, highways restoration and works, any s278 highway works agreement to implement off site highway works and payment of the Council's legal and professional costs incurred in preparing the agreement. Relevant development plan policies are considered to be satisfied.

19. COMMUNITY INFRASTRUCTURE LEVY

The following MCIL would be applicable based on the total chargeable development of about 14,000sqm GIA at a rate of £60/sqm: approx. £907,400.

20. EQUALITIES ANALYSIS

The 2010 Equality Act places a duty on public bodies, in the exercise of their functions to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

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

The development provides the basis to assess the potential impact of the proposal on equalities target groups particularly around age, disability, pregnancy and maternity, race, religion or belief, sex and sexual orientation and the wider community (London Plan Policy

D5 and EqIA for PBSA prepared by GLA to accompany Consultation Draft LPG, August 2023).

The applicant has also prepared a Desktop Health Impact Assessment (HIA) in line with London Plan Policy GG3 (Creating a Healthy City. The key conclusion are summarised as: *'6.2 The Proposed Development is expected to result in a range of beneficial health outcomes, notably through the provision of high quality PBSA to meet LB Ealing's housing needs. This provision supports student needs, helps foster a sense of community, and ensures students are adequately housed.'*

Further, as noted in the Community Consultation section of this report, extensive pre-application consultation has been undertaken during the preparation of the application and that process continues including with statutory bodies such as the Metropolitan Police SBD.

A total of 15 different student room types are proposed, ranging from 15.4sqm to 22.1sqm, three accessible room types for DDA persons and three types of cluster units. 35% of the rooms would be let at affordable rents. 10% if all rooms specifically designed for wheelchair users (M4(3) compliant). All parts of the scheme provide level, gently sloping of step free access to communal areas.

With the inclusion of the above, in consideration of the Equal Opportunities Act, the proposal would not negatively impact on local community groups with a protected characteristic nor, upon the wider community in accordance with London Plan Policies D5 and D7.

21. OVERALL CONCLUSIONS AND RECOMMENDATION

Residential re-development would be acceptable in principle on this Allocated Metropolitan Town Centre site. The proposed development would provide an appropriate PBSA and commercial land uses that meet national space standards and provide adequate amenity space.

S38(6) of the Planning Act, 1990 states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The development proposes a tall building typology on a site not currently allocated for this. However, in conjunction with other development management considerations as set out, the proposal will contribute to achieving a well-designed place and will not be likely to prevent an optimal development of urban land and Site Allocation or be prejudicial to the amenities and character of the area.

The urban design of the scheme will create a high-quality sense of place that accord with the development plan. It proposes a high quality, tall building element in a rational and well-planned form that, following London Plan Policy D4, has been analysed and scrutinised by independent Panels.

Although not currently allocated in the adopted DM DPD EA11, the site is expressly allocated in Reg19 Local Plan for a tall building typology and is in a suitable Town Centre location recognised as appropriate by London Plan Policy D9. Part of the new building exceeds the 13 storeys (45.5m) height threshold. However, having analysed the scheme against the relevant material considerations as set out in the Reg19 design principles, it is concluded the extra storey height of the central element of the tower above the indicated 13 storeys (noting the applicant's construction method would equate to a conventional 15 storey block), does not give rise to a significant harmful adverse impact on the area.

The applicant's TVIA has been assessed and shows that the development would be visible in views of designated and local heritage assets, albeit generally at a distance or obscured by other buildings, so that while it will have some impact on their settings it is not considered to cause substantial harm either individually or cumulatively. The conclusion therefore is that the harm to assets would be at the level of 'less than substantial' harm.

Having been assessed the proposals it is concluded the application will not be likely to give rise to more than less than substantial harm to the significance of the heritage assets. It has also been concluded that the public benefits of the application outweigh the harm to heritage assets and tip the balance in favour of a grant of permission.

Identified non-compliance with development plan Policies is satisfactorily balanced with the benefits of the development in achieving other Policies of the same Plan as listed above and the LBE Local Plan, to secure full and optimal use of part of this Site Allocation to provide new purpose-built student accommodation (PBSA), 35% affordable student rooms with new public realm, commercial and potential community space, as well as environmental improvements.

Other matters, including amenity impacts, affordable and market housing, transport and resident parking concerns, environmental health, energy, Mayoral CIL and s106 matters have been assessed and found to be acceptable. Objections have been reviewed and addressed however these are considered insufficient to outweigh the recommendation for approval for this development in accordance with the development plan to all other material considerations.

Having established there are clear and substantial benefits, it is demonstrated that, taking the development plan as a whole, the Planning Balance and NPPF sustainability criteria support this application.

It is therefore recommended that **Permission be Granted with conditions and following completion of a s106 agreement subject to the Stage 2 Mayoral referral.**

22. HUMAN RIGHTS ACT

In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Ealing to act in a manner which is incompatible with the European Convention on Human Rights.

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

23. PUBLIC SECTOR EQUALITY DUTY

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

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

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

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

- a. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- b. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 which is only one factor that needs to be considered and may be balanced against other relevant factors.
- c. It is considered that the recommendation to grant planning permission in this case would not have a disproportionately adverse impact on a protected characteristic.

APPENDIX: CONDITIONS AND INFORMATIVES

Conditions

1. Time Compliance.

Development shall commence no later than 3 years following the date of grant of this permission.

Reason: To comply with s91 of the Town and Country Planning Act 1990.

2. Approved Plans and Supporting Documents/Reports

List of plans

- 222-JTP-ZZ-SP-DR-A-001-0000 Rev P01 (Site Location Plan)
- 222-JTP-ZZ-ZZ-DR-A-058-0001 Rev P01 (Typical Plan)
- 222-JTP-ZZ-ZZ-DR-A-058-0002 Rev P01 (Typical Upper Plan)
- 222-JTP-ZZ-B1-DR-A-069-0000 Rev P01 (Basement - NR constraints plan)
- 222-JTP-ZZ-GF-DR-A-069-0001 Rev P01 (Lower Ground Floor Plan - NR constraints plan)
- 222-JTP-ZZ-01-DR-A-069-0002 Rev P01 (Upper Ground Floor Plan - NR constraints plan)
- 222-JTP-ZZ-GF-DR-A-084-0001 Rev P01 (Existing Ground Floor Plan)
- 222-JTP-ZZ-RF-DR-A-084-0002 Rev P01 (Existing Roof Plan)
- 222-JTP-ZZ-NE-DR-A-084-0003 Rev P01 (Existing North & East Elevation)
- 222-JTP-ZZ-SW-DR-A-084-0004 Rev P01 (Existing South & West Elevation)
- 222-JTP-ZZ-ZZ-DR-A-084-0005 Rev P01 (Existing Section AA & BB)
- 222-JTP-XX-XX-RP-A-102-0001 Rev P01 (Design and Access Statement)
- 222-HTA-XX-XX-RP-A-102-1710 Rev B (Design and Access Statement Addendum)
- 222-HTA-ZZ-SP-DR-A-085-001 (Proposed Site Plan)
- 222-HTA-ZZ-B1-DR-A-086-0000, PL01 (Proposed Basement Plan)
- 222-HTA-ZZ-GF-DR-A-086-0001 Rev PL02 (Proposed Lower Ground Floor)
- 222-HTA-ZZ-UG-DR-A-086-0002 Rev PL02 (Proposed Upper Ground Floor Plan)
- 222-HTA-ZZ-ZZ-DR-A-086-0003, Rev PL01 (Proposed Typical Levels 01-02)
- 222-HTA-ZZ-03-DR-A-086-0004, Rev PL02 (Proposed Level 03)
- 222-HTA-ZZ-04-DR-A-086-0005, PL01 (Proposed Level 04)
- 222-HTA-ZZ-05-DR-A-086-0006, PL02 (Proposed Level 05)

222-HTA-ZZ-ZZ-DR-A-086-0007, PL01 (Proposed Typical Levels 06-13)
 222-HTA-ZZ-14-DR-A-086-0008, PL02 (Proposed Level 14)
 222-HTA-ZZ-ZZ-DR-A-086-0009, PL01 (Proposed Typical Levels 15-16)
 222-HTA-ZZ-RF-DR-A-086-0010, PL04 (Proposed Roof)

222-HTA-ZZ-AA-DR-A-089-0220, PL01 (Section A-A)
 222-HTA-ZZ-BB-DR-A-089-0221, PL01 (Section B-B)
 222-HTA-ZZ-CC-DR-A-089-0222, PL01 (Section C-C)
 222-HTA-ZZ-DD-DR-A-089-0223, PL01 (Section D-D)
 222-HTA-ZZ-E-DR-A-088-0203, PL01 (East Elevation)
 222-HTA-ZZ-N-DR-A-088-0202, Rev PL01 (North Elevation)
 222-HTA-ZZ-NW-DR-A-088-0204, Rev PL01 (North West Elevation)
 222-HTA-ZZ-S-DR-A-088-0200, Rev PL01 (South Elevation)
 222-HTA-ZZ-W-DR-A-088-0201, Rev L01 (West Elevation)

List of reports/documents

Air Quality Assessment, dated 11.03.2024
 Arboricultural Impact Assessment, dated 10.08.2023
 Biodiversity Net Gain Calculation and Report, dated 09.08.2023
 BREEAM Pre-Assessment, dated 13.07.2023
 Car Parking Management Plan, dated 08.2023
 Construction (and Demolition) Environment Management Plan, dated 07.2023
 CIL Form, dated 12.03.2024
 Circular Economy Report Rev 5, dated 12.03.24(to the GLA)
 GLA Circular Economy Spreadsheet dated 20.11.2023 (to the GLA)
 Civil Engineering Infrastructure Report, dated 06.12.2023 (to GLA)
 Response to GLA Drainage Comments Letter
 Construction Logistics Plan, dated 08.2023
 Consultation and Involvement Statement, dated 08.2023
 Internal Daylight and Sunlight Assessment, dated 11.03.2024
 External Daylight and Sunlight Report, dated 12.03.2024
 Delivery and Servicing Plan, dated 08.2023
 Demolition Method Statement , dated 03.08.2023
 Design and Access Statement , dated 08.2023
 Design and Access Statement Addendum Rev B dated 26.03.24
 Desk Study Preliminary Risk Assessment and Proposed Scheme for Ground Investigation (and Appendices (Parts 1-3)) , dated 04.08.2023
 Economic Benefits Statement , dated 08.2023
 Economic Benefits Assessment Infographic, dated 08.2023
 Energy Statement, dated 12.03.2024
 Fire Strategy Report , dated 12.03.2024
 Flood Risk Assessment, dated 04.08.2023
 Health Impact Assessment, dated 08.2023
 Built Heritage Statement , dated 10.2023
 Addendum Built Heritage Statement (amended design submission) , dated 12.03.24
 Microclimate and Wind Assessment, dated 11.03.2024
 Noise and Vibration Impact Assessment , dated 04.08.2023
 Operational Waste Management Plan , dated 08.2023
 Overheating Assessment Rev 6, dated 12.03.2024
 Planning Statement , dated 08.2023
 Planning Note dated 14.03.2024
 Preliminary Ecological Appraisal, dated 04.08.2023
 Construction Waste Management Plan , dated 04.03.2024

Student Management Plan , dated 06.2022
Demand Study: Purpose Built Student Accommodation , dated 08.2023
Sustainability Statement Rev 7, dated 12.03.2024
Townscape Visual Impact Assessment (TVIA) (Parts 1-2) , dated 08.2023
Townscape Visual Impact Assessment Addendum (amended design submission) , dated March 2024.
AVR Previews , dated 12.03.2024
AVR Images Method Statement, dated 12.03.2024
Transport Assessment, dated 08.2023
Transport Technical Memorandum dated 21.02.2024
Framework Travel Plan, dated 08.2023
Utilities Statement, Rev P01
Whole Life Carbon Assessment Rev 5, dated 11.03.2024
GLA – Whole Life Cycle Carbon (WLC) Assessment Spreadsheet dated
Note on impacts to SINC, dated 21.11.2023 (to the GLA)

Reason: For the avoidance of doubt.

3. Quantum of Development

Unless otherwise agreed in writing, the quantum of development hereby permitted shall not exceed the following:

- a. 412 student rooms
- b. 740sqm GIA internal student amenity space,
- c. 155sqm GIA Use Class E flexible commercial floorspace.

Reason: To ensure conformity with the submitted application and safeguard the retention of satisfactory uses on the site.

4. Materials

Samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the relevant part of the development. Details/samples shall include::

- a. samples of all external materials, with particular emphasis on high-quality and durable materials,
- b. detail of the articulation of the facades,
- c. detail of the external doors and window detailing,
- d. detail of the articulation of the top of the building,

The development shall thereafter be constructed in accordance with the approved materials and be retained as such.

Reason: To ensure that the materials harmonise with the surroundings in accordance with the Ealing Development Strategy and the Ealing Development Management Development Plan.

5. Solar Glare

Prior to first occupation of any part of the development, the approved measures for the minimisation of solar glare on the north facing elevation of the new building, including any coatings selected for the windows and cladding forming any part of the elevations of the development, that would not have an adverse effect:

- a. on the operation of rail services lying to the north of the site,
- b. the amenities of the area and the enjoyment by neighbouring residents of their homes,

development shall be constructed and retained as such in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings in accordance with the Ealing Development Strategy, the London Plan and the Ealing Development Management Development Plan Document.

6. Roof terrace/amenity space screens

Prior to the fitting out of the Upper Ground Floor Terrace and Level 03 Roof Terrace amenity area details of screening to the perimeters of each Terrace shall have been submitted to and approved by the local planning authority.

Reason: To safeguard the visual and residential amenities of neighbouring residents and of the area.

7. Masts and Aerials

No microwave masts, antennae or satellite dishes or any other such plant or equipment shall be installed on the exterior of the building unless otherwise approved in writing by the local planning authority.

Reason: To safeguard the appearance and character of the new buildings in the interests of the amenities of the area.

8. Inclusive Access

A minimum of 10% of all new lettable student rooms shall be constructed meet Building Regulations requirement M4(3) 'wheelchair user dwellings' (designed to be easily adaptable for residents who are wheelchair users).

Reason: To comply with the London Plan.

9. Tree Planting

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

- a. Planting – the location, species and densities;
- b. Trees - the location, species and maturity of proposed trees; including comprehensive details of ground/tree pit preparation to include but not restricted to:
 - Plans showing adequate soil volume provision to allow the tree to grow to maturity;
 - Engineering solutions to show how the tree will not interfere with structures in the future
 - Staking/tying methods
- c) 5 year post planting maintenance schedule for all planting and trees with an agreed inspection schedule
- d) finishes to the hard-surfaced areas (including samples);

- e) boundary treatments and access gates;
- f) associated furniture (including bins, bollards, seating) and other hard landscape works
- g) disabled access
- h) security measures

shall be submitted and approved by the Local Planning Authority and implemented. Any trees or other plants, which die or are removed within the first five years following the implementation of the landscaping scheme, shall be replaced during the next planting season.

Reason: To ensure that the materials harmonise with the surroundings in accordance with policies D3 and D4 of the London Plan (2021).

10. Ecological Mitigation and Management

Prior to the installation of modules hereby approved, an Ecological Mitigation and Management Plan (EMMP), shall be submitted to and approved in writing by the Local Planning Authority showing the details of the mitigation and enhancement measures and their management as recommended by the Preliminary Ecological Appraisal V2 dated 4.8.23 by Temple

Reason: In the interests of ecological protection and enhancement.

11. Renewable/Low Carbon (and CO2) Energy

- a) Prior to construction completion and occupation, the Development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO₂ emissions of at least 41% (equating to 31.1 tonnes of CO₂ per year) beyond Building Regulations Part L 2021 and using SAP10.2 emission factors. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared Cudd Bentley in March 2024 (v6) or in any later final approved energy strategy including:
 - i. Lean, energy efficiency design measures to achieve an annual reduction of at least 34% equating to at least 25.8 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2021 (using SAP10.2 emission factors).
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 25.8 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 7%, equating to 5.3 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021 (using SAP10.2 emission factors).
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the heat pump system(s) (including the heat generation and the electrical parasitic loads of the heat pumps), in line with the Council's monitoring requirements.
- b) Prior to Installation, details of the proposed renewable energy equipment, and associated monitoring devices required to identify their performance, shall be submitted to the Council for approval. The details shall include the communal heat distribution network schematics, the exact number of heat pumps, the heat pump

thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, 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 Cudd Bentley in March 2024 (v6). 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) 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.

12. Post-construction energy equipment monitoring

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

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

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

13. Post-construction energy use monitoring (“Be Seen”)

To demonstrate compliance with the ‘be seen’ post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and 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 8 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 within 2 months of the building first 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 3 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 3 years.

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

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

14. Whole Life-Cycle Carbon Assessment

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

Reason: To assess and implement measures to minimise the carbon life-cycle of the development in accordance with the London Plan.

15. Circular Economy Statement (CES)

- a) Within 3 months of the first occupation of any part 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 Cudd Bentley in March 2004 (v5) 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).

16. Non-Residential BREEAM energy/CO₂ accreditation

- a) The student element of the development (and excluding the commercial floorspace) shall implement the measures identified in the BREEAM pre-assessment report produced by Cudd Bentley in July 2023 (v2) and aim to achieve a BREEAM "Excellent" rating (based on the latest BREEAM NC Technical guidance).

- b) Within 3 months of occupation of the student floorspace of the development, Interim BREEAM NC Assessment and related Certification verified by the BRE shall be submitted to the Local Planning Authority for written approval.
- c) Within 9 months from the date of first occupation of the student element of the development (and excluding the commercial floorspace), BREEAM 'Post Construction Stage' Assessment and related Certification verified by the BRE should be submitted to the Local Planning Authority for written approval confirming the BREEAM standard and measures have been implemented.
- d) Following any approval of a 'Post Construction Stage' assessment and certification of the development, the approved measures and technologies to achieve the BREEAM "Excellent" standard shall be retained in working order in perpetuity.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with the London Plan (2021) and relevant guidance.

17. Sustainable Design and Construction

Prior to occupation the sustainability measures detailed in the final approved Sustainability Statement submitted by Cudd Bentley in March 2024 (v7), 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 the London Plan, Ealing Development Management DPD, Ealing Development (Core) Strategy and Mayor's Sustainable Design and Construction SPG.

18. Digital Connectivity

Unless an alternative 1GB capable connection is made available to all end users, the block shall be designed to ensure sufficient ducting space is provided for full fibre connectivity infrastructure to all end users within new development.

Reason: To comply with London Plan policy.

19. Floodlights, Security lights and Decorative External Lighting

Prior to installation on any part of the development, details of:

- a. external artificial lighting,
- b. a bat sensitive lighting strategy and
- c. security/CCTV lighting strategy

shall be submitted to the local planning authority for approval in writing. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations for Environmental Zone 3 of the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'.

Details shall also be submitted for approval of measures to minimise the use/hours of lighting and prevent glare and sky glow by locating, aiming and shielding luminaires. The approved details shall be implemented prior to first occupation/use of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of residents and minimise impacts on adjacent land uses.

20. Water Usage

The development shall be designed to achieve a water use target for individual residential units of no more than 105 litres per person per day.

Reason: To ensure the sustainable use of water in accordance with the London Plan.

21. Construction Environment Management Plan (CEMP)

Notwithstanding the submitted reports and other information, prior to the commencement of the superstructure of the development details of a Construction Environment Management Plan (CEMP) shall have been submitted to and approved by the local planning authority.

Reason: To protect the ecological interests of the area in accordance with the Ealing Development (Core) Strategy and the London Plan.

22. Residential and Commercial Travel Plan

Notwithstanding the submitted reports and information, prior to first occupation details of a:

1. Residential Travel Plan and
2. Commercial Travel Plan

shall have been submitted to and approved by the local planning authority and such agreed measures shall be implemented prior to the first occupation of the approved development and shall be retained thereafter.

The Travel Plans shall be prepared in accordance with the Transport for London Travel Plan Guidance and Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out strictly in accordance with the approved Travel Plans.

Reason: To protect the amenity of residents and ensure adequate highway and site safety and to promote the use of modes of transport, other than the use of private motor vehicles, in accordance with the Ealing Development (Core) Strategy and the London Plan.

23. Cycles Parking

Prior to the first occupation of the development hereby approved, the area allocated for cycles parking and storage shall be laid out, made ready for use and comprise:

1. the installation of all long- and short-stay cycle stands,
 2. security measures to prevent unauthorised access to the stores
- and shall be made available and be permanently maintained in association with the authorised use of the building.

Reason: To ensure that there is adequate minimum provision for cycle parking within the site in accordance with the authorised use.

24. Disabled Persons Car Parking

The Blue Badge car parking shall be provided and managed in accordance with a Wheelchair Parking Management Plan to be agreed for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.

Reason: To provide adequate facilities for drivers, in accordance with the London Plan and Ealing Development (Core) Strategy.

25. Delivery and Servicing Management Plan (DSP)

Prior to first occupation of the development hereby approved, a Delivery and Servicing Plan (DSP) detailing servicing arrangements, including swept path analysis, shall be submitted to and approved in writing by the Local Planning Authority. The servicing shall be operated strictly in accordance with the details approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure a satisfactory standard of residential amenity is provided for future occupiers of the residential units.

26. Refuse Storage

The refuse and recycling storage enclosure hereby approved shall be laid out in accordance with the approved drawings and this area shall not thereafter be obstructed or used for any other purpose.

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety.

27. Student Management and Drop-Off Plan (SMP)

Prior to occupation, a Student Management and Drop-Off Plan detailing the student move in/move out strategy, following the guidelines set out in the Transport Assessment shall be submitted to and approved by the Local Planning Authority. The approved Plan shall implemented upon first occupation of any part of the student accommodation and thereafter the development shall operate only in accordance with the approved Plan.

Reason: To ensure that the operational impact of the development can be adequately managed in the interests of pedestrian and highway safety and the amenity of surrounding residents

28. Air Quality and Dust Management Plan (AQDMP)

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 "Construction Dust Risk Assessment: 42 Hastings Road, West Ealing, Reference: APS_P1153A_F1-4" dated 11 March 2024. 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 both Demolition and 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 onsite at least 4 weeks prior to any site clearance and demolition to provide baseline data and shall be maintained onsite until first occupation of the development hereby approved. Direct access to monitoring data will be always provided. The Air Quality Dust Management Plan shall be implemented on commencement of any works on site and the site shall be managed in accordance with the approved plan for the duration of the construction.

