Ref :	**224830FUL**
Address:	**41-49 Stirling Road, Acton, W3 8DJ**
Ward:	**South Acton**
Proposal:	**Demolition of existing building and construction of an industrial-led mixed used development comprising circa 951sqm commercial floorspace at ground and first floor and 51no. residential units (Class C3) on upper floors (up to 12 storeys) with associated landscaping, parking and servicing, cycle and refuse storage**
Drawing numbers:	**AP00 rev B (Ground Floor Plan); AP01 rev B (First Floor Plan); AP02 rev B (Second Floor Plan); AP03 rev B (Third-Fifth Floor Plan); AP06 rev B (Sixth-Eighth Floor Plan); AP09 rev B (Ninth Floor Plan); AP10 rev B (Tenth Floor Plan); AP11 rev B (Eleventh Floor Plan); APRF rev B (Roof Plan); 0252 rev A (Eastern Boundary Elevation); 0253 rev A (Bollo Lane Elevation); 0260 rev A (Proposed Section West-East); 0261 rev A (Proposed Section North-South); 0254 rev A (Bollo Lane and Stirling Road Elevations); 0250 rev A (Western Boundary Elevation); 0251 rev A (Stirling Road Elevation); DVP-SRE-200-0900 rev B (Illustrative Landscape Plan); DVP-SRE-200-2900 rev B (General Arrangement Plan); DVP-SRE-200-2901 rev B (Levels Strategy Plan); DVP-SRE-200-2902 rev B (Planting Strategy Plan);**
Supporting Documents:	**Revised Affordable Housing Statement (Newsteer, July 2023); Agent of Change Assessment (IDOM, October 2022); Air Quality Assessment (IDOM, October 2022); Revised Circular Economy Statement (HTA, June 2023); Revised Daylight, Sunlight and Overshadowing Assessment (HTA, June 2023); Design and Access Statement (HTA, October 2022) with Addendum (HTA, June 2023); Drainage Strategy (IDOM, October 2022); Economic and Industrial Assessment (Iceni Projects, November 2022); Energy and Sustainability Assessment (HTA, November 2022); Environmental Noise Assessment (IDOM, October 2022); Framework Travel Plan (RPS, November 2022); Geo-Technical and Geo-Environmental Desk Study (IDOM, October 2022); Healthy Streets Transport Assessment (RPS, October 2022) with Addendum (RPS, July 2023); Revised London Plan Fire Statement (BB7, June 2023); Outline Construction Logistics Plan (RPS, October 2022); Outline Delivery Servicing Plan (RPS, November 2022); Revised Planning Gateway One Fire Statement (BB7, June 2023); Planning Statement (Newsteer, October 2022); Statement of Community Involvement (HTA Design, undated); Verified Views Document (AVR London, November 2022); Whole Life Carbon Assessment (HTA, October 2022); Revised Schedule of Accommodation (HTA, ref: DVP-SRE-200)**
Type of Application:	**Major**

Application Received: 15/11/2022 Revised: 11/07/2023

Report by: Joel Holland Turner

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

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Executive Summary:

This application for full planning permission involves the demolition of the existing industrial building and the construction of a mixed use building up to 12-storeys in height. The scheme would accommodate, at ground and first floor levels, industrial space with a cumulative floor space of 943sqm. At second floor and above, a total of 51 homes are proposed, with a mix of different housing types to suit a wide variety of potential occupants.

The scheme is part of an emerging mixed-use area, with a number of schemes within the near vicinity having been approved or under construction. All of the approved schemes, along with the proposed scheme, have been approved under the principle of co-location of industrial uses and residential uses in LSIS locations that are afforded by Policy E7 of the London Plan. The proposal involves an uplift in the amount of industrial space that exists on the site by around 11% and would provide modern floor

space, with increased floor-to-ceiling heights and adequate servicing provisions that would meet the needs of a wide variety of potential occupants or end-users, within the E(g)(iii)/B2 and B8 use classes. The proposed industrial space could accommodate a single industrial occupant or could be reasonably severed to accommodate a wider variety of users in smaller defined spaces.

Whilst other schemes have been brought forward as part of a previous Hawkins/Brown Masterplan that set basic parameters of this urban block, this scheme is being assessed against the recently ratified South Acton LSIS Masterplan that was initiated by Council. The proposal is therefore consistent with the principles set by both Policy E7 of the London Plan, as well as Policy E6 of the Reg19 Draft Ealing Local Plan. The new Masterplan sets out locations suitable for co-location, determines appropriate heights, concentrates focus on the delivery of good quality industrial space, and outlines necessary public realm improvements that will be required to accommodate the emerging residential community within the area. It is considered that the proposal conforms to the principles of the Masterplan, as will be outlined within this report.

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

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

The scheme would deliver a good Affordable Housing offer, with a total provision of 37.4% by Habitable Room (35.2% by unit). The tenure split would be 59/41 in favour of the London Affordable Rent over Shared Ownership. Whilst this is below the objectives of Policy HOU of the Reg19 Draft Ealing Local Plan, which seeks a tenure split of 70/30 in favour of low rent housing products, it is generally consistent with the requirements of current adopted policy, which seeks a tenure split of 60/40. The scheme would also deliver 8 x 3 bedroom homes within the London Affordable Rent tenure, providing additional low-cost housing options for families within the Borough.

The design of the development is considered to be of high quality, that will make a significant contribution towards improving local character. The design includes elements of variation and articulation to activate the frontage on both Bollo Lane and Stirling Road, improve safety and provide overall visual interest. The materiality of the proposed development uses nuances to distinguish between the residential and industrial elements of the development and the building has been designed well to integrate with emerging developments within the area, to provide cohesion between the various built forms within the street, whilst maintaining its own individuality.

Transport and Highways have been considered, with a car-free scheme and the provision of cycle parking, as well as its location between two significant public transport nodes, offering future workers and residents the ability to transition towards more sustainable forms of transportation. Footpath improvements and on-street servicing and disabled parking will be delivered through a s278 agreement.

Councils Energy Consultant is satisfied with the submitted Energy Strategy, with the scheme delivering cuts in overall site-wide CO_2 emissions by at least 60.40%, with 13.96% carbon reduction through “Lean” efficiency measures, and 46.44% through “Green” renewable energy. Carbon offset and energy monitoring contributions have been secured, as well as conditions.

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

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

Recommendation:

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

Heads of Terms

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

Financial Contribution Heading	**Proposed Contributions**
Education Infrastructure	£140,000
Healthcare provision	£80,000
Transport and Public Realm	£40,000
Bus Service Improvements	£50,000
Affordable Workspace	£2,800
Active Ealing – Leisure Infrastructure	£30,000
Amenity Space	£20,000
Children's Play Space	£18,000
Allotment Garden Improvements	£6,000
Air Quality	£14,410
Subtotal	**£401,210**
Carbon Dioxide Offsetting	£83,990
Post Construction Energy Monitoring	£10,683
Total Contributions	**£495,883**

- Affordable housing provision of 37.4% (by Habitable Room) in the form of 9 homes (35Hrs) within London Affordable Rent Tenure and 9 homes (24 HRs) within Shared Ownership Tenure. Tenure split equates to 59/41 (Habitable Room) in favour of LAR over Shared Ownership

- In the event the Carbon Dioxide Emissions Target has not been met within 3 years from the date of last occupation, the Developer shall pay additional carbon offsetting contribution at £90 per ton for the difference.

- 5 full apprenticeships, 25% Local Labour. A £49,395 penalty for each obligation that is not met.

- An Employment, skills, and training delivery strategy shall be submitted to the Employment and skills S106 team. The developer will engage directly with the partnerships and procurement manager and will be required to submit quarterly monitoring no later than one week after quarter end.

- An early-stage Affordable Housing Viability Review mechanism to be triggered if an agreed level of progress on implementation has not been made within two years of any planning permission.

- A s278 agreement to provide the disabled parking bays and loading bays on the street as shown on the approved plans. All disabled parking bays shall be equipped with electric vehicle charging infrastructure. S278 agreements will also be required to create a dropped kerb to the loading bays to meet Council's Waste Collection guidelines. Details of the planting of street trees will also be required.

- Restriction of Parking Permits – all the units and their occupants shall be precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs in the area.

- Implementation for a travel plan

- All contributions to be index linked

- Payment of the council's reasonable legal and planning officer administration costs in preparing the s106 agreement

- Administration and professional costs for monitoring the legal agreement.