Reason: In the interests of the living conditions of the future occupiers of the site in

accordance with the London Plan, the Ealing Development (Core) Strategy, the Ealing Development Management Development Plan Document and Ealing SPG10.

29. Ventilation

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

The Report shall also include the following information:

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

The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the first occupation of the development and thereafter permanently retained and maintained.

Reason: To ensure that the development minimises exposure to poor air quality and provides a suitable internal living environment for future occupiers, in accordance with the London Plan the Ealing Development (Core) Strategy and the Ealing Development Management Development Plan Document. (Note to Applicant: See also Informative 22: Ventilation Condition 29).

30. Music and Amplified Sound

No external music, nor amplified sounds, capable of being audible beyond the boundaries of the site shall be emitted from the residential or commercial part of the development without prior written consent of the local planning authority.

Reason: To safeguard the future occupiers and surrounding occupiers against the risk of unacceptable noise and/or disturbance.

31. Demolition Method Statement and Construction Management Plan

Notwithstanding the submitted reports and documents and references in associated plans, prior to commencement of the development hereby approved, a Demolition and Construction Environmental Management Plan shall be submitted to and approved by the Local Planning Authority. The approved Plan may be amended from time to time to reflect phasing changes to the development, subject to obtaining the prior written approval of the Local Planning Authority.

Details shall include control measures for:

- a. noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- b. dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- c. lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- d. delivery locations,
- e. hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),

- f. neighbour liaison, notifications to interested parties and
- g. public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works
- h. continued safe access and usage of parking, servicing and other measures necessary for the day to day access to the adjacent Network Rail land,

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site.

32. Cranes

Prior to the erection of cranes and other tall construction equipment (including details of obstacle lighting). Such schemes shall comply with Advice Note 4 'Cranes' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>).

Reason: In the interests of aircraft safety.

33. Transport/commercial/industrial/cultural noise sources

The sound insulation of the building envelope including glazing specifications as assessed and recommended by BY Acoustics in their report ref. 222-BYA-XX-XX-RP-Z-001-0002 dated 4 August 2022 shall be implemented, also with regard to the Council's standard in the SPG10 and noise limits of BS8233:2014, including aircraft noise - worst mode aircraft 1-day noise contour predicted for 2016 (60 dB) (as per Section 6, SPG10). If compliance requires the windows to be closed, then acoustically attenuated mechanical ventilation and cooling shall be installed as necessary (with air intake from the cleanest aspect of the building and low self-noise). Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces. Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces. Details to achieve internal and external noise limits specified in BS8233:2014. The above shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site.

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration noise from mechanical installations/ equipment.

35. Ground and airborne building vibration from railways, road traffic, industrial/commercial uses

Prior to the installation of modules, details shall be submitted to the Council for approval in writing, of building vibration levels and structure borne noise generated by the adjacent railway and effective mitigation measures where necessary. The

criteria to be met and the assessment method shall be as specified in BS 6472:2008. Details shall demonstrate that building vibration will meet a level that has low or no probability of adverse comment. No part of the development shall be first occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by ground- or airborne vibration or noise.

36. Separation of bedrooms from communal uses and facilities

The sound insulation of the floor/ceiling /wall structures separating communal stairs, plant and facilities from bedrooms shall be enhanced by at least 10dB above the Building Regulations value. Where noise emissions include characteristic features, the Noise Rating level should not exceed NR20 Leq 5mins in habitable rooms. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises are not adversely affected by noise from mechanical installations/ equipment.

38. Gym - Sound insulation and anti-vibration measures/Separation from dwellings/ noise sensitive uses

Prior to the construction of the gym (excluding initial site clearance demolition and ground works), an acoustic report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the gym from adjoining commercial and/or residential premises or parts of the development;

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration.

39. Emergency Generator and/or Plant

Prior to the installation of any generator, a report should be submitted to and approved by the local planning authority of the alternatives that have been considered including a secondary electrical power supply, battery backup or alternatively fuelled generators such as gas fired or hydrogen.

If any diesel generators are proposed, they will be required to demonstrate compliance of minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) as set out in Ealing Air Quality Action Plan 2022-2027. Details of the diesel generator including make, model and emission details shall be submitted to and approved by the Local Planning Authority in writing. The report should contain 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. Intrusive Land Investigation

Prior to the commencement of any works on site (other than demolition and site clearance) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors updated. This assessment must be undertaken by a competent person, and shall

assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with the Ealing Development Plan (Core Strategy), London Plan and Ealing Local Variations.

41. Contamination Remediation Scheme

Prior to the commencement of any works on site (other than demolition and site clearance) a detailed remediation scheme based on the Jomas report P4473J2576/JWT conceptual site model and recommendations, 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 accordingly prior to the commencement of development, other than that required to carry out remediation works.

Reason: To ensure the land contamination issues are addressed in accordance with the Ealing Development Plan (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

42. Remediation Verification Report

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

Reason: To ensure the land contamination issues are addressed in accordance with the Local Development Framework (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

43. Piling Method Statement

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

Reason: The proposed works will be in close proximity to Thames Water underground water utility infrastructure and piling has the potential to impact on such infrastructure.

44. Fire Safety

Prior to the first occupation of any part of the building:

- a. the approved development shall be carried out and completed to the satisfaction of the Local Planning Authority in accordance with the details set out in the Efectis RIBA Stage 2 - Fire Strategy Report Report Number: 222-EFF-XX-XX-RP-R-220-0003 Revision 02 dated 12.3.24 and
- b. the two lifts shall be designated as either a Fire Fighting Lift or Evacuation Lift in accordance with the Planning Fire Statement.

The development shall thereafter be permanently retained in accordance with a. and b. above.

Reason: To comply with London Plan fire safety policy.

45. Lift Installation

No student accommodation shall be first occupied within the development hereby approved until confirmation for approval has been submitted in writing to the local planning authority that all lifts within the building have been commissioned and are ready for use.

Reason: In the interests of the amenities of residents.

46. Secured by Design

Each building, or part of a building, shall obtain a 'Secured By Design' Accreditation within three months of first occupation of each building or part of a building, or use. The development shall be maintained thereafter carried out in accordance with the approved details.

Reason: In the interests of the security of occupants of the development.

Informatives

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the Ealing Development (Core) Strategy 2012, the Ealing Development Management Development Plan Document 2013, the London Plan 2021, the National Planning Policy Framework 2023 and to all relevant material considerations including Supplementary Planning Guidance and the National Design Guide:

National Planning Policy Framework 2023

2. Achieving sustainable development
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conservation

London Plan, 2021

- GG1 - Strong and inclusive communities
- GG2 - Making best use of land
- GG3 - Creating a healthy city
- GG4- Delivering the homes Londoners need
- GG6 - Increasing efficiency and resilience
- H1 - Increasing Housing Supply
- H4 - Delivering Affordable Housing
- H5 - Threshold Approach to Applications

H6 - Affordable Housing Tenure
H10 - Housing Size Mix
H15 – Purpose Built Student Accommodation
SD1 - Opportunity Areas
D1 - London's Form Character and Capacity for Growth
D2 - Infrastructure Requirements
D3 - Optimising Site Capacity
D4 - Delivering Good Design
D5 - Inclusive Design
D6 - Housing quality and standards
D7 - Accessible Housing
D9 - Tall buildings
D12 - Fire Safety
D13 - Agent of Change
D14 - Noise
HC1 - Heritage Conservation
HC3 – Strategic and Local Views
G1 - Green infrastructure
G5 - Urban Greening
G6 - Biodiversity
G7 – Trees and Woodlands
S1 - Social Infrastructure
S2 - Social Infrastructure
S3 - Social Infrastructure
SI 7 - Reducing Waste and Supporting the Circular Economy
SI1 - Improving Air Quality
SI3 - Energy Infrastructure
SI4- Managing Heat Risk
SI5 - Water Infrastructure
SI2 - Minimising CO2 emissions
SI13 - Sustainable Drainage
SD6 - Town Centres and High Streets
SD7 - Town centres: development principles and Development Plan Documents
SD8 - Town centre network
T2 - Healthy Streets
T4 - Assessing and Mitigating Transport Effects
T5 – Cycling
T6 - Car Parking
T6.1 - Residential Parking
T7 - Deliveries Servicing and Construction
DF1 - Delivery of the Plan and Planning Obligations

London Plan Supplementary Planning Guidance

Affordable Housing and Viability SPG

Housing SPG

Optimising Site Capacity: A design led approach LPG

Accessible London: achieving an inclusive environment Sustainable Design and Construction Energy Assessment Guidance

Ealing Adopted Development (or Core) Strategy (April 2012)

Chapter 1 - Vision for Ealing 2026

1.1 Spatial Vision for Ealing

1.2 Delivery of the Vision for Ealing 2026

2.5 Revitalise Ealing Metropolitan Town Centre
2.10 Residential Neighbourhoods
2.18 Green Infrastructure
Chapter 2 – Development in the Uxbridge Road/ Crossrail Corridor
5.2 Minimising Carbon Emissions
5.4 Protect the Natural Environment
5.10 Urban Greening
Chapter 6 - Ensuring Sustainable Delivery
6.1 Physical Infrastructure
6.2 Social Infrastructure
6.3 Green Infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing Adopted Development Management Development Plan Document
(December 2013): Ealing Local Variation to London Plan

3.4 Optimising Housing Potential Ealing Local Variation to London Plan
3.5 Quality and Design of Housing Developments
3A Affordable Housing Ealing Local Variation to London Plan
3B Special Residential Accommodation
4B Retail
4C Main Town Centre Uses
5.2 Minimising Carbon Dioxide Emissions and 5.2.3. Post-construction energy
equipment monitoring. Ealing Local Variation to London Plan
5.10 Urban Greening Ealing Local Variation to London Plan
5.11 Green Roofs and Development Site Environs Ealing Local Variation to London
Plan
5.12 Flood Risk Management Ealing Local Variation to London Plan
6.13 Parking
7A Amenity Ealing Local Variation to London Plan
7.3 Designing Out Crime Ealing Local Variation to London Plan
7.4 Local Character
7B Design Amenity Policy
7C - Heritage Ealing Local Variation to London Plan
7.7 Location and design of tall and large buildings
EA Ealing Local Policy Presumption in Favour of Sustainable Development

Development Sites DPD

Site Allocation EAL11

Reg 19 Ealing Local Plan, 2024:

SP.1 Vision for Ealing
SP.2 Tackling the Climate Crisis
SP2.2A making the best use of land
SP3 fighting inequality
SP3.1A spatial inequalities
SP3.1B equal and affordable borough
SP31C safe and secure environments
SP3.3 Specialist housing
SP.4 Creating Good Jobs and Growth
SP4.3 Genuinely affordable homes
D9 Tall buildings
HOU Affordable Housing

16EA West Ealing Station Approach
G5 Urban Greening
CO Carbon Offsetting
FLP Funding the Local Plan

Supplementary Guidance

National Planning Policy Guidance National Model Design Code 2021
National Design Guide 2019 Historic England Guidance Managing Significance in Decision-Taking in the Historic Environment Good Practice Advice in Planning: 2, 2015
The Setting of Heritage Assets Good Practice Advice in Planning: 3, 2017
Making Changes to Heritage Assets Advice Note 2, 2016

London Plan Supplementary Planning Guidance

Affordable Housing and Viability SPG
Housing SPG
Optimising site capacity: a design led approach LPG
Housing design standards
LPG Housing Design Guide Consultation Draft Small Sites Design Codes
LPG Characterisation and Growth Strategy Consultation Draft Fire Safety draft
LPG Character and Context SPG
Housing SPG
Planning for Equality and Diversity SPG
Play and Informal Recreation SPG
Public London Charter LPG
Optimising site capacity: a design led approach LPG
Housing design standards LPG Fire Safety LPG Draft Housing Design Quality and Standards - Module C The Mayor's Good Practice Guide to Estate Regeneration
Urban Greening Factor draft LPG
Control of dust and emissions during construction and demolition SPG
Air Quality Neutral draft LPG
Air Quality Positive draft LPG
Ealing Urban Realm Strategy Good Growth - London Plan Page 198 Accessible London: achieving an inclusive environment SPG
Sustainable Design & Construction SPG
PBSA Consultation Draft LPG
Circular Economy Statements draft LPG
Whole-life Carbon Assessments draft LPG
'Be Seen' Energy Monitoring Guidance LPG
Urban Greening Factor draft LPG
London Environment Strategy Mayor's Sustainable Design & Construction SPG 2.5.36 (Best Practice) post-construction monitoring.

Ealing Supplementary Planning Documents/Interim Guidance

Sustainable Transport for New Development SPD
Planning New Garden Space SPD
Ealing Tree Strategy Legal Agreements SPD
Interim Guidance (SPG 3)
Air Quality Interim Guidance (SPG 10)
Noise and Vibration Ealing Strategic Housing Market Assessment Update Ealing
Local Planning Policy Guidance (LPPG)
Tall Buildings Ealing Character Study and Design Guide Highways and Transport Design Guide

In reaching the decision to grant permission, specific consideration was given to the effects of the impact of the development on the amenities of neighbouring dwellings and on the appearance, enjoyment and character of the local area. The proposal is considered acceptable on these grounds and complies with relevant policies. It is not considered there are any other material considerations in this case that would warrant a refusal of the application.

2. Demolition and construction works and associated activities, including deliveries, collections and staff arrivals audible beyond the boundary of the site shall only be carried on between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Bank Holidays. No bonfires shall be lit and no waste materials should be burnt on site.

BPM & mitigation measures can be found in the following guidance:

- i. 'Guidance on the Assessment of dust from demolition and construction', IAQM, February 2014
- ii. 'The control of dust and emissions from Construction and Demolition' Draft SPG, GLA, 2013
- iii. BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise

3. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works. Updates of work should be provided regularly to affected neighbours. Any complaints should be properly addressed as quickly as possible.

4. Prior to the commencement of any site works, all sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed. A minimum written period of 1 month would be required.

5 Dark smoke and nuisance

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

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

Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of

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

7. Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition.

8. The developer will be liable for the cost of any repairs to damage to the footway

directly resulting from the construction work. It is recommended that a footway/carriage way condition survey is carried out prior to the start of construction work, in conjunction with the Highways Section.

9. To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, and offers and encourages a comprehensive pre-application advice service, all of which is available on the Council's website and outlined in a 24 hours automated telephone system.

10. Ground Water discharge:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

11. A ground water risk management permit from Thames Water will be required for discharging ground water into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

Legal changes under the water Industry (Scheme for the adoption of private sewers) regulations 2011 mean that the sections of pipes you share with neighbours or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend that you contact Thames Water to discuss their status in more detail and to determine if a building over/near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit the Thames Water website at www.thameswater.co.uk

13. The Mayor's Community Infrastructure Levy (CIL) was adopted on 01/04/2012. This has introduced a charging system within Ealing of £60 per sqm of gross internal area to be paid to the GLA.

14. Network Rail:

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings

- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

Future maintenance

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/ or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. a l l possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Vehicle Incursion

Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

Landscaping

Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway.

Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

Existing Rights

The applicant must identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

If you would like to discuss any of the above, please contact your local

Network Rail's Asset Protection team:

Anglia: AssetProtectionAnglia@Networkrail.co.uk

Kent and Sussex: AssetProtectionLondonSouthEast@NetworkRail.co.uk

Wessex: AssetProtectionWessex@NetworkRail.co.uk

To identify your route, please use the link: <https://www.networkrail.co.uk/running-the-railway/our-routes>

15. Secured by Design:
The applicant's attention is drawn to the letter of 10th April 2024 from the Metropolitan Police Design Out Crime Office (Met Reference NW6844) requesting that the development must achieve Secured by Design accreditation.

16. 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/>.

17. Energy and CO2:
In April 2019 Ealing Council passed a motion declaring a Climate Emergency with a commitment to draw up and implement policies that will achieve a target of net zero emissions by 2030.

The provision of sustainable development is a key principle of the National Planning Policy Framework which requires the planning process to support the transition to a low carbon future. Policies 5.2 and 5.3 of the London Plan require submission of energy and sustainability strategies showing how the heating and cooling

requirements of the development have been selected in accordance with the Mayor's energy hierarchy.

In particular, policy 5.2 that requires new major development to meet zero-carbon standards with at least a 35% CO2 reduction beyond Building Regulations Part L 2013 (or any later version) being achieved onsite. Any shortfall will be met through a S106 carbon offset contribution.

18. Policy 5.2 replaced by Policy SI2 in the adopted London Plan, which adds a fourth layer to the energy hierarchy which requires development to monitor, verify and report on energy performance in operation. This policy is reflected in Ealing Council's 2013 DPD policy E5.2.3 which requires the post-construction monitoring of renewable/low-carbon energy equipment.

Adopted London Plan policy SI3 (Energy Infrastructure) recognises that combined heat and power (CHP) may have negative effects on London's air quality. The policy also recognises that because the carbon intensity of grid electricity is steadily dropping due to the increasing use of marine wind turbines, electric air-source-heat-pumps are a better carbon reduction option than gas fired CHP.

In addition, London Plan policy 5.7 (5.42) states that there is a presumption that all major development proposals will seek to reduce carbon dioxide emissions by at least 20% through the use of on-site renewable energy generation wherever feasible. Section 11.2 of the GLA (2018) Energy Assessment Guidance expects all major development proposals to maximise on-site renewable energy generation regardless of whether a 35% target has already been met.

19. EA Drainage:
 1. Please note, for any temporary/permanent works, the Technical Approval process applies to the design of all structures located over, under or adjacent to the public highway. The term "design" shall include the assessment, strengthening, alteration or repair of existing structures. The developer shall apply for approval before commencement of project by making an initial application in advance of starting on site - submit Approval in Principle form for review and approval. This is followed by submission of Design and Check Certificates for acceptance at detailed design stage.
 2. All risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Reports and Risk Assessments should be prepared in line with The Environment Agency's approach to groundwater protection February 2018 Version 1.2 (previously GP3) and the Land Contamination: Risk Management guidance provided on .GOV that has been developed based on the principals defined in the CLR11 (Model Procedures for the Management of Land Contamination).
 3. Site Specific Ground Investigations must be clearly presented with accompanying engineering drawings and borehole scan results.

Borehole Investigation - A site specific intrusive investigation entailing a ground investigation undertaken by a chartered engineer/geologist to establish the ground conditions, groundwater levels, surface and groundwater flow, infiltration/soakage tests to BRE365. Variations in ground conditions can occur

within relative close proximity therefore the borehole investigation should be undertaken at various locations spread across the site (larger site).

20. Thames Water:

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. 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://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

Thames Water recommend the following informative be attached to this planning permission. 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.

Affinity Water Comments

With regard to water supply, if this site comes within the area covered by the

Affinity Water Company, the address to write to is - Affinity Water Company
The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

Waste water: The applicant should refer to the London Plan Policy SI 13 Sustainable drainage, subsection C (avoiding impermeable surfaces) and consider alternatives to hard surfacing, such as permeable pavement. Opportunities for water reuse, such as water butts or storage tanks for surface water to later be used for landscaping should be fully considered.

21. Heathrow Airport
Heathrow Airport Ltd. draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/> and CAA [CAP1096: Guidance to crane users on the crane notification process and obstacle lighting and marking \(caa.co.uk\)](http://www.kaa.co.uk/CAP1096:Guidance%20to%20crane%20users%20on%20the%20crane%20notification%20process%20and%20obstacle%20lighting%20and%20marking%20(caa.co.uk).)).

All crane applications should be sent to Heathrow's Works Approval Team via the following address: Airside_Works_Approvals@heathrow.com

Advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.

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

CAA Crane Notification

where a crane is 100m or higher, crane operators are advised to notify the CAA (arops@caa.co.uk) and Defence Geographic Centre (dvof@mod.gov.uk) .

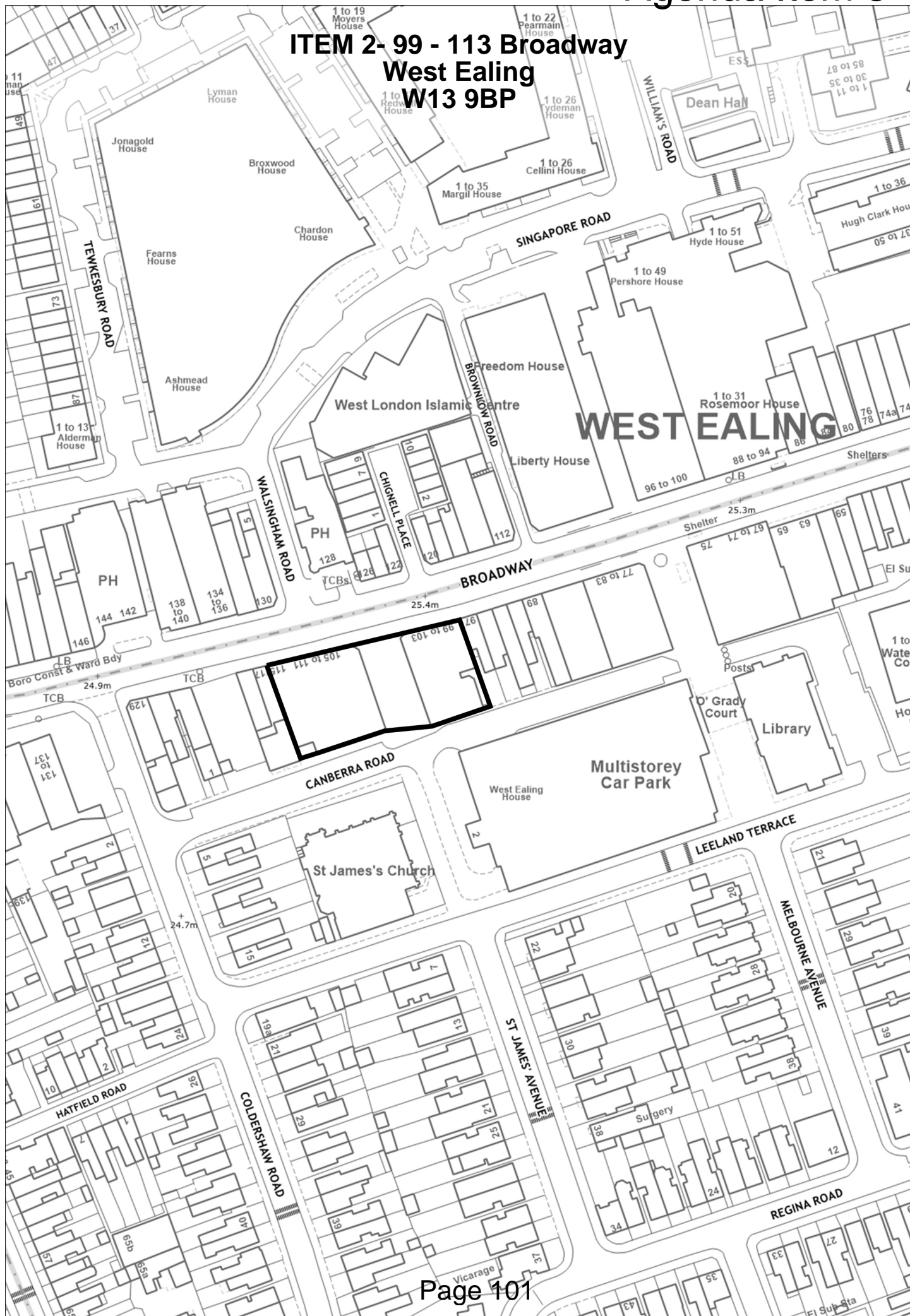
The following details should be provided before the crane is erected:

- the crane's precise location
- an accurate maximum height
- start and completion dates.