AND

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

Conditions/Reasons and Informatives: refer to Annexe 1

Site Description:

The application site is a somewhat regular shaped plot, with dual frontage to both Stirling Road and Bollo Lane in South Acton. The site has an area of approximately 920sqm, with a frontage to Bollo Lane of 24 metres and a frontage to Stirling Road of 21.6 metres. In terms of restrictive planning designations, the site is located within an LSIS (Locally Significant Industrial Site) and within an Archaeological Interest Area and an area of Local Park Deficiency.

Figure 1: Site Location

The existing building to be demolished is formed of two parts, being a two storey flat roofed element facing Stirling Road and part single-, part-two storey dual pitched element facing Bollo Lane. The existing building entrance being from Stirling Road. There is a distinct lack of any street engagement or active frontage along the Bollo Lane frontage of the application site.

The site, given its LSIS designation, is predominantly surrounded by industrial uses. However, there is an emerging community of residential uses within the site's immediate context, with a number of co-located industrial and residential uses within the site's immediate context. This includes directly adjoining the site to the south at 29-39 Stirling Road, approved under ref: 204553FUL. Other similar developments include 2-10 Roslin Road (also approved under ref: 204553FUL), 1 Stirling Road/1-9 Colville Road and 67-81 Stirling Road (with different applications approved or resolved to approve under ref. nos. 214611FUL and 232800FUL) and 3-15 Stirling Road (approved under ref: 214991FUL).

Figure 2: Application Site viewed from Stirling Road

Figure 3: Application Site viewed from Bollo Lane

The Proposal

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

- 943sqm of industrial floorspace (11% uplift in comparison to existing)
- 51 new residential dwellings
- 12 storeys in height
- Communal amenity and children's play spaces on rooftop areas
- Ancillary refuse and cycling storage.

Figure 4: View of development from Bollo Lane

Consultation:

Public

Public consultation was carried out in accordance with the requirements set out in the relevant legislation, by way of a number of site notices being placed in the surrounding area. A total of 46 site notices were placed on lampposts within the surrounding area, which included extensively throughout Acton Gardens, the surrounding LSIS and in the residential neighbourhood south of the railway.

The first round of consultation commenced on 14/12/2022 and concluded on 04/01/2023. Following this round of consultation, due to a change in fire safety regulations requiring a second staircase, a redesign of the proposed development was necessary to facilitate these new requirements. As such, a revised proposal was submitted, increasing the number of homes from 49 to 51 and the infilling of the space between the two separate cores. The changes between the originally submitted scheme and the currently proposed scheme are shown clearly within the below section diagrams below.