22. Ventilation Condition 29
With regard to details submitted pursuant to Ventilation Condition 29, the applicant's attention is drawn to the following information that shall be submitted in respect of this condition:
- i) Details on minimising intake of road traffic pollutants (including NOx and PM) for habitable rooms within the development. In particular receptors for floor levels 01-04 at Drayton Green Road identified as P1, P2, P46, P47, P48, P49 and P50 in report titled "Air Quality Site Suitability: 42 Hastings Road, West Ealing, Reference: APS_P1153A_I1-4" dated 11 March 2024.
 - ii) Details on minimising intake of any sources of local pollution as specified in the Ventilation: Approved Document F, Volume 1: Dwelling.

Planning Committee 17/02/21
Schedule Item No. xx

**ITEM 2- 99 - 113 Broadway
West Ealing
W13 9BP**



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Ref: 240012FUL

Address: 99-113 Broadway, West Ealing, London, W13 9YP

Ward: Walpole

Proposal: Demolition of existing buildings and erection of a mixed-use development comprising flexible commercial floorspace at ground and mezzanine floors (Class E) and 144 new homes (Class C3) on the upper floors; associated landscaping and public realm works including along St James's Avenue and other works incidental to the proposed development.

Drawing numbers: Existing Drawings: 625-PTA-MP-00-DR-A-2000 Rev PL1, 625-PTA-MP-00-DR-A-2001 Rev PL1, 625-PTA-MP-00-DR-A-2002 Rev PL1, 625-PTA-MP-00-DR-A-2003 Rev PL1, 625-PTA-MP-00-DR-A-2004 Rev PL1, 625-PTA-MP-00-DR-A-2005 Rev PL1, 625-PTA-MP-00-DR-A-2006 Rev PL1, 625-PTA-MP-00-DR-A-2007 Rev PL1

Proposed Drawings: 625-PTA-MP-00-DR-A-2200 Rev PL2, 625-PTA-MP-01-DR-A-2202 Rev PL2, 625-PTA-MP-02-DR-A-2203 Rev PL2, 625-PTA-MP-03-DR-A-2204 Rev PL2, 625-PTA-MP-04-DR-A-2205 Rev PL2, 625-PTA-MP-05-DR-A-2206 Rev PL2, 625-PTA-MP-06-DR-A-2207 Rev PL2, 625-PTA-MP-07-DR-A-2208 Rev PL2, 625-PTA-MP-08-DR-A-2209 Rev PL2, 625-PTA-MP-09-DR-A-2210 Rev PL2, 625-PTA-MP-10-DR-A-2211 Rev PL2, 625-PTA-MP-11-DR-A-2212 Rev PL2, 625-PTA-MP-12-DR-A-2213 Rev PL2, 625-PTA-MP-13-DR-A-2214 Rev PL2, 625-PTA-MP-14-DR-A-2215 Rev PL2, 625-PTA-MP-MZ-DR-A-2201 Rev PL2, 625-PTA-MP-MZ-DR-A-2700 Rev PL2, 625-PTA-MP-MZ-DR-A-2701 Rev PL2, 625-PTA-MP-MZ-DR-A-2702 Rev PL2, 625-PTA-MP-MZ-DR-A-2708 Rev PL2, Schedule of Accommodation - 625-PTA-ZZ-ZZ-SH-A-7100-S4 Rev PL2

Reports

Daylight and Sunlight Report – prepared by Shroeders Begg (UK) LLP dated December 2023 ref 2113/X Rev 01, Heritage Townscape and Visual Impact prepared by Icenii dated December 2023, Landscape and Public Realm Strategy Ref TOWN769(02) 2001 R02 DAS prepared by Townshend Landscape Architects dated December 2023, Framework Site Travel Plan Rev D prepared by Markides Associate dated 18 December 2023, Framework delivery and Servicing Management Plan Rev D prepared by Markides Associates dated 18 December 2023, Transport Assessment Rev D prepared by Markides Associates dated 18 December 2023, Stage 1 Response – Addendum to TA prepared by Markides Associates Rev B dated 26 March 2024, Noise Assessment Report prepared by Auricl Acoustic Consulting dated 15 December 2023, 99-113 Broadway – response to Consultee comments note dated 12 March 2024, Health Impact Assessment (HIA) and Socio-Economic Assessment prepared by Savills dated December 2023, Planning Statement Prepared by Savills dated January 2024, Air Quality Assessment Version 2 Rev A prepared by SRE dated March 2024, Thermal Comfort Assessment Version 1 Rev A

prepared by SRE, Gateway One – Fire Statement, London Plan Fire Statement ref 22051-R-01-A prepared by Lawrence Webster Forrest Issue A dated December 2023, Flood Risk Assessment & SuDS Strategy ref R79-FRA-02.0 4475 prepared by Lustre Consulting dated December 2023, Circular Economy Statement RIBA Stages 2-3 Version 1 Rev B prepared by SRE, Whole Life Carbon Assessment Version 1 ev A prepared by SRE dated December 2023, Microclimate Analysis – Pedestrian Wind Comfort version 1 Rev A prepared by SRE dated December 2023, Energy and Sustainability Statement Version 1 Rev A prepared by SRE dated December 2023, 20240312_Part L GLA Carbon Emissions Reporting spreadsheet_ Broadway (99-113), Biodiversity Gain Plan version 2 prepared by MKA ecology dated March 2024, Preliminary Ecological Appraisal and Preliminary Roost Assessment version 2.0 prepared by MKA Ecology dated 13 December 2023, Arboricultural Planning Report Re 2023/047/APR prepared by AD Tree Consulting dated December 2023, Phase 1 Environmental Report prepared by Contaminated Land Solutions dated December 2023, Painter’s Corner Statement of Community Involvement prepared by London Communications Agency dated December 2023, Design and Access Statement Rev P01 prepared by Patel Taylor dated December 2023

Type of Application: Full Planning Application

Application Received: 21 December 2023 **Revised:** 3 April 2024

Report by: Olivier Nelson and Chenhao Liu

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

Contents

1 Executive Summary:.....2

2 Recommendation:3

3 Site Description:4

4 The Proposal:7

5 Consultation:.....8

6 Planning Policies:17

7 Planning Appraisal.....17

7.1 Principle of Development.....17

7.2 Housing and Affordable Housing.....19

7.3 Urban Design.....21

7.4 Heritage33

7.5 Neighbouring Amenity35

7.6 Quality of Residential Accommodation.....36

7.7 Transport38

7.8 Environmental Issues and Sustainability41

8 Conclusion:.....46

Mayor’s Community Infrastructure Levy (CIL).....47

Human Rights Act47
 Public Sector Equality Duty47
 Fire Safety48
 Appendix A48

1 Executive Summary:

The planning applications seeks permission for the residential led development of the site to provide 144 homes and ground floor commercial space. The proposal would comprise of three buildings, two taller elements with a link in between with through access to public open space.

There have been 35 representations to the proposal, objecting to the proposal. The predominant concerns raised are to the height of the proposed development, design, access to affordable housing, amenity space proposed, traffic impacts, residential amenity impacts on neighbouring properties. These objections have been reviewed and acknowledged within this report; however, it is not considered that the matters raised outweigh the recommendation to grant permission.

The proposed development would provide 911sqm flexible commercial floorspace (Use Class E) at ground and mezzanine floors and 144 residential units (Use Class C3) on upper floors, including 1 to 3-bedroom flats. The principle of residential-led mixed-use development is supported in this highly accessible town centre location. Whilst there would be a loss of existing office floorspaces, the proposed uses are in line with the existing and emerging site allocations. Overall, this loss is considered acceptable, especially given that the proposals would provide commercial active frontages on three elevations, qualitatively enhance the existing retail offers, and significantly intensify residential use of the site.

The proposed development would provide a total of 46 affordable homes or 139 affordable habitable rooms, equating to 32% by homes or 35% by habitable rooms, comprising 12 social rent homes (32% by habitable rooms) and 34 shared ownership homes (68% by habitable rooms). It is acknowledged that the proposed tenure split 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. However, the Financial Viability Assessment for a similar 141-unit scheme conducted at the pre-application stage (prior to Reg 19) indicated that were the proportion of social rent to be increased, the scheme would only be able to deliver a significantly lower level of affordable housing to circa below 20%. This would not have been an acceptable offer for the council to review, as such with additional work and an agreement of more intermediate products than policy usually dictates it was possible to have a scheme which could afford to deliver 35% affordable housing. Given the viability considerations with the aim of prioritising the total affordable housing units, it is considered that the proposed tenure split represents a reasonable offer and complies with policy H6 of the London Plan.

The scheme comprises two tall buildings of 14 and 16 storeys, with a 9-storey linking block over St James' Avenue. Whilst the proposed height exceeds the indicative height under the Reg 19 Local Plan site allocation, it is considered that the proposal would generally be commensurate with the proposed massing suggested by the Draft Local Plan tall buildings strategy for the wider area. The proposed development would respond to the heights of adjacent buildings and demonstrate an appropriate articulation of height variation in the skyline. Overall, it is considered that the proposed height is justified given viability considerations and the other benefits of the scheme.

The design of the development is considered to be of high quality with material palette drawn from local contexts. The proposal would not have a significant impact of the heritage assets assessed within the HTVIA. The scheme would have either no harm or less than substantial harm and the public benefits proposed would outweigh the harm identified to these heritage assets.

The scheme would not have undue adverse daylight and sunlight impact on the existing or emerging neighbouring properties. Of the nearby habitable rooms analysed, most of them would meet the BRE Guidance in terms of any applicable reductions. For those reductions not meeting the default target, many of them have inherent sensitivities such as windows beneath balcony soffits or in close proximity to boundaries but are still considered reasonable for an urban context.

The proposed residential homes would comply with the requirements of Policy D6 of the London Plan. Future residents would be afforded good quality living conditions, with compliant floor spaces, access to daylight and sunlight and appropriate conditions have been recommended with respect to noise and air quality. 90% of the units would have window openings facing at least two different orientations or have an enhance single aspect with a shallow recess facing a balcony. The daylight and sunlight conditions for the proposed units are considered reasonable, given the linear site perimeter and the quantum of residential flats proposed.

The Council’s Energy Consultant is supportive of the proposed development and the development would achieve good amounts of carbon dioxide reduction (70%), which follows the hierarchy as set out within the London Plan. Carbon Offsetting contributions have been secured for the shortfall and energy monitoring would occur through a financial contribution.

The site location has a very good public transport accessibility level (PTAL 5 with the rear of each building falling in PTAL 3) and is located adjacent to West Ealing Town Centre controlled parking zones (CPZ) with extensive hours of restriction. Given these factors, the provision of low car housing is supported, subject to the prohibition of residents obtaining parking permits for the CPZs, a financial contribution for consultation on CPZ extensions, and compliance with a robust green travel plan to be secured through condition. This approach to low car housing is supported by the Council’s transport services and Transport for London (TfL). Four disabled parking spaces are provided on site and a financial contribution will be secured to implement blue badge parking on adjacent streets for the remaining 10 spaces which would be required.

Overall, the proposed scheme would provide quality residential accommodation within a development that has been sensitively designed to minimise impact on neighbouring properties. It has sought to architecturally reference the historic streetscape as well as contributing to the evolving character of the West Ealing Town Centre. The proposal would regenerate a part of the Town Centre by way of delivering much needed housing supply and more usable commercial floor space.

It is considered that the proposal is consistent with the aims of the relevant policies of the Ealing Development Management Development Plan Document (2013), Ealing Council Local Plan Reg 19 (2024) the Ealing Development Strategy 2026 (2012), The London Plan (2021), relevant Supplementary Planning Guidance, the National Planning Policy Framework (2023) and emerging planning policy documents. It is therefore recommended that planning permission should be approved with conditions, subject to a legal agreement, and Stage II referral to the Mayor of London.

2 Recommendation:

That planning permission is **granted** subject to Stage II referral to the Mayor of London, the satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

Heads of Terms

The proposed financial contributions and heads of terms to be secured by the S106 agreement are set out below:

Financial contribution heading	Contributions
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CCTV	CCTV improvements	£20,000
Air quality	Air quality monitoring	£23,510
Parks and leisure	Leisure Facilities – Active Ealing	£80,000
	Allotment Gardens	£15,000
	Children’s play space	£25,000
	Open Space	£40,000
Energy	Post construction energy monitoring	£10,711
	Carbon offset payment	£112,290
Education	Educational facilities improvement	£231,264
Transport	Improvements, cycle parking	£128,000
Trees	Tree planting	£35,000
NHS	Local health services improvements	£234,288
Employment, training, and skills	monitoring costs and local employment/ apprenticeship projects provision	£56,000
Total contributions		£1,033,458

- Provision of 35% by habitable room of affordable housing comprising of a total of 46 homes including 12 homes (26%) social rent and 34 home (74%) shared ownership.
- An Early-Stage Viability Review if the development is not commenced in 2 years after the planning permission being granted.
- Participation in an Apprentice and Placement Scheme, providing 7 full apprenticeships. Details of the Apprentice and Placement Scheme including the number of placements details shall be agreed with the Council. 25% local labour must be employed, as a minimum. A £49,395 penalty for each obligation that is not met.
- Developer to enter into a S278 agreement with the London Borough of Ealing and/or Transport for London, as necessary to ensure the delivery of any necessary highways related works.
- 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 CPZ’s in the area.
- Implementation of the travel plan.
- Free car club membership for 1 year for all residents
- Payment of the above contributions, which are to be index-linked.
- Restoration of roads and footways damaged by construction and restoration of the kerb where necessary.
- Payment of Council’s reasonable legal and other professional costs incurred in preparing the s106 agreement.
- Administration and professional costs for monitoring the legal agreement.

AND the conditions and informatives set out in **Appendix 1** to this Report.

3 Site Description:

Site location

The approx. 0.2 ha site is located in West Ealing and bounded by Broadway (A4020) to the north, Canberra Road to the south and some three-storey mixed-use Victorian-style buildings immediately to the east and west. St James’ Avenue separates the site, forming a pedestrian thoroughfare within the site and providing access to Broadway from the south.

The site currently comprises two three-storey buildings with retail and commercial uses at ground floor, including a jewellery shop, a fast-food takeaway, a hair salon, and a paint shop. 99 Broadway contains the Welshore Community Hub. It should be noted, however, that several of these properties

are currently vacant. The upper floors are in office use by the West London School of Management and Technology and Catalyst Gateway.

The surrounding area predominantly comprises mixed-use (commercial and residential) three-storey terraced buildings, with shorter and taller buildings in the medium range context. Opposite the site is a three-storey detached building containing a pub on the ground floor level. The design of buildings in the area varies.

The site is within Ealing Metropolitan Centre (town centre designation) and the shops facing Broadway are designated as secondary shop frontage. The site is recognised as an area deficient in access to Local Park, Heathrow Safeguarding Area and Crossrail Stations 1 Mile Buffer Zone. It is also a registered brownfield land and development site. The site allocation details are provided in the following paragraphs.

The site itself is not within a Conservation Area nor contains any listed buildings. There are a number of locally listed buildings in the vicinity, including 147 Broadway approx. 150m to the south, 144 Halfway House 80m to the northwest, 122-126 The Broadway and 116-120 The Broadway immediately opposite the site, and 25-41 The Broadway further to the east. The Grade II listed Westminster Cemetery Conservation Area and Kensington and Chelsea Cemetery Conservation Area are also within the wider context.

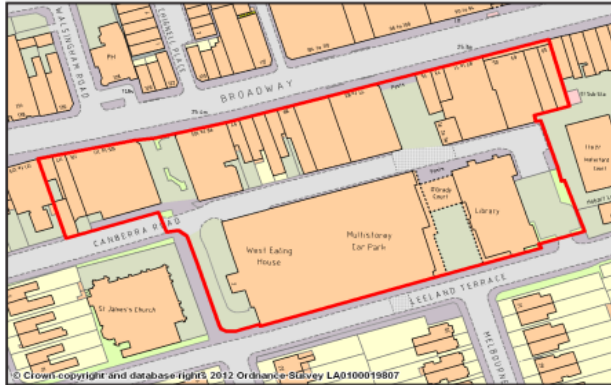
The site has a PTAL rating of 5 (with its rear falling within PTL 3), on a scale of 0 to 6b where 0 is the worst and 6b is the best. Broadway, St James' Avenue and Canberra Road are all adopted roads. The site is within 15min walking distance to West Ealing Station, which provides access to the Elizabeth Line and National Rail services. The site is well-served by bus services, with bus lanes in both directions along the Uxbridge Road in this location. To the rear of the site on Canberra Road is the West Ealing Town Centre Controlled Parking Zone (CPZ) which runs Monday – Friday (9am -10 am and 2pm -3pm).

Site allocation

The site falls within site allocation EAL16 in the adopted Development Site DPD 2013 and 13EA in the Draft Local Plan (Reg19). The Reg19 site allocation identifies the site suitable for residential-led mixed-use development with typical town centre uses on the ground floor, and an indicative maximum height of 12 storeys (42 metres). The design principles set out under the Reg19 site allocation are summarised as follows:

- Co-ordinate with other development to produce a cohesive whole.
- Ensure building height, massing and layout are in accordance with the Tall Buildings Strategy.
- Reinforce and add to the retail and service provision within the town centre.
- Provide active retail frontage on the ground floor and residential access via pedestrian-focussed side streets.
- Ensure appropriate height transition to the surrounding lower-rise blocks and terraces.
- Provide greenspace within blocks possibly on podium decks.
- Establish a new shoulder height on the Broadway with taller elements set back behind this.
- Contribute to the public realm.

**EAL16 59-119 Broadway and New Ealing House
West Ealing W13**



Site area: 1.39ha
Ownership: Private
Current uses: Retail, commercial, residential, West Ealing Library, and multistorey car park
Development Strategy Policies: 2.5, particularly 2.5(b) and 2.5(e)
Setting: Urban
PTAL: 3-5
Planning Designations: Metropolitan Centre
Relevant Planning Applications: P/2012/5230

Allocation: Mixed use development appropriate to the town centre including retail, commercial, residential, and reprovision of community uses and car park.

Justification: The layout of this prime site at the heart of West Ealing would benefit from a more legible layout featuring key town centre uses organised around a functional, welcoming and pedestrian friendly network of public spaces.

Indicative Delivery Timetable: 2021-2026

Site context: The site is at the heart of West Ealing, in a highly accessible town centre location. Its key feature is the large supermarket to the rear of the site, which includes residential along the western and southern facades as well as a multistorey car park. The supermarket is attached to O'Grady's Court, a seven storey supported housing development which arches over Melbourne Avenue, and to the West

Ealing Library. Uses along the Broadway include offices, residential and retail.

Buildings along the Broadway are an eclectic mix of two to four storey buildings of various styles and massing which fail to create a consistent frontage. Within that context, the Victorian parade at 85 to 97 The Broadway is a notable heritage asset which makes a significant positive contribution to the character of the town centre, as do the buildings at 117-119 the Broadway. The supermarket however is overbearing in relation to the setting of St James's Church.