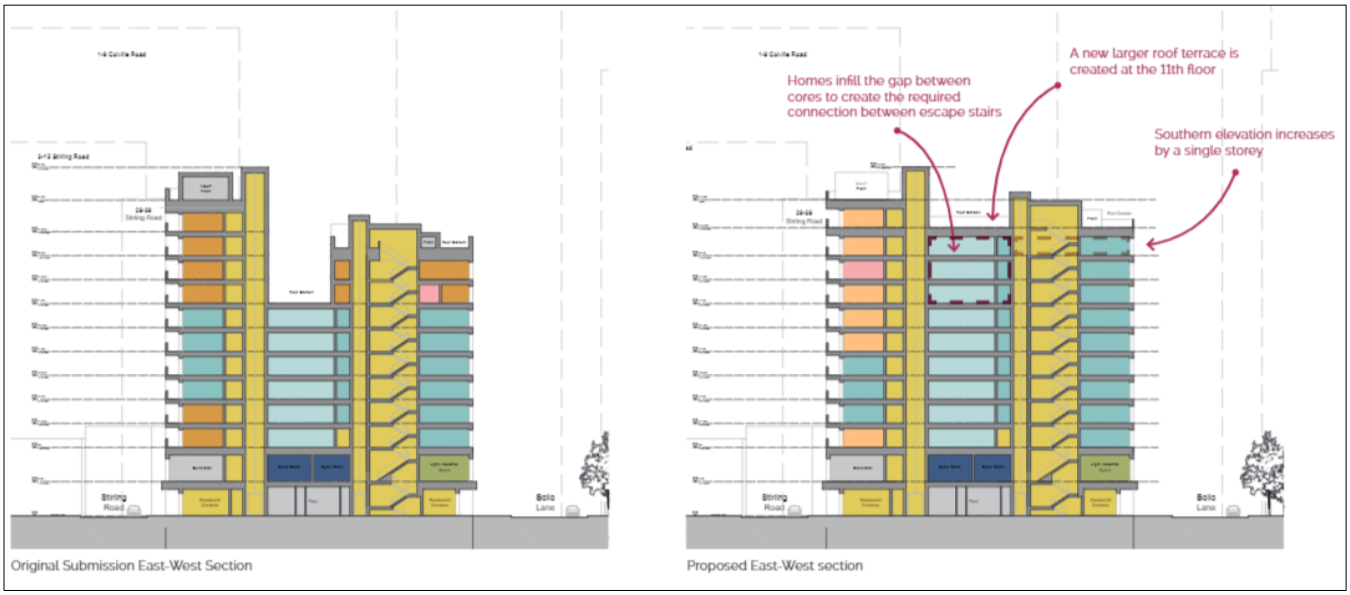

Figure 4: Original Proposal vs Current Proposal

Given the increase in the height of the building at certain parts, as well as the increase in the number of homes 49 to 51, it was considered necessary, on balance, to undertake a period of re-consultation. This commenced on 09/08/2023 and concluded on 30/08/2023.

Throughout the period of consultation, one (1) objection was received from an adjoining landowner. The points of objection, along with Council Officer responses is provided in the table below:

Comment	Officer Response
Reduction in Daylight and Sunlight to 51-55 Stirling Road. Sunlight is important due to operation of the existing business at the property. The showroom at the premises relies on natural light to select products.	It is acknowledged that the height and mass of the proposal would result in some overshadowing of no. 51-55 at various points throughout the day. It is also noted that this adjoining building has a series of roof lights on its roof, that likely provide natural light into the showroom.

	It first must be noted that commercial premises have no protection similar to that of residential properties under BRE Guidelines. Similarly, the Agent of Change principles, under Policy D13 of the London Plan, provide no protections for natural light to commercial premises. In any case, the applicant's Daylight and Sunlight Assessment has carried out an overshadowing assessment, which demonstrates the impact that the proposal would have, particularly relating to the rooflights at no. 51-55 Stirling Road. The overshadowing diagrams do show a degree of overshadowing of the roof of no. 51-55, however it is clear that this is not caused solely by the proposed development but also by the currently under construction development at 29-39 Stirling Road. On 21 March, there are points of the day in which the roof space is overshadowed. However, on 21 June, the impact is less acute with generally full sunlight to the roofspace from 11am. In addition to this, overshadowing of the roofspace means the impact caused by loss of direct sunlight. It does not mean that the internal spaces would be devoid of ambient daylight. Whilst the concern is noted, in this instance, the impact on light to the commercial premises would not be significant enough to warrant a refusal of this application.
The proposal would impact the site value of no. 51-55. The mass of the building is designed to maximise the potential of no. 41-49 at the expense of no. 51-55. The turning of the block toward Bollo Lane would create dark areas to any future high rise development on 51-55, limiting the site's potential.	If the adjoining landowner is considering a similar form of development for a co-located industrial and residential building, then the potential for the delivery of such a scheme was enhanced through the Framework Masterplan work by Hawkins/Brown as part of other developments within this urban block. The original Framework Masterplan took into consideration the spatial arrangements of this urban block and noted that sites to the south were deeper and could potentially accommodate separate wings of development that fronted both Bollo Lane and Stirling Road. The sites to the north could only reasonably accommodate a singular wing of mass facing Stirling Road, particular given their more slender and less deep arrangement.