Melbourne Avenue is a very busy and successful landscaped thoroughfare that provides a key link between the Broadway and the supermarket, library and residential area to the south. The perpendicular Canberra Road however is burdened by the blind wall of the adjacent supermarket and informal car parking and loading bays, and provides a poor pedestrian link to the largely disused landscaped

Figure 1: Adopted Ealing Development site EAL16 - 59-119 Broadway and New Ealing House

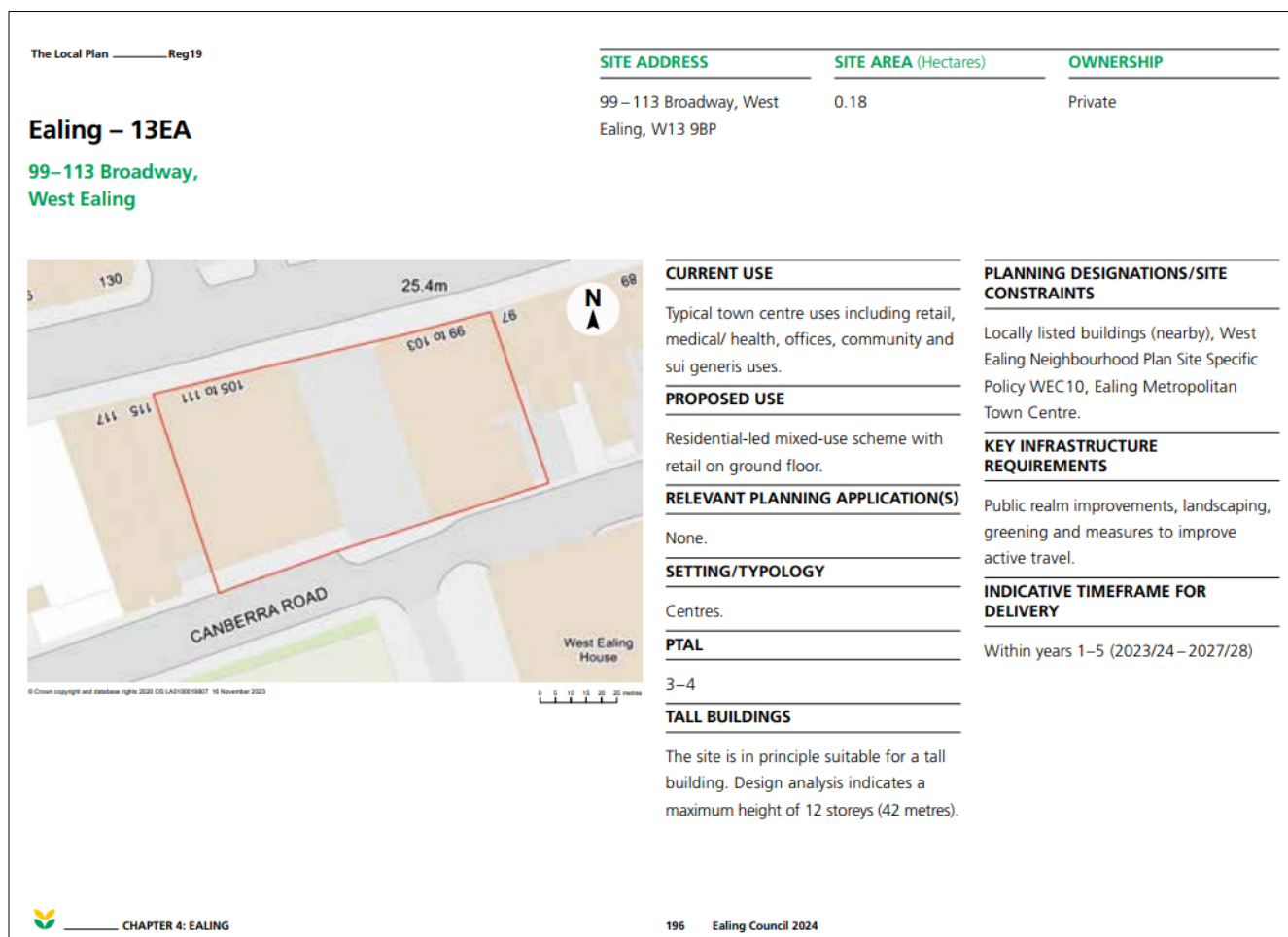


Figure 2: Emerging Ealing Development site 13EA – 99-113 Broadway, West Ealing

Planning history

No planning history on the site is relevant to this application.

4 The Proposal:

The current description of proposal reads: ‘Demolition of existing buildings and erection of a mixed-use development comprising flexible commercial floorspace at ground and mezzanine floors (Class E) and 144 new homes (Class C3) on the upper floors; associated landscaping and public realm works including along St James’s Avenue and other works incidental to the proposed development.’

The proposal involves a residential-led mixed-use redevelopment of the site. The proposals subject of this application include:

- Demolition of the existing buildings and erection of two buildings of 14 and 16 storeys (circa 50.55 metres and 54.68 metres at maximum; 46m and 52.67m at roofs), with a 9-storey linking block over St James’ Avenue.
- Each building would be served by one core with two staircases.
- 911sqm (GIA) flexible commercial floorspace (Use Class E) at ground and mezzanine floors.
- 144 residential unit, including 1–3-bedroom apartments (Use Class C3) on upper floors.
- Communal amenity and children’s play spaces on rooftop areas
- Public realm improvement along St James’ Avenue thoroughfare.
- 261 long stay cycle spaces and 9 short stay cycle spaces.
- Associated refuse storage and hard/soft landscaping.



Figure 3: Proposed north elevation (view from Broadway)



Figure 4: Proposed CGI viewing from the south (St James Avenue)

5 Consultation:

Pre- application engagement

In accordance with paragraph 39 of the NPPF, a pre-application meeting was held with the Council on 8 December 2021. A Planning Performance Agreement (PPA) was subsequently agreed between the project team and the Council. During the process and in response to the comments raised, the

proposed height has been reduced and the massing, material, the architectural treatment, and the canopy have been further refined.

A pre-application meeting was also held with the GLA officers on 1 November 2022. The principle of residential-led mixed-use redevelopment was supported but the applicant was strongly encouraged to pursue a 35% Fast Track Route. The overall layout approach and materiality acceptable; however, concerns were raised over the two-storey canopy, acceptability of the proposed height and massing of the linking block.

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

Design Review Panel

In accordance with Policy D4 of the London Plan 2021, the scheme was presented to the Design Review Panel on 25th October 2022. Ealing's DRP is run by Frame and comprises experts in their relevant disciplines, the purpose of convening a review is to ensure the emerging design is fully scrutinised and to ensure that the proposals are of the highest quality.

The key points raised by the panel as summarised as below:

- The initial three storeys of the design read well within the context of the high street but, overall, the proposed heights are not yet justified, and the massing is overbearing.
- The panel suggested reducing the height of the linking block and a podium-level design, pulling back the buildings after the first three storeys.
- The panel recommended a detailed review of the sun-path to mitigate overshadowing to the properties on the north.
- The canopy and landscape design on St James' Avenue could be simplified to encourage more pedestrian footfall and natural light during the year.
- The panel feels that the façade has an overly-complicated visual impact, due to the stepped form and contrasting brickwork.

Officer response: The scheme has been subsequently revised following the meeting, with the originally height being reduced and the massing, material and canopy etc refined. Other complementary documents including wind micro-climate assessment, energy strategy, thermal comfort report, daylight and sunlight assessment etc have been carried out to assess the impact on the surrounding environment. The proposed building height and mass are assessed in the below sections, following the statutory external and internal consultations and the GLA stage I referral, as well as taking into account the affordable housing offer, viability constraints and other relevant material considerations.

Public consultation

Public consultation was undertaken by way of site notices erected around the application site. A notification was also placed within the Ealing Gazette. Consultation commenced on 31.01.2024 and concluded on 21.02.2024.

Thirty-Four (34) representations were received during the statutory consultation period, with Thirty-Four (34) representations objecting to the proposed development. The comments are summarised below and also the location of respondents is shown in the map.

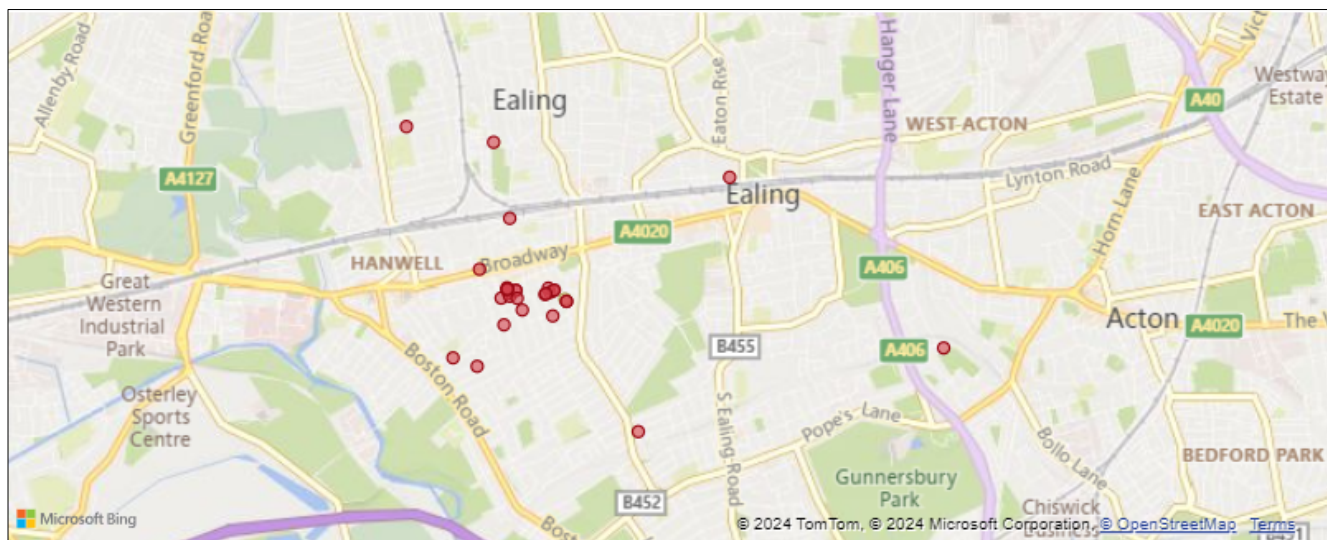


Figure 5: Public consultation responses map

Comment	Officer Response
<p>The proposal would have a height which exceeds 12 storeys as per the draft local plan. This would conflict with the current plan. Loss of these art deco buildings.</p>	<p>Loss of art deco buildings and impact on heritage is assessed within the body of the report.</p>
<p>Height and Massing only refers to developments North of the site. Development would be incongruous towering over the Edwardian Terraces to the south and parades along the Broadway.</p>	<p>The height of the development has been considered extensively, it is considered a tall building and does have a site allocation for such. The draft Local Plan would allow for tall buildings in the location.</p>
<p>Concern raised with regard to the consultation period and it is considered that longer should have been given. Older site notices should be taken down as its distracting from what is current.</p>	<p>The consultation period was for longer than most applications with it being a major application. The consultation period has been longer than 13 weeks.</p> <p>Noted about the concern with regard to site notices. Developers are always asked to take these down once the development is determined.</p>
<p>The proposal would dwarf existing buildings and proposed walkway over St James Avenue.</p>	<p>The site has been detailed for allocation as a tall building, regard has been made as to why the development could be taller than its neighbours within the local plan. Further reasoning as to why in his instance the increased height is detailed later within the report.</p>
<p>The two towers are too high and the local area may suffer a loss of light and loss of privacy to neighbouring buildings</p>	<p>This is discussed in detail below with regard to a tall building as well as loss of privacy.</p>

<p>The development does not meet the housing need in the borough, as it provides too few family-sized homes and too many one and two bedroom flats.</p>	<p>The proposal provides affordable housing and meets the fast track route within the GLA. The scheme does offer both 2 and 3 bed affordable homes and would provide no 1 bed affordable homes which is welcomed.</p>
<p>Concerned about the developments affordable housing, and the at it is not aimed at locals and Londoners and genuinely accessible.</p>	<p>The proposed affordable housing would be targeted at locals and people who meet the threshold as per the requirements within the London Plan.</p>
<p>There is deficiency of open space in the area, and the proposed roof top garden is not considered to provide acceptable space for recreation. Dean Gardens is a neighbouring as existing outdoor amenity but is too small and overused by other developments, and other parks and cemeteries are too far or unsuitable for recreation.</p>	<p>Open space is proposed within this constrained site, as well as this the creation of public realm further allows for a development which is for everyone.</p>
<p>Where will everyone park their cars? Is there a car park planned?</p>	<p>As per the London Plan, the development would be car-free. No car park is planned. 4 disabled parking spaces are proposed and these would have electric changing vehicle points.</p>
<p>West Ealing does not feel like a safe place for women, and this may increase the perceived lack of safety at night.</p>	<p>The proposal has been designed to increase natural surveillance by way of its design and openings at ground floor level. Increased CCTV network would also aid the proposal in creating a safe environment.</p>
<p>Concerned that the covered area would provide a place for rough sleeping, and anti-social behaviour.</p>	<p>This area would have natural surveillance and its not expected to encourage anti-social behaviour. Rather it would deter it.</p>
<p>As a result of the development Ealing may need to adopt a no public drink policy</p>	<p>This would not be a material planning consideration but is something which could be explored with Designing out crime initiatives.</p>
<p>Will Artists be able to use the premises to paint? As there is not much space for Artists and the development is to be called Painters Corner.</p>	<p>Potentially provisions can be made for this. This will be clearer once the commercial elements are taken on.</p>

Subsequent Amendments to the Scheme

Amendments were sought with regard to meeting the 35% affordable housing provision. Minor changes in areas to amend cycle store configuration, changes to internal access to refuse, amendments to residential layout/balconies, beds in studios changed from double beds to single beds. Also sought was amendments to access to balconies with regard to fire escape.

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

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

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

External Consultation

Consultee	Comments
NHS Property Services	Provide comments that the development would impact Gordon House Surgery and Argyle Surgery as well as have impact on provision of care homes in the borough for the vulnerable. A S106 contribution is requested.
Design Out Crime	<p>We have not received any contact via the design team, prior to this application being submitted, the proposed plans have the potential to achieve secure by design accreditation, but we strongly recommend the applicant/architect keep in regular contact with our office in order they meet SBD compliance. This should help to remove any potential issues further along the design and construction process.</p> <p>The levels of ASB, violence, and burglary in the area dictate the need for single leaf communal door sets and entry systems that will afford protection to residents, prevent misuse of communal areas, and secure buildings against unauthorised entry and burglary. The inclusion of secure lobbied entrances assists in achieving this by reducing the risk of tailgating and controlling access further into the building.</p> <p>The number of units within this development dictates the need for compartmentation for security to be included. The layout proposed for the upper floors means that this will be best achieved through the use of destination control lifts and a comprehensive access control strategy. This can be discussed further with ourselves as the project progresses and contact is made with our office.</p> <p>Sheltered areas where seating is provided are frequently subject to misuse by those involved in street drinking, drugs use/dealing and ASB. As such issues are experienced in the local area it is important to ensure that the design and layout does not facilitate such behaviour. Seating should be securely fixed in place to prevent its movement, and large areas of seating together should be avoided to prevent the gathering of groups that can become intimidating. Seating should not be positioned near communal entrances/exits as this increases the risk of unauthorised access being gained to the building through tailgating.</p> <p>Communal Entrances doors must be brought to the building lines, should be flush to allow natural surveillance, any recesses should not exceed 600mm. Both communal Entrances should include a primary</p>

	<p>and secondary secure line and be developed in conjunction with any access control system and strategy.</p> <p>Conditions and informatives requested.</p>
London Fire and Emergency Planning Authority	No comments were received.
Cadent Gas Ltd	No objection but requested an informative regarding gas infrastructure protection.
Health And Safety Executive (HSE)	<p>Means of escape form balconies would need to be addressed in revised drawings</p> <p>Also other issues such open plan apartments, and fire service access issues were raised.</p> <p><i>Officer comment: The design changes have been done with regard to means of escape from balconies.</i></p> <p><i>It was noted by the HSE that the other issues raised would not affect decision making and could be addressed by later regulatory stages.</i></p>
Highways England Company Ltd	No objection. Satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in the Circular, and MHCLG NPPF 2023) in this location and its vicinity.
Thames Water Utilities Ltd	<p>Waste comments</p> <ul style="list-style-type: none"> • Surface water drainage – No objection if the developer follows the sequential approach. • Foul water sewerage network infrastructure capacity - no objection based on the information provided. • Recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. • There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. <p>water comments</p> <ul style="list-style-type: none"> • Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. • Request a condition be added due to development being within 15m of underground wastewater assets

	<ul style="list-style-type: none"> Request other informatives in relation to water mains and water pressure.
Greater London Authority (GLA)	<p>Land use principles: The principle of a comprehensive residential-led mixed use redevelopment and intensification of this town centre site is supported in strategic planning terms.</p> <p>Affordable housing: The applicant is strongly encouraged to follow the Fast Track Route by: reconfiguring the residential schedule to ensure that the scheme would achieve at least 35% affordable housing on a habitable rooms basis at a Local Plan compliant affordable housing tenure split of 60% low cost rent and 40% intermediate housing.</p> <p>Urban design: The general design and layout of the scheme is supported; however, the proposal would slightly exceed the specified height within the emerging Local Plan. A preliminary assessment of impacts does not raise strategic concern; however, the Council will consider local impacts, along with recommendations on architecture and children's place space prior to Stage 2.</p> <p>Transport: Further thought on the submitted ATZ assessment is required, as well as further information on the delivery and servicing strategy and how the proposed development is ensuring safety in the public realm. Amendments to the cycle parking are also required.</p> <p>Other issues relating to inclusive access, climate change, energy, and air quality should be addressed as detailed in this report.</p>
TFL - Spatial Planning	London Underground/DLR Infrastructure Protection has no comment to make on this planning application.
TFL - Borough Planner	Requested amendments to cycle parking layout. Welcomed the car-free development and sought for clarification on disabled person parking. Encourage all parking provision to have active electric vehicle charging provision.
National Air Traffic Services (NATS)	The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.
Heathrow Airport	<p>No objection provided standard conditions in relation to Bird Hazard Management Plan are applied to any planning permission.</p> <p>Officer comment – This conditions have been added</p>
Ealing BID Company Ltd	No comments received.
West Ealing Central Neighbour Forum	No comments received.

Internal Consultation

Consultee	Comments
Energy Officer	<p>Supports the energy strategy. Recommended conditions in relation to:</p> <ul style="list-style-type: none"> Energy and CO2 Overheating and cooling

	<ul style="list-style-type: none"> • Post-construction renewable/low-carbon energy equipment monitoring • Post-construction energy use monitoring <p>Requests financial contributions of £112,290 towards carbon offset and £10,771 towards post construction energy monitoring.</p>
Flood Risk Officer	No response received.
Regeneration	No response received.
CCTV Systems Manager	Request a contribution of £20,000 towards CCTV, in order to assist with the maintenance of public safety through CCTV monitoring in the area.
Building Control	No response received.
Education Services	<p>Applying the unit mix from the schedule of accommodation to the Council's published method generates a child yield of 16.07 at primary and 11.48 at secondary, generating a contribution of £393,886.84.</p> <p>This would be applied to Drayton Green Primary School, with a reserve of Oaklands Primary School or other local education provision at primary phase, and Elthorne Park High, with a reserve of The Ellen Wilkinson School for Girls or other secondary education provision at secondary phase.</p>
Estate and Development	No response received.
Head of Housing Development	<p>This development is providing 46 affordable homes on a unit basis. The affordable element of the scheme comprises 12 x London Affordable homes and 34 x intermediate which will be in the form of Shared Ownership.</p> <p>The borough asks for 60% rent/ 40% intermediate (70% rented in the draft Ealing Local Plan 2024) and as such, this application does not meet the required tenure split. The applicant is required to provide a financial viability appraisal to demonstrate why it cannot provide the required mix of tenures.</p> <p>With respect to the rented homes that are currently being offered as part of this application, we welcome the offer of 9 x 3b5p and 3 x 2b4p homes as we have a severe shortage of family sized accommodation in the borough.</p> <p>As this scheme will include a number of homes for shared ownership, we would ask that the affordable provider should aim to make these affordable to a range of incomes and that they should not all be pitched at the top end of the shared ownership eligible income (£90K).</p> <p>Early and late-stage reviews have to be secured in S106 agreement should the applicant do not follow fast track route.</p>
Landscaping	No response received.
Legal Planning	No response received.
Pollution Technical (Air Quality)	Conditions proposed and mitigation for Air Quality contribution
Pollution Technical (Noise)	Conditions proposed

Pollution Technical (Contaminated Land)	There will be pile works due to the height of the buildings plus ground works. A condition is recommended in case anything is unearthed during these works.
Tree Officer	There are 6 trees to be removed as part of this development. 5 of these are category C trees and replacement of these are sought. The proposed trees in the roof gardens are not drought tolerant and would need to be changed to something more in keeping with its environment. A S106 contribution is proposed to mitigate the proposed works. Conditions proposed and s106 contribution of £35,000
Parks and leisure	No response received.
Waste and Street Services	No response received.
Transport Services	<p>No objection – with conditions and S106 sought.</p> <p>Currently Highways are modelling junction Uxbridge Road junction with Northfield Avenue (B452). There were many pedestrian accidents reported on Uxbridge Road between Northfield Avenue and Eccleston Road.</p> <p>Because of the traffic congestion and vulnerable user accidents on Uxbridge Road, Highways would like to eliminate traffic congestion and vulnerable road user accidents on Uxbridge Road.</p> <p>The Council are currently planning to introduce junction improvements and accident remedial scheme on Uxbridge Road.</p> <p>This development is expected to increase number of walking trips and contributing to traffic congestion. As a mitigation measure, the applicant will contribute to mitigation measures.</p>
Highways Management	<p>The applicant has submitted a Framework DSMP and CLP. The scope of each is agreed in principle but approval will be subject to receipt of the detailed submissions.</p> <p>Para 3.7.1 of the CLP: details of access arrangements for abnormal loads from the Broadway, including any widening and strengthening of the existing dropped kerb access, and removal/relocation of streetlighting are required.</p> <p>For the s106: the landscaping and paving works will require a s278 agreement, so this needs to be stipulated in the s106 agreement.</p>
Employment And Skills	<p>The developer needs to secure an employment, skills, and training delivery strategy, which needs to be signed off by 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. (S106ELS@ealing.gov.uk).</p> <p>The developer must deliver 7 full apprenticeships, and there will be a charge of £49,395 per apprenticeship obligation that is not met. 25% local labour must be employed, as a minimum. 7 weeks of Work Experience must be completed throughout the length of the project.</p>

	<p>There will also be a financial obligation of £56,000, which will contribute to monitoring costs and local employment/apprenticeship projects within the borough of Ealing.</p> <p>Penalties for not meeting quarterly monitoring deadlines can be implemented if the data is not returned to the partnerships and procurement manager in a timely manner, within a week of quarter end.</p> <p>All site apprenticeships and jobs are to be advertised via Ealing brokerage service and all vacancies have to be advertised to local people only for the first 72hrs. Entry-level jobs should be offered to prior apprentices first.</p> <p>The employment, skills and training programme should include as many community engagement events as possible. Please see below for some examples:</p> <ul style="list-style-type: none"> • Developers to visit local schools, youth groups, and colleges to speak about their job and sector helping to demystify and encourage interest in construction professions. • Developers to offer mentoring to local people interested in construction. • Site Open Days for local people. • Attending Job fairs run by Ealing Council/ local schools. <p>*Based on the average cost of a level 3 apprenticeship + 10%. We will only charge this if there have been no reasonable endeavours to fulfil the obligations. Reasonable endeavours include, but are not limited to, the number of vacancies sent through work Ealing, the number of apprenticeship vacancies created, the number of candidates and the number of candidates starting but not finishing apprenticeships.</p>
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6 Planning Policies:

Please see informative section in Appendix A for a full list of relevant policies.

7 Planning Appraisal

The proposal is assessed in terms of its potential impact on the area, on the amenities of the occupiers of neighbouring development, taking into account the relevant development plan policies for the area and considerations of the localised impacts of the development, and all other material considerations. The main issues are:

- Principle of development
- Housing and affordable housing
- Urban design
- Heritage
- Neighbouring amenity
- Quality of residential accommodation
- Transport
- Environmental issues and sustainability

7.1 Principle of Development

Town centre uses

Section 7 of the NPPF and Policy SD7 of the London Plan requires planning policies to support the role that town centres play at the heart of local communities, ensure their vitality and viability, and support and enhance the competitiveness, quality and diversity of town centre retail, leisure and other services. Policy SD7 further requires development proposals to ensure that commercial floorspace relates to the size and the role and function of a town centre and its catchment and is fit for purpose.

Ealing Core Strategy Policy 2.5(b) seeks to define and reinforce the distinctive character and roles of the Ealing Metropolitan Town Centre and identifies West Ealing as a designation for value and convenience goods and a wide range of eating-places. Part (c) of the policy seeks to strengthen and extend the core of the town centre leading to an increase in the quantum, quality and diversity of the existing retail, café and restaurant offer and sustain the town centre’s position in the retail hierarchy.

Policy 4B of the Ealing Development DPD 2013 states that development in any designated frontage should not result in a net loss of active frontage and A1 retail uses should constitute no less than 40% of the secondary shop frontages. Policy 4C requires main town centres uses to relate well to their surroundings and have high quality façade design.

The shops at nos. 105-113 facing Broadway are designated as secondary shop frontages. However, it should be noted that Use Class A1 no longer exist under the revised Use Class Orders in 2020. The previous A1 retail use has now been consolidated into Use Class E under which one could change the use of a shop within the same Class without expression of planning permission. As the proposed development would retain the existing shop frontages facing Broadway and St James’ Avenue, it is not considered that it would represent a direct departure from policy 4B of the Ealing Development DPD 2013.

The existing and proposed land uses are compared in the below table. The proposed development would provide active frontages on three elevations. Flexible use units (Use Class E) would occupy all shopfronts facing Broadway, extending to those along St James’ Avenue where residential entrances are introduced on both sides. The rear of the buildings facing Canberra Road would be primarily used for ancillary refuse and cycles accesses, with some retail frontages on the corners.

Existing and proposed land uses			
	Existing sqm (GIA)	Proposed sqm (GIA)	Net change +/- (sqm)
Commercial/community uses (Class E/F2/Sui generis)	3,506	911	-2,595
Residential (Class C3)	0	13,766	+13,766
Total	3,506	14,677	+11,171

Table 1: Existing and proposed land uses

The site forms part of the wider site allocation EAL16 ‘59-119 Broadway and New Ealing House’ under the adopted Development Site DPD 2013, which sets out an overarching mixed-use including retail, commercial, residential, community uses and car park. It is noted that the site is afforded a separate site allocation 13EA in the Draft Local Plan (Reg19) for residential-led mixed-use development with typical town centre uses on the ground floor. Notwithstanding that the weight attached to the emerging Local Plan is diminished due to its draft status, the proposed land uses would be in line with the emerging site allocation.

Whilst the proposed development would result in a loss of office floorspaces on the first and second floors, the site is not envisaged for primary office development under the existing or emerging site allocation. It is also noted that some of the existing commercial floorspaces are vacant or under-utilised. The proposed flexible Use Class E floorspaces would offer more modern and fit-for-purpose outlets, with most of them with a mezzanine level that could be tailored and subdivided for specific needs, whether that is for retail, commercial or community uses. Overall, this loss is considered acceptable, especially given that the proposals would provide commercial active frontages on three elevations, qualitatively enhance the existing retail offers, and intensify the use of the site.

Residential development

Chapter 5 of the NPPF (the Framework) concerns the delivery of sufficient homes, with paragraph 60 noting the government's support in significantly boosting the supply of homes. To allow this to happen the Framework recognises that, a sufficient amount and variety of land must come forward where it is needed. Moreover, Section 11 ('Making Effective Use of Land') encourages as much use as possible of previously developed land and vacant buildings as well as optimising the use of land to meet as much of the identified need for housing as possible. Section 7 recognises the role of suitable mix of uses (including housing) in ensuring the vitality of town centres.

Policy GG2 the London Plan 2021 states that those involved in planning and development must proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

Policy H1 of the London Plan 2021 sets Ealing a housing completion target of 21,570 between 2019/20 and 2028/29, equivalent to 2,157 new homes per year, and requires Councils to optimise the potential for housing delivery on all suitable and available brownfield sites, especially within PTALs 3 to 6 or within 800 metres of a station or town centre.

Policy H2 of the London Plan 2021 states Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

Policy SD6 of the London Plan 2021 recognises the role of mixed-use or housing-led intensification to optimise residential growth potential and encourages change of use and intensification of identified surplus office spaces to other uses.

The site is within Ealing Metropolitan Centre (town centre), with a PTAL rating of 5 and 15-minute walking distance to West Ealing Station. Policy E2 of the Ealing's Reg19 Draft Local Plan indicates that the social and economic role of the Metropolitan Town Centre should be refreshed and strengthened through significant levels of high-density residential and employment growth. The application site is also identified suitable for residential intensification under both the Development Site DPD 2013 and the Reg19 Draft Local Plan. The proposed development would provide 144 residential flats and contribute to the Borough's housing need. Therefore, the principle of residential-led mixed-use redevelopment within a town centre location and good public transport accessibility is in line with the policy expectations and generally supported.

Therefore overall, the proposed residential-led mixed-use development is considered acceptable in land use terms. Whilst local policies also seek quantitative increases in retail floorspace, the proposal both increases active frontages and would deliver qualitative improvements to this part of the Town Centre. As such it is considered that the proposal complies with London Plan Policies GG2, H1, H2, SD6 and SD7, as well as local policies 2.5, 4B, 4C and EAL16.

7.2 Housing and Affordable Housing

Fast Track Route and Affordable Housing

Policy H4 of the London Plan seeks to maximise the delivery of affordable housing, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. Policy H5 of the London Plan and the Mayor’s Affordable Housing and Viability SPG set out the ‘threshold approach’, whereby schemes meeting or exceeding 35% affordable housing by habitable room for non-public sector land or non-industrial land, and other criteria such as tenure mix are eligible for the Fast Track Route (FTR). The threshold level of affordable housing on gross residential development is initially set at a minimum of 35%.

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 GLA stage response detailed the following with regard to the Fast Track Route:

“To be eligible for the Mayor’s Fast Track Route (‘FTR’), applications must meet the applicable affordable housing threshold (by habitable room) in line with the required tenure mix, without public subsidy. An early-stage review mechanism would also need to be secured via Section 106 Agreement. Applications which do not meet these requirements should follow the Viability Tested Route, with a Financial Viability Appraisal (‘FVA’) submitted and schemes subject to both early and late-stage review mechanisms, with mid stage reviews required on larger multi-phased schemes”.

The proposed development would provide a total of 46 affordable homes or 139 affordable habitable rooms, equating to 32% by unit or 35% by habitable rooms, comprising 12 social rent homes (32% by habitable rooms) and 34 shared ownership homes (68% by habitable rooms). The following sub-sections detail the housing mix, tenure split and details that the scheme in this instance would be an acceptable version which meets the majority of the criteria set out by the London Plan for the Fast Track Route (FTR). The applicant has agreed to the early-stage review mechanism.

Housing Mix

Policy H10 of the London Plan requires schemes to consist of a range of unit sizes having regard to housing need assessment, the requirement to deliver mixed and inclusive neighbourhoods, the need to deliver a range of unit types, the mix of uses and the range of tenures. It further states that the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

The following residential breakdown is proposed:

Housing mix breakdown (by homes)				
unit type	affordable units	market sales	total	% of total development
one-bed	13	35	48	33.33%
two-bed	19	54	73	50.69%
three-bed	14	9	23	15.97%
total	46	98	144	100.00%

% of total development	31.94%	68.06%	100.00%
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Housing mix breakdown (by habitable rooms)				
unit type	affordable units	market sales	total	% of total development
one-bed	26	60	86	21.66%
two-bed	57	162	219	55.16%
three-bed	56	36	92	23.17%
total	139	268	397	100.00%
% of total development	35.01%	64.99%	100.00%	

Table 2: Housing mix breakdowns

The application site possesses a very good PTAL rating of 5 and is in Ealing Metropolitan centre. There is a range of commercial offers and bus routes operating in the proximity of the site and West Ealing station is approx. 15 minutes' walk to the northeast. The proposed development generally demonstrates an appropriate and diverse mix of one, two and three-bedroom units. In accordance with Policy H10 of the London Plan, a higher portion of one and two bed units is acceptable, especially considering the site's town centre location, good PTAL rating, and the surrounding characteristics and density.

Tenure Split

Policy H6 confirms the preferred affordable tenure arrangements across London whereas Policy 3A of the Council's Development Management DPD defines the Council's preferred affordable tenure split as 60% social/affordable rented accommodation and 40% intermediate tenure homes.

The following tenure split is proposed:

Tenure split (by unit)			
unit type	social rent	shared ownership	total
one-bed	0	13	13
two-bed	3	16	19
three-bed	9	5	14
total	12	34	46
% of total affordable housing	26.09%	73.91%	100.00%

Tenure split (by habitable rooms)			
unit type	social rent	shared ownership	total
one-bed	0	26	26
two-bed	9	48	57
three-bed	36	20	56
total	45	94	139
% of total affordable housing	32.37%	67.63%	100.00%

Table 3: Tenure split by breakdowns

A financial viability assessment (FVA) for a 141-unit scheme was conducted and discussed with the Council during the pre-application stage. The FVA was independently reviewed by a third party 'Affordable Housing Solutions Ltd (AHS)'. The interim report prepared by AHS pointed out that the initial affordable housing offer was only 18% and did not provide 3-bed accommodation or social rented units. It then concluded that the scheme would have given rise to a deficit of £4,845,045, but it was based on a number of caveats and further information was required to confirm it.

The scheme has then been revised with the affordable housing offer presented in the above tables. A 'Fast Track Compliance Note (Rev 002 – 27.09.23)' prepared by Quod was also provided. The Note concluded that the revised scheme is significantly constrained with a residual profit of approx. -£4.5 million, based on the increase in finance rates and high Existing Use Value of the site. Should the proportion of social rent be to be increased, the scheme would only be able to deliver a significantly lower level of affordable housing to circa below 20%. In addition, the provision of social rent homes in the form of 3-bedroom units are strongly supported.

Due to viability considerations and with the aim of prioritising the total affordable housing units, it is considered that the proposed tenure split represents a reasonable offer and generally complies with policy H6 of the London Plan 2021.

It is acknowledged that the proposal does not meet the Council's preferred tenure split set out under Policy 3A of the Ealing Development Management DPD 2013; however, this policy provides flexibility to negotiate an alternative tenure split taking into account financial viability considerations. Policy H6 of the London Plan requires residential development to apply a minimum of 30% low-cost rented homes (social rent in this instance), a minimum of 30% intermediate products (shared ownership in this instance) and the remaining 40% to be determined by the borough. The supporting paragraph 4.6.2 of the policy also recognises that a broader tenure mix could be appropriate because of viability constraints. The proposal would not fully meet the test of being fast track as it only provides 30% low-cost rent and the remaining 70% as an intermediate product. The preference for the council would have been 70% low-cost rented homes, 30% intermediate products. It is acknowledged that the GLA Stage 1 response sought for the proposal to meet the FTR in its entirety, however due the viability which was undertake, the offer of the affordable housing proposed and the homes which would be considered affordable would be of benefit to the borough's housing provision.

The proposal would not fully align with the councils preferred split, however the housing mix proposed is preferable with the proposal having more two and three bed homes than one bed homes. The larger homes are considered to be appropriate to meet the Council's housing mix with 9 x 3 bed five person homes in particular helping to reduce the severe shortage of family sized accommodation in the borough. The proposed homes being 70% shared ownership, we would encourage that these affordable homes would be open to a range of incomes rather than pitched at the top level. This would be secured by way of the S106 legal agreement.

In addition, in accordance with the requirement of Policy H5 of the London Plan, early-stage review mechanisms will be secured within the S106 agreement, to ensure the Council gets the best affordable housing offer based on viability and potentially an increased provision of socially rented houses subject to future market conditions and delivery timescales. The early-stage review would be triggered if the development is not commenced in 2 years.

Conclusion on Affordable Housing

The proposed development would provide 35% affordable housing by habitable rooms and an agreed level of tenure split. Overall, it is considered that the proposed development would largely meet FTR due to financial viability considerations, in accordance with Policy H5, H6, and H10 of the London Plan and 3A of the Ealing Development Management DPD 2013, subject to the head of terms secured under the S106 agreement.

7.3 Urban Design

Paragraph 139 of the NPPF 2023 requires development that is not well design be refused, especially where it fails to reflect local design policies. Conversely, significant weight should be given to

development which reflects local design policies or represents outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.

London Plan Policy D3 requires the optimisation of sites by following a design-led approach, having regard to site attributes, local context, design principles, public transport accessibility, and capacity of existing and future transport services. Policy D4 requires design and access statements submitted with development proposals to demonstrate that the proposal meets the design requirements of the London Plan.

Tall building

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 part b) and c) require tall buildings to be developed in identified locations in Development Plans, provided that their visual, functional, environmental and cumulative impacts are addressed.

Policy 7.7 of Ealing DPD 2013 states that tall buildings should be located within the identified development sites, offer an outstanding quality of design and make a positive and appropriate contribution to the local and wider context.

Policy D9 of the Draft Local Plan (Reg19) sets out definition for tall buildings in different parts of Ealing. The site is within area E10 under which buildings above 7 storeys (24.5m) are considered as tall buildings.

The site is within site allocation EAL16 of the adopted Development Site DPD2013, at the heart of West Ealing, which identifies the opportunities for taller elements towards the centre of the wider site. The emerging Local Plan (Reg19) subdivides the adopted site allocation into smaller plots, with the site itself falling within 13EA with an indicative maximum height of 12 storeys (42m), and the adjacent site allocation 11EA of 16 storeys (56m) (as illustrated by figure 6).

The overarching tall building strategy aims to create a building cluster that shows an appropriate level of height transition and signify the area as a gateway to West Ealing. Looking at the emerging taller buildings in the area, no.131-137 Broadway approx. 90m to the west has been granted permission for an eight-storey building, which was two-storey higher than the indicative height in the Draft Local Plan. Opposite of the site at no.130-132 Broadway, a six-storey building was granted in 2022. Buildings at nos. 96-114 facing Broadway range from 8-11 storeys. Immediately to the south of the site is a part-4 part-6 storey building comprising offices, car park and supermarket. Further to the east at the junction of Broadway and Melbourne Avenue is a six-storey hotel.

It is noted that the proposed building height would not strictly follow the Draft Local Plan, however, it would be commensurate with the indicative maximum building height in the immediate surrounding area. The proposed two buildings would be 14 and 16 storeys, or circa 50.55 metres and 54.68 metres at maximum; 46m and 52.67m at roofs. It is considered that there is scope for the site to act as a focal point of the tall buildings cluster in the area as it conveniently connects the residential areas to the north and south through Walsingham Road and St James' Avenue, together with the proposed public realm improvement. The proposed development would respond to the heights of adjacent buildings along Broadway as well as remain the opportunity for future adjacent developments to articulate the height variations in the skyline.

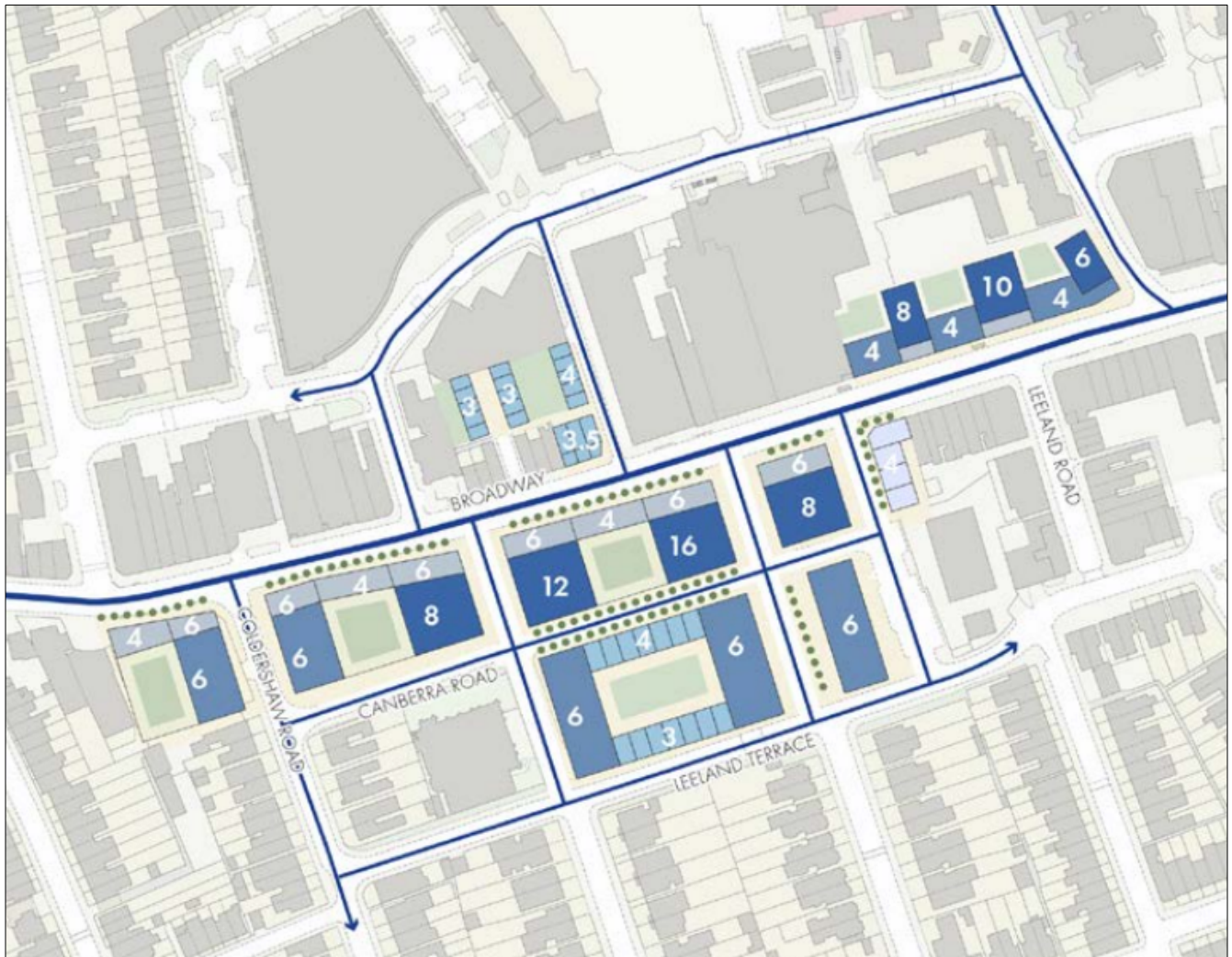


Figure 6: Indicative building height and types suggested by the draft local plan (Reg19) tall buildings strategy (Ealing Cluster B).



Existing massing - view south westwards

Proposed massing - view south westwards

Figure 7: Illustrative existing and proposed massing suggested by the draft local plan (Reg19) tall buildings strategy (Ealing Cluster B).



Figure 8: Proposed building mass and height within the wider emerging tall building cluster.

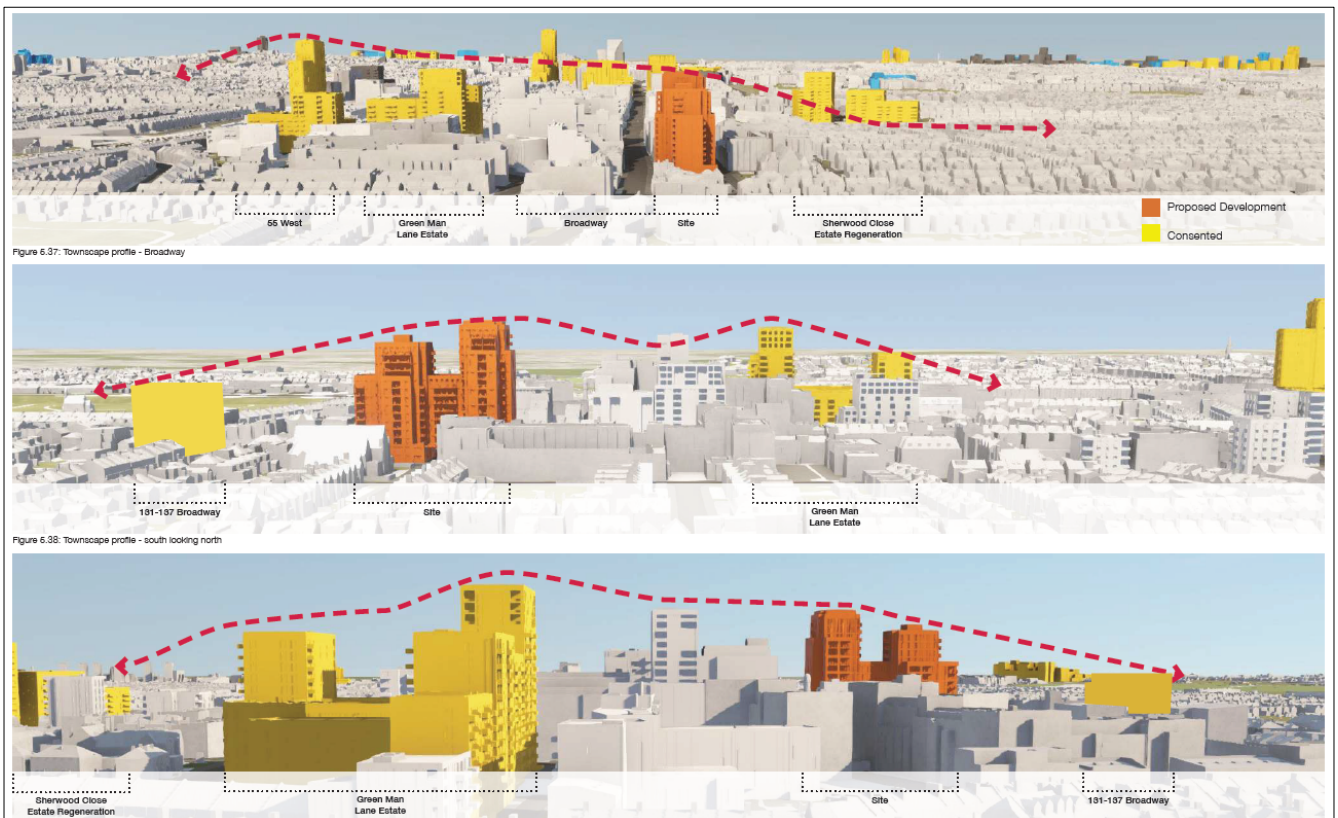


Figure 9: The building's height relationship with the existing or emerging tall buildings in the area.