	The application site was always envisioned as operating as a transition between the deeper blocks to the south and narrower blocks to the north. Given the spatial differences between the application site and the objector's site, it is not considered that the adjoining site could reasonably accommodate a development in a similar form to that proposed as part of this application, or any significant massing toward the Bollo Lane frontage of the site. Therefore, the proposed development would not limit the reasonable developability of no. 51-55. In the absence of the Framework Masterplan delivered by Hawkins/Brown (now superseded by the South Acton LSIS Masterplan), the development potential of this adjoining site would have been severely limited in any case.
The original masterplan (Hawkins/Brown) was developed without consultation with the landowners of 51-55.	The superseded Framework Masterplan was undertaken as an exercise by a previous applicant that outlined general parameters for development of the urban block. It served no statutory function but was a useful tool to ensure that all sites within the area could be reasonably brought forward in the piecemeal manner in which they were being delivered. It gave an indicative way in which no. 51-55 could be developed but does not bind any future applicant to adhere to this. In any case, the development of 51-55 would have likely not been possible had no initial masterplan come forward. In addition, any future development would need to take account of the existing and emerging context, as is the case with any planning application.
No. 51-55 are currently developing plans for their own site for a new fit-for-purpose Stone and Ceramic Warehouse. The proposed development would compromise this.	Council Officers are not aware of any initial or formal discussions with regard to any potential development of 51-55 Stirling Road. If any development is proposed, Council would encourage the adjoining landowner to engage with officers to develop an acceptable scheme. As with any application, any future proposals would be required to respond to both the existing and emerging context of the area.

Design Review Panel and Community Review Panel

The Design Review Panel reviewed the initial proposals for the site at a meeting on 9 August 2022. A summary of the points raised is provided below:

- Overall height and massing is acceptable and scale of development is broadly in line with principles that have been established within the area
- Further information is required on how the development would interact with 29-39 Stirling Road (currently under construction) with relation to visual impact and overshadowing to neighbouring courtyard space
- L-shaped plan form works well, however more analysis is required regarding concerns for light penetration to the proposed flats
- Materiality and articulation works well. Use of metal to define industrial units and entrances is particularly successful
- Sustainable design principles are sound
- Urban Greening Factor is applauded given the challenges of the tight footprint of the site. Podium layouts are overcomplicated. BNG targets are positive.
- Early engagement with potential tenants should be encourages to understand transport needs, servicing, logistics and noise. This will ensure that the spaces are truly flexible
- A holistic approach to access arrangements could provide improved efficiency, through shared loading bays

Officer Response: Council Officers recognise the general design comments provided by the Panel and will be fully explored within the report below. Matters relating to overshadowing of the courtyard, as well as the visual impact of the development on this adjoining future space are acknowledged and the applicant has provided the necessary technical reports, as well as additional imagery which will be outlined within the report, as will matters relating to sustainability, the principle of the proposed industrial space and transport considerations.

The Community Review Panel reviewed the initial proposals for the site at a meeting on 20 September 2022. A summary of the points raised is provided below:

- The proposal offers the potential for a great improvement on the existing context. However, the success of the scheme as a place to live and work is dependent upon the delivery of the rest of the urban block
- Highly supportive of the retention of industrial uses and the proposed space appears to be appropriate. However, reassurance is required that rigorous market assessment for the proposed space should be provided and Council should use all mechanisms at its disposal to ensure that the space is not converted to other uses at a later date.
- Supportive of the car-free nature of the proposed development with further analysis required as to how residents and workers would access the site.
- Details required on how residents would have access to social infrastructure
- Broad support for the architectural approach taken
- More detail required on the layout of the proposed residential accommodation to ensure that they have high quality internal living environments

Officer Response: Since the Community Review Panel reviewed this scheme, Council has undertaken extensive work on the South Acton Industrial Estate Masterplan. This details the requirement for additional green space and social infrastructure. It also outlines design principles as to how development can be brought through coherently. The scheme will also be limited to industrial uses through planning condition to ensure that the principle of the scheme remains acceptable. Any potential

changes of use would require a separate planning application that would need to be rigorously assessed against LSIS policy and the South Acton LSIS Masterplan, as well as any future applicant's justification for any change of use.

The layout and quality of the residential accommodation, as well as transport considerations will be addressed within the following report.