In accordance with Policy D9 part c) of the London Plan, a Heritage Townscape and Visual Impact Assessment (HTVIA) prepared by Icenii dated December 2023 was submitted. The assessment selected 12 viewpoints from the nearby streets and heritage assets in the short, mid and long-range views.



Figure 10: Immediate view of the development from Broadway.

The proposed development would be a new feature in the view from St James' Avenue. It would be visible from the terraced residential area further to the south, terminating the views onto Broadway. Whilst increasing the massing of this view, the building would form a gateway to Broadway which enhances the area's legibility. The proposal would offer a continuation of the building lines, and with the materiality drawn from the local context, the building is not considered to detract from the street scene.



Figure 11: View from Regina Road looking north



Figure 12: St Kilda Road looking north

Viewing from the west of the site from Broadway, the proposed building would sit alongside other consented taller buildings in the area. The stepped massing and contextual material palette would offer a height transition in the skyline and soften the building's appearance to an extent. From the further west, the proposal would add more taller elements to this view but responds to the emerging height and scale in the area.

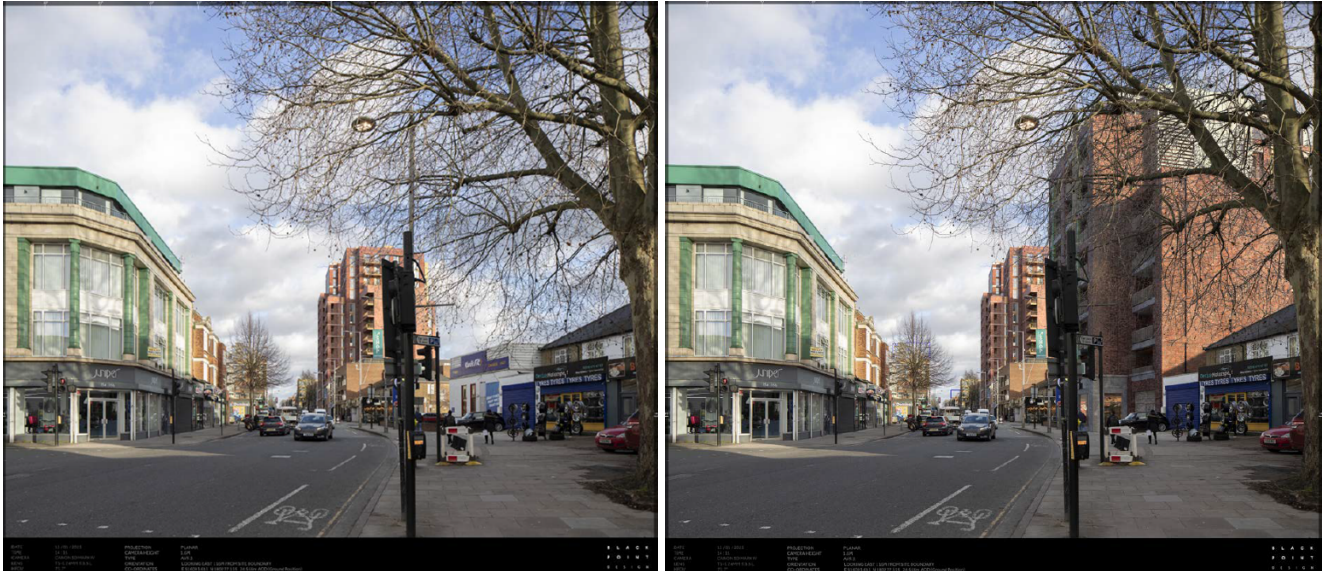


Figure 13: Broadway/ Eccleston Road looking east



Figure 14: Broadway / Entrance to RBKC Cemetery Looking East

From the east, the stepped-up massing, together with other emerging buildings, further enhance the enclosure of Broadway. The proposal would be seen alongside taller buildings on both the northern

and southern side of Broadway but is generally in keeping with the envisaged massing under the Council's draft tall building strategy. Further from the east, the buildings would be partially screened by the 8-storey Dean Gardens Development.



Figure 15: Broadway / East of Melbourne Avenue Looking West



Figure 16: Broadway / Green Man Passage Looking West



Figure 17: Broadway / Chapel Road Looking West

Layout

The allocation of the site within the Draft Local Plan Reg 19 differs to that of its predecessor. The current allocation is more prescriptive and was published some significant time after this scheme had sought pre-application advice.

The ground floors would have commercial spaces, and these would be double height spaces which further allows for animation at street level as well as increases what each space can be used for. It is noted that commercial uses would sometimes require higher floor to ceiling heights than residential and this can be for a variety of reasons some of which can include storage and or adequate ventilation. The other spaces on the ground floor would be refuse and cycle storage which would be predominately for the residential component of the scheme. Further to this additional flexible space is proposed under the canopy and this can aid in creating a variety of uses and activities in the development.

It did however set out with regard to layout of the existing site, it stated ‘...would benefit from a more legible layout featuring key town centre uses organised around a function, welcoming and pedestrian friendly network of public spaces’. The scheme aims to address the critique of the existing layout and improve the appearance and quality of the site. The main points taken from this into the development is that that the development will feature key town centre uses organised around a network of public spaces that are pedestrian friendly and welcoming, that the development will provide a high-quality form of architecture with landscaped areas of public realm that will be usable and enjoyable for the public, and that the development will create active frontages at ground floor level facing onto Broadway, St. James’ Avenue and Canberra Road, creating animated frontages and a civic presence to all visible edges to the site. The text also refers to *Figure 5*, which shows the appearance of the site and the landscaped public realm when viewed from Broadway.



Figure 18 – Public realm entrance

The commercial Class E units would be accessed through their separate entrances along the Broadway and also with entrances in the covered area for pedestrians on St James’ Avenue. Access

for the residential cores and cycle stores would be via this entrance with fob access for secure by design accreditation as well as safety. All refuse would be accessed to the rear of the site fronting Canberra Road.

Architectural quality and materials

A considered approach with regard to design was taken for this new building in particular how the buildings would sit in their respective terraces. A detailed analysis was undertaken by the architects and this drew upon how the existing Broadway buildings were shaped. The design principles of how the current high street is was informed into this design, as well as the single order of openings, white framed windows, bay windows and the coloured banding. The merging of the two buildings is considered paramount to ensure that the new buildings are align within their context and the existing building language. The use of red brick and white masonry at the base of the building is taken from the surrounding context. The proposed façade design differs and this creates a new place of interest in the St James Pedestrian Court. The opening at ground floor and high level entrance allows this opening to be clearly signposted and deliberate.

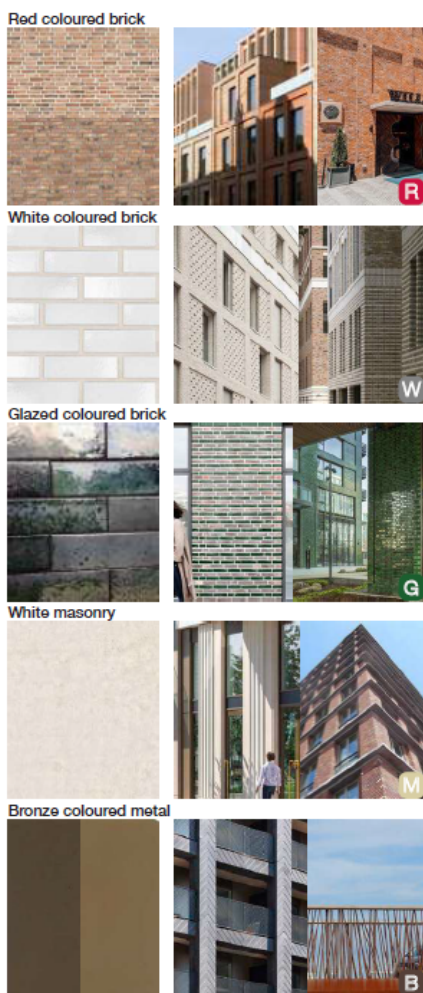


Figure 7.32: Material palette



Figure 7.30: Broadway elevation



Figure 7.31: St James Avenue elevation

Figure 19 – Proposed material palette

The design uses a material pallet comprising of red and white coloured bricks, green glazed bricks (to pay homage to the locality) and white masonry with bronze coloured metalwork for fenestration and railings. In order to break up the massing, the use of different colours of bricks, and the use of the link element in predominantly green glazed brick further create this.

The materials and tonal appearance of the scheme respond to the surrounding context and would be consistent with Policy D3 of the London Plan.

Inclusive design

Policy D3 seeks to ensure that new development achieves the highest standards of accessible and inclusive design (not just the minimum).

The applicant has included an access statement which lists the design principles followed to ensure the development would create an accessible and inclusive environment. The terraces proposed on 9th and 13th floor levels would be able to be access by wheelchair. It is encouraged that the scheme remains step-free access and allows for different users of the areas. All of the commercial units would be step-free access. The landscaping would have gradients of no more than 1:21. The public realm would provide a clear and inclusive environment due to its design it would allow for use by people with disabilities, the elderly and also pushchairs.

In line with Policy D5, the applicant has stated that 10% of the proposed residential units have been designed to be adapted to Wheelchair Accessible M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users) and all of the other new build dwellings will meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. The scheme would provide 14 homes which are M4(3) and these would consist of 1 x (2B3P), 8 x (2B4P) and 5 x (3B5P). It is very encouraging that these larger homes are more accessible and can adapt to the needs of the future occupiers. The proposal has been reviewed and is considered in accordance with Policy D5.

Public realm, landscaping and children's Play Space

Policy S4 states that residential developments should incorporate high quality, accessible play provision for all ages, of at least 10 sqm/ child. Play space provision should normally be provided on-site; however, off-site provision may be acceptable where it can be demonstrated that this addresses the needs of the development and can be provided nearby within an accessible and safe walking distances, and in these circumstances contributions to off-site provision should be secured by Section 106 agreement. Play space provision should be available to all the homes within the immediately adjacent blocks and courtyards to promote social inclusion with no segregation based on housing tenure or type.

Policy 7D of the Ealing Development Management DPD also states that new development should provide for adequate provision of communal amenity space, children's play space and allotment gardens. Total amenity space throughout the development is calculated on the basis of 15sqm per flat, with 5sqm per balcony also contributing to this total. Based off the quantum of units within the proposed development, the proposal would be required to provide a total requirement of 470 sqm. The actual amount of amenity space within the development would be 403.6sqm, leading to a shortfall of 173sqm. The scheme would deliver 291sqm of informal play space for Blocks A and B. The ground floor has playable areas, but these are not included in this calculation of dedicated play space areas.



Figure 19 – Playspace at Floor 9 (right) and Floor 13 (left) – naturalised play and seating nodes

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

The current site is constrained in terms of the child play areas and this would be difficult to provide on site to meet London Plan policy. The scheme would deliver 291sqm of informal play space at ground floor area within the landscape areas. The urban nature of this town centre location, factored in with other matters discussed such as viability, height proposed, increased housing choice reduces the ability for the development to provide all the provision on site which is understood.

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

In terms of the overall quality of the communal amenity space proposed, the scheme presents an improved outcome to what currently exists. The choice of materials and landscaping would be robust for this urban location and is considered to respond well to both the residential and retail uses proposed. The public realm would remain open to all in perpetuity, as such no mechanism is needed to secure this. Were this to change, further permissions would need to be sought. It is considered the public realm proposed and openness is a key contributor to how successful this scheme would be in the future.

Fire Safety

London Plan Policy D12 ‘Fire safety’ states that all major development proposals should be submitted with a Fire Statement which is an independent fire strategy, produced by a third party, suitably qualified assessor.

The application is supported by a fire safety statement prepared by a suitably qualified personnel at Lawrence Webster Forrest was submitted in support of the application. The statement details that Block A (over 30m) and Block B (over 30m) would each be provided with an evacuation and a

firefighting lift, and both lifts and a fire fighting lift. The scheme is considered to be acceptable and compliant with Policies D5 and D12 of the London Plan (2021).

7.4 Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires that when determining planning applications, special regard must be had to the desirability of preserving designated listed buildings, their setting and any features of special architectural or historic interest which they possess.

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

Guidance in the NPPF (2023) is that substantial harm to a designated heritage asset should be exceptional. Substantial harm is a high test that is rarely encountered and in general would necessitate or involve some demolition of the asset itself. No such demolition is comprised in the scheme.

Paragraph 201 of the NPPF (2023) states that: *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”*

Paragraph 208 of the NPPF (2023) states that: *‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’*. However, this needs to be considered in the context of the section above and so it is not a simple balancing exercise given that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area.

‘Harm’ is deemed by the NPPF to be either ‘substantial’ or ‘less than substantial.’ Since the application does not directly involve a listed building nor is located on land comprising of one, harm in this application relates only to impacts on the settings of assets.

Policy HC1 of the London Plan (2021), Policy 1.1 of the Ealing Development (Core) Strategy and Policy 7C of the Ealing Development Management Development Plan Document (DPD) seeks to ensure that new development preserves the significance of heritage assets. Development should be sympathetic in its materials and architectural detailing, and the introduction of designs or materials which undermine the significance of heritage assets should be avoided.

The application site does not sit within a Conservation Area and does not contain a designated heritage asset. It should be noted that the GLA, within their Stage 1 response, the heritage assets mentioned above are some distance from the site and there is dense screening around these views by way of trees. There will be some visibility from within the cemeteries, but this would be limited. It would occur during winter months and would be considered to be harmful to a very low extent. It is noted that the existing buildings at the site.

The applicant has included a Townscape and Visual Impact Assessment of the proposed development, which shows the proposed development in the context of short-, medium- and long-range views. A number of heritage assets have been identified, which include the Hanwell Cemeteries Conservation Area;

Kensington & Chelsea Cemetery, Hanwell (Grade 11 registered Park and Garden); Westminster Cemetery, Hanwell (Grade II Register Park & garden); gate Piers, Railings and Gates to City of Westminster Cemetery. The category of harm was considered to be either very low or no harm. The very low harm considered that the proposal would have a less than substantial harm of these designated heritage assets.

Loss of Art Deco façade at 101 and 105 Broadway

The art deco façade on the Broadway street frontage would be demolished. This façade is not a statutory or locally listed heritage asset. However, the West Ealing Centre Neighbourhood Plan does mention its importance within paragraph 2.20 as being emblematic of the commercial confidence that Central Ealing had in the 1920s and 1930s. It should be noted since that time Ealing Broadway has continued its dominance as the main retail destination in the borough and far exceeded the offer in West Ealing.

Policy WEC14 of the West Ealing Centre Neighbourhood Plan identifies the façade as a non-designated heritage asset, stating that "the Neighbourhood Plan is supported by a survey of non-designated heritage assets that are of particular importance to the local character of West Ealing. The detailing in the architecture has sought to take inspiration of the design before whilst not creating a pastiche development. The loss of the art deco whilst understood to change the immediate character of the area is one which is considered acceptable as the proposed design is of a standard which to respect nearby heritage assets.

The effect of a planning application on a non-designated heritage asset is also a material consideration. Albeit it must be recognised that planning policies at the national, strategic and local levels place appropriate emphasis on the presumption in favour of sustainable development, and for the design of new developments to have a positive relationship to the surrounding urban structure in form and architecture, while having regard to the public realm and making a positive contribution to the character and future development of a place. Therefore, while the demolition of the non-designated façade may be a material consideration, this needs to be considered not only proportionate to its significance but also weighted proportionately with the overall merits of the scheme and how it accords with planning policies.

The GLA noted that the site would deliver public benefits such as affordable housing and improved public realm. The scheme would secure the 35% affordable housing provided on site by way of legal agreement and the public realm proposed would increase routes through the site as well as creating a place/destination for people within West Ealing. It is considered that these public benefits would outweigh the harm identified to the setting of the heritage assets mentioned above.

7.5 Neighbouring Amenity

Policy D3 of the London Plan (2021) requires that the design of development should deliver appropriate outlook, privacy and amenity. This is supported by policy D6 of the London Plan (2021), which states "the design of development should provide sufficient daylight and sunlight to new and surrounding housing". These objectives are supported by policy 7B of the Ealing Development Management Development Plan (2013) which provides that new development must achieve a high standard of amenity for users and for adjacent users.

Natural light

A daylight and sunlight assessment (DASA) (2113/X rev01 dated December 2023) prepared by Schroeders Begg LLP was submitted, following the BRE guidelines 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 3rd edition 2022.

In measuring the daylight to adjoining residential premises, both Vertical Sky Component (VSC) and Daylight Distribution analysis have been conducted. The VSC 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'.

Daylight distribution relates to the area of the room that can see direct sky, at the working plane. The BRE Guide default target criteria, is if the daylight distribution to the neighbouring room under review with the new development in place is less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of daylight distribution within the room. It should be noted that BRE Guidance is advisory and non-compliance does not inherently mean that a proposed development would be unacceptable.

The DASA examined the natural light impact on 113 rooms around the application site. In terms of daylight, the report concluded that 88 rooms (78%) for VSC as considered and 101 (89%) for daylight distribution would meet the BRE Guidance in terms of any applicable reductions. For those reductions not meeting the GRE default target, many of them have inherent sensitivities such as windows beneath balcony soffits or in close proximity to boundaries, which inherently restricts daylight. Many of the non-compliant rooms would still be considered reasonable/ commensurate for an urban context.

In terms of sunlight impact, Annual Probable Sunlight Hours (APSH) and winter hours have been analysed for all habitable rooms served by windows within applicable orientation for consideration. It was concluded that all rooms analysed would meet the BRE Guide Default target for APSH and winter hours.

The potential impacts on the consented schemes within the area, including No. 112 Broadway, No. 114 Broadway, Nos. 130-132 Broadway, and Chignell Place located broadly north of site, have also been studied. Overall, the emergence of these schemes would not materially change the outcome of the effect of the proposed development. The reductions in daylight and sunlight would either meet BRE default target criteria or are considered to have 'minor adverse' reductions/ close to target.

Overshadowing

In relation to the overshadowing on neighbouring amenity areas, the main concern is the rear gardens at 5-9 Coldershaw Road, the roof top communal area at 104-110 Broadway and the seating area at the Old Hat Public House, 128 Broadway.

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. The test result showed that all amenity areas reviewed, where reductions are applicable, would meet BRE Guide default target criteria.

Outlook and privacy

In terms of overlooking and privacy, the site is within a dense urban context where many neighbouring windows facing Broadway are overlooked from the street and by each other. The proposed windows at lower floors would maintain the existing distance to the surrounding windows to ensure no undue additional impact compared to the current situation. The proposed upper floor windows facing the north, east and west would largely look onto the roof tops of surrounding properties. The south windows could look onto the residential back gardens to the south. However, given the adequate

separation distance, the impact would not be uncommon or undue within the dense urban context and a town centre.

7.6 Quality of Residential Accommodation

Policy D6 of the London Plan 2021 sets out that the space standards are minimums which applicants are encouraged to exceed. The standards apply to all new self-contained dwellings of any tenure, and consideration should be given to the elements that enable a home to become a comfortable place of retreat. The provision of additional services and spaces as part of a housing development, such as building management and communal amenity space, is not a justification for failing to deliver these minimum standards.

The Greater London Authority (GLA) published Housing Design Standards LPG in June 2023 as further explanation to Policy D6 of the London Plan 2021. The guidance is applicable to all self-contained residential applications (Use Class C3) with different standards to new build, change of use and conversions. The proposal is classified as new build under the LPG and assessed as follows.

Internal Space Standards

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

Home types	No. of Homes	Required GIA (sqm)		Proposed GIA Range (sqm)
		Minimum	Best practice	
1B1P	10	39	43	39-49
1B2P	38	50	55	50-56
2B3P	39	61	67	61-77
2B4P	34	70	77	71-77
3B4P	9	74	84	76-79
3B5P	14	86	97	86-111

Table 4: Home types and sizes

As per the above table, all rooms would meet the minimum space and dimension requirements of Policy D6 of the London Plan, with some of them (including M43a accessible homes) exceeding the best practice space standard recommended by the Mayors Housing Design Standards LPG (June 2023). The proposed minimum ceiling height would be 2.5m, also compliant with Policy D6. The overall LKD areas and bedrooms would have rational and functional layouts, providing good quality living conditions for future residents.

Orientation, aspect, and natural light

The proposed building would be situated on the north-south axis, with two building cores each serving no more than 8 units per floor. The Mayor published the new Housing Design Standards LPG in 2023, which clarifies the definition of single- and dual-aspect units in Appendix 3, illustration A3.1.1. It is noted that the proposed development was designed prior to publication of this guidance, and that the site’s orientation, perimeter, and other buildings along the high street pose constraints to the provision of dual aspects for all units strictly following the definition.