External Consultation	
Greater London Authority (Stage I Response)	Land Use Principles: Further information is required to confirm the quantum of industrial floor space and suitability of the space proposed. The proposed residential development is supported in principle, subject to resolution of issues contained within the report. Affordable Housing: The scheme proposes 35% affordable housing by habitable room comprising 59% LAR and 41% Shared Ownership, with no loss of industrial floorspace. Further information is required to confirm whether the scheme can follow the Fast Track Route. Fire Safety: The scheme involves the construction of a residential development over 30m high which only has access to a single staircase per core at the upper storeys. This must be addressed prior to Stage 2. Other issues regarding inclusive access, children's play space, urban design, heritage, transport, sustainable development and environmental issues also require resolution prior to the Mayor's decision making Stage. **Officer Response:** Land Use Principles: The GLA recognises within their response that a number of schemes have been brought forward as part of the Hawkins/Brown Masterplan and whilst this had merit in terms of design, the GLA's preference would be to bring this scheme forward as part of a comprehensive masterplan. The GLA have since been made aware of the Council's work to deliver a more comprehensive and estate-wide masterplan, which the proposal will be assessed against within this report. The GLA have also questioned the amount of existing industrial floorspace. This has been confirmed to be 730sqm, which delivers an uplift and intensifies the industrial potential of the development. The GLA also confirms that the industrial space should be limited to classes E(g)(iii)/B2/B8, which has been recommended as a condition. The GLA has also requested a fill assessment of the Agent of Change principles, which will be provided within this report. Affordable Housing: Noted. The GLA shall be advised that amendments to the scheme through the course of the application result in an uplift in the amount of affordable housing to 37.4% (by HR), which is a positive outcome.

	Fire Safety: The scheme has been amended to include two staircases within the development. The scheme has subsequently been referred to the HSE, who raise no land use objections to the proposed scheme. All other matters will be addressed within this report.
Historic England	No archaeological requirement
Heathrow Airport	No objection. Recommended Informative in relation to Construction Aviation Warning Lights
London Underground Safeguarding (TfL)	No objection, subject to condition
Health and Safety Executive (HSE)	Following a review of the information provided within the planning application, HSE is content with the fire safety design, to the extent that it affects land use planning.
Metropolitan Police	Development must achieve Secure by Design Accreditation prior to occupation
Ministry of Defence	Following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.
NHS North-West London	Requested a capital contribution toward local healthcare facilities
Network Rail	Network Rail have no objections in principle to the above application
National Highways	Given the scale of the development and car-free nature of the proposal, this level of anticipated traffic is not expected to have a material effect on the safety or operation of National Highways network. No objection.
London Borough of Hounslow	No objection
Internal Consultation	
Pollution-Technical (Noise)	The ground and first floor appear to house plant rooms and plant items, commercial space and waste/ cycle storage. Plant is also proposed on the roof. Proposed room arrangements seem largely reasonable, except where bedrooms on several floors adjoin the communal staircase. An Environmental Noise Assessment report by IDOM ref. ENA-22486-22-335, dated OCTOBER 2022 provides details of noise measurements. Evacuation and firefighting lifts are proposed. Conditions and Informatives recommended.

Pollution-Technical (Air Quality)	Conditions and financial obligations have been recommended.
Pollution-Technical (Contaminated Land)	The Phase 1 Risk Assessment submitted with the application. A site investigation has been recommended. Based on the information and development proposal it is agreed an investigation to determine ground conditions under the site is required. Conditions have been recommended.
Transport Services	Conditions and financial contributions have been recommended
Active Ealing	Recommend s106 contribution towards leisure facilities
Waste and Street services	No comment received
Education Services	Contribution toward the provision of local education infrastructure
Landscape Architect (Leisure and Parks)	Offset contributions requested for open space, childrens play space and allotments. Condition requested for full details.
Energence (Energy Consultants)	The Council is broadly supportive of the proposed energy strategy produced by HTA in November 2022 (v3) with Technical Note of 16/10/2023.The development is all electric with no gas infrastructure on-site. The strategy proposes a mid-temperature communal site-wide mid temperature (approx 60/40^{o} flow/return) (air-to-water) Air Source Heat Pump distribution loop with (assumed) dwelling heat exchangers (HIU) feeding underfloor heating and/or panel radiators, and domestic hot water (DHW). Also proposed are two PV arrays on the roof with a combined capacity of (approx) 7.8 kW (5.4 kWp and 2.27 kWp). The Council confirms that there is no available “Clean” district heat network (DHN), however, the energy plant room will be futureproofed for connection to any future DHN by ensuring sufficient space is allocated for a valve and heat exchange. At the current design stage the overall site-wide CO_2 emissions will be cut by at least 60.40%, with 13.96% carbon reduction through “Lean” efficiency measures, and 46.44% through “Green” renewable energy. There is a shortfall of 884.1 tonnes CO_2 (over 30 years) in the zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £83,990. Contributions also requested for energy monitoring.