According to the submitted plans, 90% (131 units) of the units would have window openings facing at least two different orientations. Of the remaining 10% (13 units) with windows only on one wall, 5 of them would be south facing and 5 be north facing, but with protruding balconies providing outlooks and sunlight from the east and are limited to 1-bedroom units. It is also noted that not all units meet the new dual-aspect definition, primary because the windows on adjacent walls are placed too close to

each other. Of the 90% units with opening windows on two external walls, 101 of them would either fully or almost comply with the required window distance for dual aspect. 30 of them would be single aspect with an enhanced aspect, typically created by a stepped frontage or shallow recesses facing a balcony.

In terms of privacy, the proposed layouts generally ensure no undue overlooking into other units. There is also scope to add privacy screens to edges of the balconies where necessary.

In terms of natural light, a daylight and sunlight assessment (2113/X rev01 dated December 2023) prepared by Schroeders Begg LLP was submitted. The assessment concluded that circa 97.5% of the habitable rooms proposed would meet the target daylighting for the given room use. The rooms below targets are primarily concentrated within the first three storeys and those at the corners. Overall, this is considered a good provision within an urban context and for the scale of the proposed development. Reasonable sunlight exposure provision would also be achieved, with circa 70% of the dwellings overall meeting or exceeding target sunlight provision. Those dwellings below target would still receive some sunlight provision. The overall sunlight provision is considered reasonable due to the linear site perimeter and north-south orientation, which mean not every living room can have a southerly or east or west aspect due to site constraints.

Private outdoor space

Policy 7D of the Ealing Development Management DPD (2013) provides that a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1m² should be provided for each additional occupant. All balconies should be at least 1.5m wide and deep to be functional.

The below table summarises the proposed outdoor amenity space for each flat:

Home types	No. of Homes	Required (sqm)	Proposed (sqm)	Depth and width > 1.5m?
1B1P	10	5	6	Yes
1B2P	38	5	5	Yes
2B3P	39	6	6.8	Yes
2B4P	34	7	7	Yes
3B4P	9	7	8.3	Yes
3B5P	3	8	11	Yes

Table 5: Home types and outdoor amenity

7.7 Transport

The London Plan 2021 sets out transport considerations in policies T1 to T9. The general overarching objective of these policies is to create high quality, safe and accessible movement networks that reduce the need to travel and the prioritisation of sustainable transport modes.

Active Travel Zones

The access through the site is one of the heralding parts of the scheme and an active travel zone assessment (ATZ) has been undertaken. There were five routes reviewed Site to St John’s Primary School, Dean gardens, West Ealing Station, Strategic Cycle Network, West London Islamic Centre. This has taken into consideration venues of cultural and community significance. Due to issues with anti-social behaviour and the openness of the site, it was recommended that a night time active travel zone is undertaken. The routes noted are under consultation with regard to this within the West Ealing Liveable Neighbourhood (‘WELN’) Area. The additional work on the ATZ were considered important to ensure that the pedestrian links to the site are safe at all times. Anti-social

behaviour issues were mentioned within the consultation responses. It is encouraged that Active Travel is sought throughout the day and at night to ensure safety for all occupiers.

Car parking and disabled parking

Policy T6 of the London Plan supports car-free developments. However, if car parking is proposed for future schemes, the maximum parking provision needs to comply with Table 10.5 under Policy T6.3 of the London Plan 2021.

The proposal would be car-free which is welcomed. In line with Policy T6 of the London Plan 2021, future occupants would be restricted from obtaining parking permits in the adjacent and future CPZs in the area. The occupiers will also be encouraged to enter car club schemes to ensure that the scheme remains sustainable.

The GLA encourage that all parking provision has active electric vehicle charging provision. As part of the design of the proposal all these spaces would be provided with EV charging as per Building regulations.

The proposal would provide four-on street disabled person parking spaces on Canberra Road. The quantum is equivalent to three percent of the homes having access to a disabled parking space. The development would need to provide a further 10 spaces which are for disabled persons. As the site is constrained and no further space can be provided a S106 contribution is to be made to go towards provision of 10 disabled parking bays within the area.

Cycle Parking

Policy T5 of the London Plan 2021 requires cycle parking provision in accordance with the Guidance contained in the London Cycling Design Standards (LCDS) and Table 10.2 under the policy.

The proposed development would provide in total 261 long-stay – with 146 long stay spaces within Block A and of these 8 are adapted cycle accessible. Aisle widths are 2.5m as illustrated and the lift doors are a minimum of 1m in line with the LCDS. There would be 109 long stay spaces within Block B of which 5 are adapted cycle accessible stands. The provision of these LCDS compliant cycle stores would be secured via condition.

The proposal would provide 6 spaces which exceeds the requirement of 5 long stay spaces in the London Plan for town centre retail uses. These spaces would be in a dedicated store and would be accessible from Canberra Road.



Figure 20 – cycle parking

The cycle spaces would be generally designed and laid out in line with Chapter 8 of the London Cycle Design Standards (LCDS). The Sheffield stands would accommodate larger/adapted cycles and have step-free access from the pavement. Whilst the stackers would be positioned in the lower basement floor, it would be served by an external staircase with a cycle ramp on the side of the building.

Two short stay cycle parking spaces are proposed in front of the building served by one Sheffield stand. Overall, it is considered that the proposal complies with policy T5 of the London Plan 2021.

Travel Plan

The application is supported by a Travel Plan and this has detailed active travel to the site and how there is to be continued no vehicle access permitted along St James Avenue. The travel plan details that there is on-street cycle lane in each direction on the Broadway and this forms a sustainable way of travelling to and from the application site. The Broadway has bus routes with the closest being within 20m of the proposed building wand both Hanwell and West Ealing train stations less than 1km away. As well as the existing links there are four car club bays in close walking distance to the site. It is encouraged that occupiers of the development sign up to car clubs to reduce over reliance on private cars. The submitted travel plan details both residential and commercial trips to the site and it expected that targets are set and additional measures are implement to support achieving these targets. The Travel Plan would be monitored against agreed SMART targets with additional measures to further support sustainable travel. There would be surveys conducts years 1, 3 and 5 of the plan. This would be secured by way of an updated travel Plan condition and S106 contribution to Travel Plan monitoring.

Delivery and Servicing

London Plan policy T7 confirms ‘Development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible’.

The application is accompanied by a Delivery and Servicing Plan (DSP). This details this would take place on Canberra Road. This details that the delivery bay and swept path analysis would be as per the drawing below. The DSP would be a live document and further details are required as to the residential site operational and commercial tenants. However, at this point the document provides information with regard to onsite operations and their delivery requirements and sets out a strategy to achieve this.

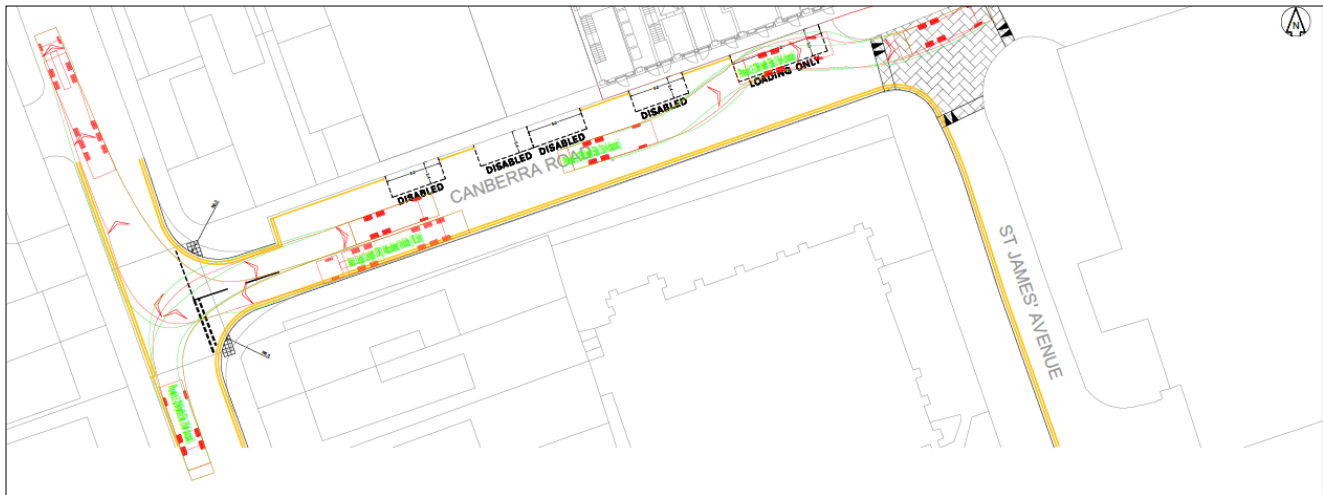


Figure 20 – image of swept path analysis for delivery and servicing

Refuse storage should be in accordance with Council’s Waste Management Guidelines. The submitted Circular Economy Statement details that’s refuse for households would be collected weekly and this would be alternate weeks for recycling and one for rubbish. Collection would be via the refuse stores on Canberra Road. Based on the total capacity of the building and using the Council’s standard formula for capacity requirements, the development would be required to provide 28,830L of capacity, with a 50/50 split between general waste and recycling. The development provides 28 x 1,100L Eurobins which equates to 30,800L within two stores located at ground floor level. This exceeds the minimum amount of refuse storage which is considered to be important due to changing needs and the need to boost the circular economy and reuse waste. Also provided would be 8 x 1,100L (8,800 L) Eurobins for the commercial refuse also collected on Canberra Road.

The ground floor plan shows that each core would be provided their own separate refuse storage area, with both doors leading onto Canberra Road for collections. The proposal would provide refuse storage capacity that meets Ealing Council guidance.

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

Construction Management

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

The application was submitted with Constructions Logistic Plan and this detailed that no construction access would be proposed on Broadway and this would allay concerns raised by TFL with regard to impeding use of Bus Stops. The CLP would be secured by way of condition to ensure that there are reduced impacts on the surrounding transport network.

Conclusion

In order to reduce the impact of the development on the existing transport network, the scheme has been mitigated to fit into the existing network. Financial contributions of £128,000 have been agreed with the applicant to be used toward local projects in relation to active travel, healthy streets and highway safety improvements. Whereby the scheme would alter how the network would run with the introduction of new travel patterns for occupiers and users of the site, this would be mitigated by way of financial contrition for road link and junction improvements, cycle instructions, travel plan monitoring and disabled parking spaces amongst other. It is considered necessary that the development mitigates potential impacts by way of increase of people in what is an accessible location within the London Borough of Ealing.

7.8 Environmental Issues and Sustainability

Noise and vibration

Policy D14 of the London Plan (2021) requires that development proposals should manage noise and ensure appropriate soundscapes for users. Policy D6 requires development proposals to adopt sound-attenuation measures to reduce the external noise experienced within the home to an acceptable level where necessary. Policy 7A of the Ealing Development Management DPD seeks to ensure that sensitive uses achieve acceptable levels of amenity “development of sensitive uses should avoid exposure to established concentrations of emissions”.

The 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. The noise assessment report by Auricl ref R/NA/3/231215 Version 03 and follow up letter on 15 March 2024 detailed that the proposal would be exposed to substantial transport noise and commercial activities. The commercial class E use on the ground floor would be flexible and this could have a variety of either retail, restaurant, café, gym and all of these could cause emissions of noise, smell, smoke or fumes.

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.

The site is exposed to constant road traffic including buses, stopping and starting at traffic lights. A number of conditions including noise assessment, anti-vibration mount, appropriate sound insulation and other mitigation measures will be imposed. Subject to compliance with these conditions no

concerns are raised in terms of noise impacts and the proposals are considered to comply with D14 of the London Plan.

Air quality

Policy SI 1 of the London Plan (2021) seeks to ensure that improvements to air quality are secured. This policy states that development should not further deteriorate areas of existing poor air quality.

The site lies on the very busy Broadway (Uxbridge Road) this is a 20-mph route which goes from Hanwell to Ealing Broadway. The site is on an adopted road and in close proximity to an Air Quality Focus Area, hence future residents will be likely to be exposed to poor air quality.

An S106 financial contribution of £23,510 would be required for air quality monitoring. In addition, pre-commencement conditions in relation to ventilation strategy and air quality and dust management plan would be secured to minimise exposure to existing poor air quality.

The applicant has produced an Air Quality Assessment, which has been reviewed by Council's Pollution-Technical Officer. The assessment was considered to be of a good standard and clearly detailed acceptable mitigation measures. In line with this as part of the mitigation during the demolition and construction phase a Demolition and Construction phase management plan has been requested in order to minimise the impact of the development with regard to particulate matter associated with the construction works.

It is therefore recommended that the applicant submit information for the following requirement for an Air Quality and Dust Management Plan and a ventilation strategy, advising details of providing fresh air ventilation to habitable rooms within the development.

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

Energy strategy

Policies SI 2, SI 3 and SI 4 of the London Plan 2021 require major development to minimise greenhouse gas emissions, establish the future energy and infrastructure requirements and minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

The applicant should indicate the energy source that is proposing for heating and hot water. An energy statement is expected to respond to policy requirements as per details of policies SI 2, SI 3 and SI 4 of the London Plan including:

- Managing heat risk
- Be clean
- Be green
- Be seen
- Energy infrastructure

Council's Energy Consultant has reviewed the submitted Energy Strategy and is very supportive of the proposed scheme. The development is all electric with no gas infrastructure on-site. The strategy proposes a communal site-wide (air-to-water) Air Source Heat Pump distribution loop with dwelling heat exchangers (HIU) feeding underfloor heating and/or panel radiators, and domestic hot water (DHW). The flow/return temperatures TBC at a later design stage. Variable Refrigerant Volume (VRV)

Air Source Heat Pumps to provide space heating for the commercial and community areas, with DHW from direct point of use. An additional measure will be the wastewater heat recovery from all showers. Also proposed is a 26 kWp biosolar PV array on the roof of block B (30o inclination, 22o azimuth). The roofs of blocks A and C are allocated to residential amenity space.

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 wall to glazing ratio is 60/40% for the residential element, and 75/25% for the non-residential.

A Thermal Comfort (Overheating/Cooling) assessment with proposed mitigation measures has been submitted by SRE (Dec-23 v1). The analysis assumes full mechanical ventilation and heat recovery (MVHR) with summer bypass. It is compliant with Part O (TM59/Guide A), and TM52 (non-domestic buildings), when modelling against the DSY1 average summer year (2020). 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, Seen” energy hierarchy. All main construction elements exceed current Part L limiting U-value efficiencies and thermal bridging standards.

At the current design stage, the overall site-wide CO₂ emissions will be cut by at least 70% against BR Part L 2021 (using SAP 10.2 emission factors), with 14.67% through “Lean” efficiency measures, and 56.4% through “Green” renewable energy.

There is a shortfall of 1,182 tonnes CO₂ (over 30 years) in the zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £112,290. To also comply with Policy SI2 of the London Plan, the proposal will require energy monitoring through the ‘be seen’ step of the hierarchy and the applicant will be required to contribute to the energy monitoring of the development through a s106 contribution.

In addition, the Whole Life Carbon_(WLC) strategy produced by SRE in December 2023 (v1) confirms that the development is compliant with the GLA Benchmark targets and exceeds the Aspirational targets. Modules A1-A5 should achieve 391.42 KgCO₂e/m², and B1-C4 (excluding B6/B7) 189.94 KgCO₂e/m², with a total carbon emissions baseline scenario (over 60 years) of 577.75 KgCO₂e/m² (including sequestration benefits).

Overheating

Policy SI 4 of the London Plan requires development proposals to minimise the risk of overheating and major applications to demonstrate through an energy strategy how they will reduce the potential for internal overheating. Policy D6 of the London Plan, single aspect units must be provided with adequate passive ventilation and demonstrate strategies to avoid overheating without reliance on mechanical cooling systems.

Accompanied with the application is a Thermal Comfort Assessment undertaken by SRE dated 08.12.2023. The assessment selected flats in the southwest and southeast corners of floors 8, 12 and 14 as representative sample sizes as these units are not shaded by surrounding buildings and receive maximum solar gains. The results indicated that the bedrooms for the residential development and the commercial units all pass the assessment criteria, indicating good levels of comfort during the summer period. The combined kitchen/living spaces failed to meet the assessment. Consequently, a range of passive design measures are proposed, including the use of ‘phase-change material’ (‘PCM’) plasterboards to the ceiling s of the LKD areas, engineering of the building shape, solar control glazing, internal lockable shutters, phase change materials, and openable doors and balconies.

Subject to the proposed design considerations, the proposed development would reduce the risk of internal overheating in accordance with policies D6 and SI 4 of the London Plan.

Circular economy

Policy SI 7 of the London Plan (2021) 'Reducing waste and supporting the circular economy' states that applicants should promote circular economy outcomes and aim to be net zero-waste. It also requires a Circular Economy Statement to be submitted.

The submitted (Stage 2/3) Circular Economy statement produced by SRE in March 2024 (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.

Flood risk and sustainable drainage

Policy SI 12 of the London Plan (2021) and policy 5.12 of the Ealing Development Management DPD (2013) seek to ensure that current and expected flood risk be managed in a sustainable way. Development proposals should ensure that flood risk is minimised and mitigated. Policy SI 13 of the London Plan (2021) recognise that London is at particular risk from surface water flooding, mainly due to the large extent of impermeable surfaces. Development proposals should aim to achieve greenfield run-off rates for drainage.

The site is within flood risk zone 1 with a low probability of flooding and it is considered that it can be protected from all sources of flooding through appropriate design measures. The proposed development will use sustainable drainage systems (SuDS) to reduce surface water runoff and mimic natural processes. The main SuDS features are green and blue roofs, which provide multiple benefits for water quality, biodiversity and amenity. The design aims to achieve near greenfield runoff rates, which means that the site will not contribute to increased flood risk elsewhere. The peak outflow rate from the site is estimated to be [URL] l/s, which is slightly higher than the greenfield rate of [URL] l/s. This rate could be further reduced at detailed design stage, when the green roof specifications are finalised.

A formal and detailed drainage strategy will be prepared at a later stage, and this is secured by way of condition which will include confirming the existing drainage connections, surveying the condition of the retained drainage infrastructure, and optimising the drainage system design.

In addition, Thames Water provided no objection with regard to wastewater network and sewage treatment works infrastructure capacity. A condition has been added with regard to water usage and informatives are added in relation to waste and water comments.

Contaminated land

Council's Contaminated Land Officer has reviewed the Phase 1 Environment Report ref 2365-P1E-1-B prepared by Contaminated Land Solutions. The report details that there is nothing off site that is within 250m that may have impact the site. A condition is attached in the event that anything is unearthed during these works. The report recommends that no significant contamination issues are associated with the site. It would appear that no basement is planned, it is assumed that piling works will be required and some groundworks. Despite this, in the event that any unsuspected contamination is found then the developer should draw this to the council's attention. A planning condition is recommended in case any unsuspected contamination encountered during the development.

Urban Greening

Policy G1 of the London Plan 2021 requires development proposals to incorporate appropriate elements of green infrastructure that are integrated into London’s wider green infrastructure network. Policy G5 requires major development proposals to 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 (including trees), green roofs, green walls and nature-based sustainable drainage. The Mayor recommends a target score of 0.4 for developments that are predominately residential. Policy G5: Urban Greening – London Plan – Ealing LPA – local variation which seeks to apply the urban greening face with a target of 0.4 for residential development and 0.3 for commercial development.

The proposed development would achieve an Urban Greening Factor (UGF) score of 0.45 through intensive green roof of vegetation, flower-rich perennial planting, tree planting, amenity grassland and permeable paving. Subject to a planning condition properly securing the implementation of the UGF, the proposed development is considered to comply with policy G5 of the London Plan.

Biodiversity Net Gain (BNG)

In addition to recognising the importance of designated sites, London Plan policy G6 ‘Biodiversity and Access to Nature’ requires developments to manage impacts on biodiversity and aim to secure net biodiversity gain. The Local Plan Reg 19 policy G6 seeks to further draw on this regional policy and has set an aspiration figure of achieving Biodiversity net Gain on site of 20%, this is considered in this instance to be a material consideration and is preferable to secure this to further enhance biodiversity within the borough. This will be discussed further below.

The application was received prior to Biodiversity Net Gain becoming mandatory in February 2024 for major applications. As such, the application was not required to mandatorily provide a biodiversity Net Gain on site.

The application site is approx. 0.21 hectares and comprises of commercial and office buildings with a central public hardstanding with a small number of street trees. The proposed development would include soft landscaping, with public realm works to create a new public space with access to the Broadway. The design includes green infrastructure in the form of biodiverse and intensive green roofs have been proposed. Further to this, the addition of ecological features such as bird boxes, bat boxes with deadwood features within the proposal.

Habitat	Biodiversity units (current)**	Biodiversity units (proposed) **	Biodiversity net-change**	Net percentage change
Habitats	0.11	0.84	0.72	645.59%

* Habitat areas are calculated as biodiversity hectares; hedgerows and rivers as biodiversity metres

** Figures rounded to two decimal places

Table 6: detailing BNG percentage change

Nevertheless, in line with policy G6 of the London Plan (2021) and G6 of Local Plan Reg 19 (2024) the proposal would have net gain of 0.72 biodiversity units equivalent to a 645.59% increase in ecological value. The net gain as demonstrated by the DEFRA metric would ensure an enhanced environment for biodiversity overall. This far exceeds both the Government target of 10% as well as the aspiration target set within the Local Plan Reg 19 at 20%. It is considered that the addition of ecological value at

the site would further improve the public benefit offer that this development has for the wider good in terms of its impact on the environment.

The proposed development will achieve a BNG percent rating of 645.59% (higher than the 20% prescribed in Local Plan Reg 19) which represents a monumental improvement on the current site conditions.

Regeneration, Employment & Training

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

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

- a financial contribution of £56,000 towards apprenticeship/employment placement;
- 7 apprenticeships over the project's lifetime;
- This should be made up of 25% of local labour – live in the borough
- 7 weeks of work experience shall be completed throughout the length of the project
- 10 job starts
- a penalty of £49,435 per apprenticeship opportunity not filled;
- schools engagement activity involving school/ college visits is recommended;

These obligations will be secured via a S106 Agreement. It is considered that the addition of the employment on site via apprenticeships would be in line with the Council's priorities of creating good jobs which in turn helps the council to build genuinely affordable homes.

8 Conclusion:

The proposed development would provide a total of 46 affordable homes or 139 affordable habitable rooms. The scheme delivers affordable housing at a rate of 35% by habitable room (30% by home), comprising 12 social rent units (32% by habitable rooms) and 34 shared ownership units (68% by habitable rooms). The proposed tenure split is below the objectives set out in Reg 19 Draft Local Plan which seeks a 70/30 split in favour of low rent housing products. The scheme seeks to meet the GLA fast track route of 35% and the proposal as discussed above would provide a good level of affordable housing with a preference for larger homes which is considered to be acceptable.

The proposed heights exceed the indicative height under Reg 19 Local Plan site allocation. It is considered however this would be in keeping with the proposed massing suggested by the Local Plan. The height proposed is considered justified and given viability considerations and the significant benefits of the scheme. The impact of the proposal on nearby designated heritage assets has been thoroughly scrutinised, with the conclusion that the proposal represents less than substantial harm, with any harm demonstrably outweighed by the public benefits of the proposal.

The proposal offers good quality residential accommodation, with compliant internal living spaces and private amenity spaces. Residents would have access to well landscaped grounds, providing improved pedestrian links through the site and would provide play space on site as well as contribution to play space contribution elsewhere within the borough. The socio-economic benefits of the proposed would see the provision of on-site and off-site job opportunities and this would be during the construction phases as well as the operational period. The addition of affordable housing and in

particular the 12 social rent homes would provide a wider benefit and housing choice which would be desirable and go some way to helping address a problem which the country faces. These homes would allow for lower-income individuals and families to continue their ties within the Borough which is a social benefit.

Sustainability has been taken into consideration, with an increase in the greening of the site, delivering substantial carbon reductions that follow the London Plan hierarchy and the applicant has provided a satisfactory WLC and Circular Economy Statement, with further detail to be secured through planning conditions. The scheme would ensure it exceeds both urban greening and biodiversity requirements which ensures the development is green.

The scheme would be car free and providing suitable disabled parking on site as well as compliant Cycle parking in line with the London Plan. On balance, it is considered the proposal would help drive a modal shift to more sustainable forms of transportation.

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

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.

Human Rights Act

In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Ealing to act in a manner, which is incompatible with the European Convention on Human Rights.

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

Public Sector Equality Duty

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

- A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s); and
- C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
3. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 which is only one factor that needs to be considered and may be balanced against other relevant factors.
4. It is considered that the recommendation in this case would not have a disproportionately adverse impact on a protected characteristic.

Fire Safety

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

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

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

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

Appendix A - Conditions

1. Statutory Timeframes

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

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

2. Approved Plans and Documents

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

Existing Drawings: 625-PTA-MP-00-DR-A-2000 Rev PL1, 625-PTA-MP-00-DR-A-2001 Rev PL1, 625-PTA-MP-00-DR-A-2002 Rev PL1, 625-PTA-MP-00-DR-A-2003 Rev PL1, 625-PTA-MP-00-DR-A-2004 Rev PL1, 625-PTA-MP-00-DR-A-2005 Rev PL1, 625-PTA-MP-00-DR-A-2006 Rev PL1, 625-PTA-MP-00-DR-A-2007 Rev PL1

Proposed Drawings: 625-PTA-MP-00-DR-A-2200 Rev PL2, 625-PTA-MP-01-DR-A-2202 Rev PL2, 625-PTA-MP-02-DR-A-2203 Rev PL2, 625-PTA-MP-03-DR-A-2204 Rev PL2, 625-PTA-MP-04-DR-A-2205 Rev PL2, 625-PTA-MP-05-DR-A-2206 Rev PL2, 625-PTA-MP-06-DR-A-2207 Rev PL2, 625-PTA-MP-07-DR-A-2208 Rev PL2, 625-PTA-MP-08-DR-A-2209 Rev PL2, 625-PTA-MP-09-DR-A-2210 Rev PL2, 625-PTA-MP-10-DR-A-2211 Rev PL2, 625-PTA-MP-11-DR-A-2212 Rev PL2, 625-PTA-MP-12-DR-A-2213 Rev PL2, 625-PTA-MP-13-DR-A-2214 Rev PL2, 625-PTA-MP-14-DR-A-2215 Rev PL2, 625-PTA-MP-MZ-DR-A-2201 Rev PL2, 625-PTA-MP-MZ-DR-A-2700 Rev PL2, 625-PTA-MP-MZ-DR-A-2701 Rev PL2, 625-PTA-MP-MZ-DR-A-2702 Rev PL2, 625-PTA-MP-MZ-DR-A-2708 Rev PL2, Schedule of Accommodation - 625-PTA-ZZ-ZZ-SH-A-7100-S4 Rev PL2

Reports

Daylight and Sunlight Report – prepared by Shroeders Begg (UK) LLP dated December 2023 ref 2113/X Rev 01, Heritage Townscape and Visual Impact prepared by Icenii dated December 2023, Landscape and Public Realm Strategy Ref TOWN769(02) 2001 R02 DAS prepared by Townshend Landscape Architects dated December 2023, Framework Site Travel Plan Rev D prepared by Markides Associate dated 18 December 2023, Framework delivery and Servicing Management Plan Rev D prepared by Markides Associates dated 18 December 2023, Transport Assessment Rev D prepared by Markides Associates dated 18 December 2023, Stage 1 Response – Addendum to TA prepared by Markides Associates Rev B dated 26 March 2024, Noise Assessment Report prepared by Auricl Acoustic Consulting dated 15 December 2023, 99-113 Broadway – response to Consultee comments note dated 12 March 2024, Health Impact Assessment (HIA) and Socio-Economic Assessment prepared by Savills dated December 2023, Planning Statement Prepared by Savills dated January 2024, Air Quality Assessment Version 2 Rev A prepared by SRE dated March 2024, Thermal Comfort Assessment Version 1 Rev A prepared by SRE, Gateway One – Fire Statement, London Plan Fire Statement ref 22051-R-01-A prepared by Lawrence Webster Forrest Issue A dated December 2023, Flood Risk Assessment & SuDS Strategy ref R79-FRA-02.0 4475 prepared by Lustre Consulting dated December 2023, Circular Economy Statement RIBA Stages 2-3 Version 1 Rev B prepared by SRE, Whole Life Carbon Assessment Version 1 Rev A prepared by SRE dated December 2023, Microclimate Analysis – Pedestrian Wind Comfort version 1 Rev A prepared by SRE dated December 2023, Energy and Sustainability Statement Version 1 Rev A prepared by SRE dated December 2023, 20240312_Part L GLA Carbon Emissions Reporting spreadsheet_ Broadway (99-113), Biodiversity Gain Plan version 2 prepared by MKA ecology dated March 2024, Preliminary Ecological Appraisal and Preliminary Roost Assessment version 2.0 prepared by MKA Ecology dated

13 December 2023, Arboricultural Planning Report Re 2023/047/APR prepared by AD Tree Consulting dated December 2023, Phase 1 Environmental Report prepared by Contaminated Land Solutions dated December 2023, Painter's Corner Statement of Community Involvement prepared by London Communications Agency dated December 2023, Design and Access Statement Rev P01 prepared by Patel Taylor dated December 2023.

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

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

Prior to the commencement of the development (excluding site clearance, demolition and site setup), 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 (LAr,Tr), together with mitigation measures as appropriate. The measures shall ensure that the emitted external rating noise level 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. 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 Policies D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

4. Anti-Vibration Mounts and Silencing of Machinery

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

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

5. Non-Road Mobile Machinery

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

Reason: To safeguard adjoining occupiers of the development against unacceptable noise, disturbance and emissions, policies 1.1(j) of the Ealing Development (Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing's Development Management DPD (2013) and policy SI1 of the London Plan (2021); and National Planning Policy Framework (2023).

6. Cycle Parking

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

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

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

7. Refuse Storage

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

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI8 of the London Plan (2021) and the National Planning Policy Framework (2023).

8. Secure By Design

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

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

9. 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.

10. Passenger 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. 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 (2021).

11. No masts/satellite dishes or external equipment

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

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies 7.4, 7.6 and 7.8 of the London Plan (2021), section 7 and 12 of the National Planning Policy Framework (2023).

PRE-COMMENCEMENT CONDITIONS

12. Extraction and Odour Control

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration, in accordance with Policy 7A of the Ealing Development Management DPD and Policy D3, D13 and D14 of the London Plan (2021).

13. Demolition Method Statement and Construction Management Plan

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

- noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),
- lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- delivery locations,
- hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),
- neighbour liaison, notifications to interested parties and 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 D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

14. Construction Logistics Plan

Prior to the commencement of development, a site Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall take into account other major infrastructure and development projects in the area and shall include the following:

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

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

15. Submission of a Bird Hazard Management Plan

Development (excluding site clearance, demolition and site setup) shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

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

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

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

16. Information of Bird Hazard Management Plan

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

Reason: To avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

17. 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).

18. Unsuspected contamination

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

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

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

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

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

19. Revised Noise Assessment

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

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with Policies D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

20. Separation of noise sensitive rooms in neighbouring flats

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

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

21. Separation of communal uses and facilities from dwellings

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

Reason: In the interests of the living conditions of the residential occupiers, in accordance with Policies D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

22. Lifts

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

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with Policies D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

23. Ventilation Strategy Report

Prior to the commencement of the development (excluding site clearance, demolition and site setup), a Ventilation Strategy Report to mitigate the impact of existing poor air quality for residents shall be submitted to and approved by the Local Planning Authority. The report will contain details for the installation of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air for all residential dwellings.

The report shall also include the following information:

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

The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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

24. Air Quality and Dust Management Plan

Before the development is commenced, (including demolition and site clearance) 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 "UK Lux One SPV 12 Ltd" dated 22 March 2024. 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 onsite at least 4 weeks prior to any site clearance and demolition to provide baseline data and shall be maintained onsite 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 (2023).

25. Emergency Diesel Generators

No emergency diesel generators will be installed onsite without prior approval from the Local Planning Authority. Any new proposed diesel generators should demonstrate compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) and 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 the LPA meets its obligations to deliver air quality objectives for NO2 in accordance with London Local Air Quality Management (LLAQM), and to limit PM2.5 (fine particulates) to safeguard public health and well-being and external amenity of nearby sensitive receptors.

26. Digital Connectivity

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

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

27. 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 in to construction exclusion zones

Final removal of the tree protection measures

The installation of underground services

All below ground construction within the root protection area of trees on or off site.

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 G6 and G7 of the London Plan (2021).

28. Tree planting and soil rooting volume condition

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

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

- Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals.
- Locations of all proposed species.

Comprehensive details of ground/tree pit preparation to include: Plans detailing adequate soil volume provision to allow the tree to grow to maturity

Engineering solutions to demonstrate the tree will not interfere with structures (e.g. root barriers/deflectors) in the future

Staking/tying method(s).

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 G6 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.

29. Existing tree/shrub/hedge retention

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

Any shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants or similar species capable of achieving a comparable size unless the Local Planning Authority gives written consent to any variation.

If a tree marked on the tree report to be retained is removed without consent, or dying, or being severely damaged, or becoming seriously diseased (crown more than 50% sparse), within 5 years from the start of work on the development hereby permitted, a replacement tree shall be planted on the site or surrounding area reflecting the CAVAT value of the tree, or a proportion of its value reflecting the damage. This penalty shall be sought, unless the Local Planning Authority has given written consent to any variation. Discharge of this condition should be sought from the Local Planning Authority prior to the first use of the development hereby approved: the discharge is dependent upon compliance with all of the above and /or any additional mitigating agreement made in writing with the Local Planning Authority.

Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of important amenity value to the local landscape in accordance with policy G5 and G7 of the London Plan (2021), and the National Planning Policy Framework (2023).

PRIOR TO OCCUPATION CONDITIONS

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

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

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

Reason: To ensure that there is suitable provision for landscaping, play facilities and drainage within the site in accordance with policies 1.1 (e), 2.1 (c) of the Ealing Core Strategy (2012), policies LV 3.5 and 7D of the Ealing Development Management Development Plan Document (2013), policies D6, S4 and G5 of the London Plan (2021), SPG on Children’s Play and Recreation, and the National Planning Policy Framework (2023).

31. Commercial Service Management Plan

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

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

32. Floodlight, Security Lights

Prior to their installation, details of external artificial lighting shall be submitted to the Council for approval in writing. Lighting contours shall be submitted to demonstrate that the vertical illumination of residential premises at and near the application site is in accordance with the recommendations for Environmental Zone 3 of the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'. Details should also be submitted for approval of measures to minimise the use/hours of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation/use of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of residents in accordance with Policy 7A of the Ealing Development Management DPD and Policy D11 of the London Plan (2021).

33. Water Efficiency

The dwelling shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

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

34. Energy and CO₂

- a) Prior to construction completion and occupation, the Development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO₂ emissions of at least 70% (equating to 96.83 tonnes of CO₂ per year) beyond Building Regulations Part L 2021 and using SAP 10.2 emission factors. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by SRE in December 2023 (v1) including:
 - i. Lean, energy efficiency design measures to achieve an annual reduction of at least 15% equating to approximately 19.39 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2021 (using SAP 10.2 conversion factors) for the residential space, and 9.52% equating to approximately 0.6 tonnes of regulated CO₂ emissions (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 26 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 56.54%, equating to 76.99 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021 (using SAP 10.2 emission factors).
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the heat pump system (including the heat generation and

the electrical parasitic loads of the heat pumps), in line with the Council’s monitoring requirements.

- b) Prior to Installation, details of the proposed renewable energy equipment, and associated monitoring devices required to identify their performance, shall be submitted to the Council for approval. The details shall include the communal heat distribution network schematics, the exact number of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, the 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 (stage 3) overheating mitigation measures detailed in the dynamic Overheating Analysis by SRE (v1) in December 2023. 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.

35. Circular Economy

- a) Prior to completion of construction of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted). This should be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.
- b) Specific commitments detailed in the Circular Economy statement produced by SRE in March 2024 (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).

ONGOING CONDITIONS

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

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

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

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

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

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

- a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the ‘be seen’ energy performance indicators, as outlined in Chapter 3 ‘Planning stage’ of the GLA ‘Be seen’ energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the ‘Be seen’ energy monitoring guidance.

- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. In consultation with the Council's chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.
- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.
- d) In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner should use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority. The measures approved by the Local Planning Authority should be implemented by the legal Owner as soon as reasonably practicable.

Reason: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan (2021).

38. Whole Life-Cycle Carbon Assessment

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.

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

The Development shall implement the measures identified in the WLC Assessment prepared by SRE in March 2024 (v1 Rev. B). Modules A1-A5 should achieve 391.42 KgCO₂e/m², and B1-C4 (excluding

B6/B7) 189.94 KgCO₂e/m², with a total carbon emissions baseline scenario (over 60 years) of 577.75 KgCO₂e/m² (including sequestration benefits).

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

39. Sustainable Design and Construction

Prior to completion the sustainability measures detailed in the final approved Sustainability Statement produced by SRE in December 2023 (v1), 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.

40. Permitted hours of commercial use/activity

The use of the premises shall not be permitted outside of the hours of 08:00 to 23:00 on Mondays to Saturdays and 10:00 to 20:00 Sundays, and Public/Bank Holidays.

Reason: To safeguard residential amenity in accordance with policies 7A & 7B of the Ealing Development Management DPD (2013), policies D6 and D14 of the London Plan (2021) and the National Planning Policy Framework (2023).

41. Commercial External doors

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

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

42. Fire Statement

Prior to the commencement of the superstructure works of the development, the Fire Statement REPORT REFERENCE: 22051-R-01-A prepared by Lawrence Webster Forest dated December 2023 shall be submitted to and approved by the local planning authority in writing. The Fire Statement shall include details of:

- The building's construction: methods, products and materials,
- Appropriate features which reduce the risk to life in the event of a fire,
- Appropriate way to minimise the risk of fire spread,
- A robust strategy for evacuation, including a convenient means of escape for all building users,
- How access will be achieved for fire service personnel and equipment in an evacuation situation, including water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, and

- Any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of those.

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

43. Gym sound insulation and anti-vibration measures

In the event of any of the approved commercial units being used as a gym, prior to the internal fitout of the gym, an acoustic report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the gym from adjoining commercial and/or residential premises or parts of the development;
 - anti-vibration fittings and/or other mitigation measures required for the isolation of exercise equipment, loudspeakers and floors for use by group exercise classes, weights, machines;
 - details to demonstrate that noise from the use of the gym including music, instructor's voices, group exercise classes, activities and use of equipment does not exceed
 - NR25 L_{max}(fast) from structure borne / impact noise
 - NR20 Leq,5min from general airborne activity noise (including music)
- within adjoining or nearby premises. The assessment and mitigation measures shall be based on standards of the Council's SPG10. Approved details shall be implemented prior to use of the gym and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration, in accordance with Policy 7A of the Ealing Development Management DPD and Policy D14 of the London Plan (2021).

44. Biodiversity Net gain

The development shall be completed in strict accordance with the recommendations in the Biodiversity Gain Plan prepared by MKA ecology dated (March 2024) (unless varied by a European Protected Species (EPS) licence issued by Natural England). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To enhance biodiversity in accordance paragraphs 185 and 186 of the National Planning Policy Framework (2023), Policy G6 of the London Plan (2021) and Policy G6 of Draft Ealing Local Plan Reg 19 (2024).

Informatives

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the National Planning Policy Framework (2023), the London Plan (2021), the Ealing Development (Core) Strategy (2012), the Ealing Development Management DPD (2013) and to all relevant material considerations:

NPPF - National Planning Policy Framework (2023)

- Chapter 2 Achieving sustainable development
- Chapter 5 Delivering a sufficient supply of homes
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

London Plan (2021)

- SD6 Town centres and high streets
- SD7 Town centres: development principles and Development Plan Documents
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D9 Tall buildings
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Nosie
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H7 Monitoring of affordable housing
- H10 Housing size mix
- HC1 Heritage Conservation and Growth
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodland
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Manage heat risk
- SI 5 Water infrastructure
- SI 6 Digital connectivity infrastructure
- SI 7 Circular economy
- SI 8 Waste capacity and net waste self-sufficiency

- SI 13 Sustainable drainage
- T1 Strategy approach to transport
- T2 Healthy Street
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, serving and construction
- DF1 Delivery of the Plan and Planning Obligations

Local Development Framework (Core) Strategy (2012)

- 1.1 Spatial Vision for Ealing
- 1.2 Delivery of the Vision for Ealing 2026
- 2.1 Development in the Uxbridge Road/Cross corridor
- 6.4 Planning Obligations and Legal Agreements

Ealing Development Management DPD (2013)

- 2.18 Green infrastructure: the network of open and green spaces
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3A Affordable housing
- 5.2 Minimising carbon dioxide emissions
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 6.13 Parking
- 7A Amenity
- 7.3 Designing out crime
- 7.4 Local character
- 7B design amenity
- 7C Heritage
- 7.7 Location and design of tall and large buildings
- EA Presumption in favour of sustainable development

Ealing's draft Local Plan 2024 (Reg 19)

- DAA Design and Amenity -Ealing LPA – local policy
- D9 Tall Buildings London Plan – Ealing LPA – local variation
- HOU Affordable housing: Ealing LPA - local policy
- G4 Open space - London Plan: Ealing LPA - local variation
- G5 Urban greening - London Plan: Ealing LPA - local variation
- G6 Biodiversity and Access to Nature London Plan: Ealing LPA - local variation
- OEP Operational Energy Performance: Ealing LPA – local policy
- ECP Embodied Carbon – Ealing LPA – local policy
- WLC Whole Life Cycle Carbon Approach – Ealing LPA – local policy
- SI 7 Reducing Waste and Supporting the Circular Economy – Ealing LPA – local variation
- FLP Funding - the Local Plan: Ealing LPA - local Policy
- ENA Enabling Development: Ealing LPA - local policy

Other Relevant Planning Documents

- BRE Site layout planning for daylight and sunlight 2022
- Technical housing standards - nationally described space standard 2015
- Housing design standards LPG 2023

- Ealing Housing Design Guidance 2022
- Mayor's Sustainable Design & Construction SPG
- London Borough of Ealing Strategic Housing Market Assessment Update (2022)
- Ealing Council Waste management guidelines for architects and developers
- West Ealing Centre Neighbourhood Plan (2018)

In reaching this decision, specific consideration was given to the information contained in the applicant's submission including detailed plans, supporting statements and technical reports submitted with the application. Consideration was also given to the principle of development on this site, its impact on the amenities of neighbouring residential properties, its appropriateness in terms of its form, scale, layout and appearance and contribution that it makes to place making and the quality of the proposed residential environment and the amenity of future residents. Access, traffic, parking and servicing implications have all been assessed and found to be acceptable as has the provision of quality hard and soft landscaping and public and private amenity spaces.

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

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

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

- 3 Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays.
- 4 At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works. Updates of work should be provided regularly to affected neighbours. A considerate complaints procedure should address all complaints promptly.
- 5 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.
- 6 No waste materials should be burnt on site of the development hereby approved.
- 7 Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of

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

- 8 Where a crane is 100m or higher, crane operators are advised to notify the CAA (arops@caa.co.uk) and Defence Geographic Centre (dvof@mod.gov.uk) via Crane notification | Civil Aviation Authority (caa.co.uk) <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

The following details should be provided before the crane is erected:

- the crane's precise location
- an accurate maximum height
- start and completion dates

- 9 The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.nw@met.police.uk or 0208 7333703.
- 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 There are water mains crossing or close to the development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
- 12 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 $L_{eq,1hr}$ aircraft noise spectrum, shown at SPG10, shall be used, along with the spectrum for any other dominant noise sources. Under SPG10, the predicted $L_{eq,1hr}$ aircraft noise exposure for the site at 2016 has to be used and combined with any other noise exposures. The spectra to be used are as follows:

Octave band centre frequency Hz	dB Linear - $L_{eq,1hr}$	
	60 dB contour	57 dB contour
63	73	70

125	72	69
250	69	66
500	67	64
1000	62	59
2000	57	54
4000	45	42
Total L_{Aeq,1hr} for spectrum 16 – 8K Hz	67	64

- 13 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.
- 14 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.
- 15 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 https://www.ealing.gov.uk/info/201152/roads_highways_and_pavements/247/street_naming_and_numbering

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