Relevant Planning Policies:

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

Reasoned Justification:

Principle of Development

The proposed development involves the demolition of the existing building on the site, with the construction of a mixed-use building, comprising both industrial and residential uses. A total of 51 homes are proposed, along with 943sqm of industrial floor space. The potential for the co-location of industrial and residential uses is predicated on the fact that there should not be a net loss of industrial floorspace as a result of the development. In this instance, the proposal results in an uplift in the amount of floor space by approximately 11%, with the existing building providing for approximately 730sqm of industrial floorspace.

The Agent of Change principle is engaged in such instances, whereby the industrial and related activities on surrounding sites are not compromised in terms of their continued efficient function, access, service arrangements and hours of operation. Such developments should also incorporate appropriate design mitigation to achieve the above, in matters relating to safety and security, access, design quality, public realm, visual impacts, vibration and noise and air quality.

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

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

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

Similar forms of mixed-use development have been consented within the local area on sites along Bollo Lane and Stirling Road, which have included 2-10 Roslin Road and 29-39 Stirling Road (192130FUL and 204553FUL), 1 Stirling Road/1-9 Colville Road And 67-81 Stirling Road (214611FUL and 232800FUL) and 3-15 Stirling Road (214991FUL).

These applications were considered within the context of a Framework Masterplan developed by Hawkins/Brown, which set out basic design parameters that guided development of this urban island area. This Framework Masterplan has been largely superseded by the South Acton LSIS Master Plan, however, it should be noted that the proposed development largely adheres to the parameters set by this previous masterplan. In the context of the image below, the application site is referred to as Plot F.

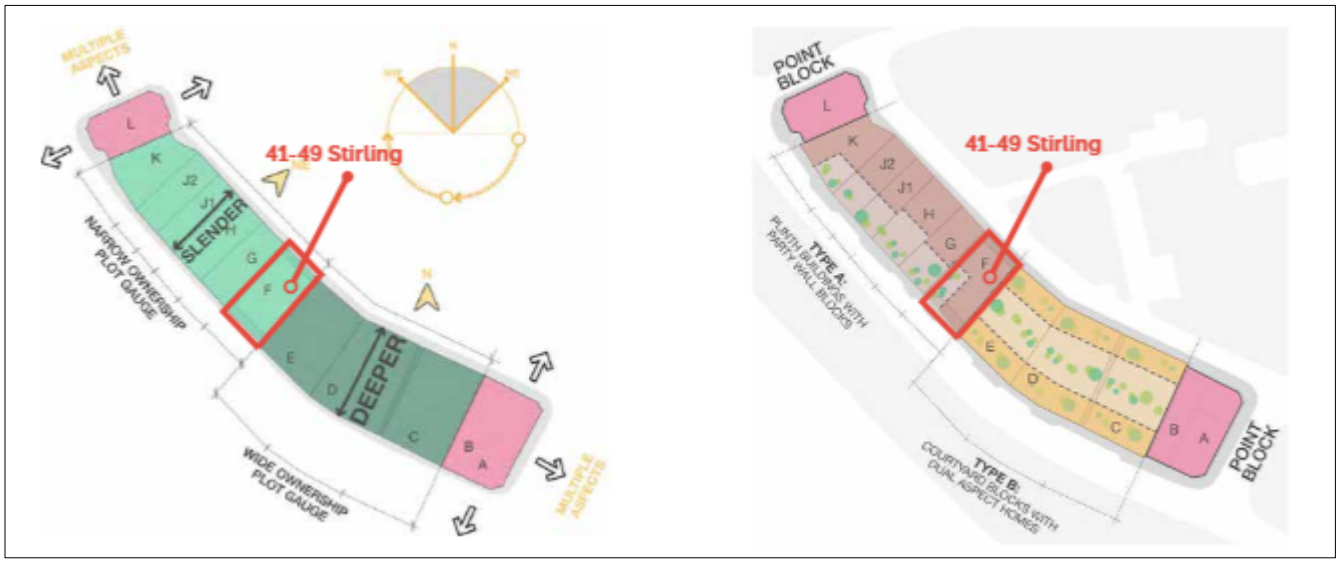

Figure 5: Hawkins/Brown Framework Masterplan (Superseded)

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

South Acton LSIS Masterplan

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

- Provide a Framework for industrial-led development to create a successful place.
- Support the assessment of future planning applications within the LSIS.
- Protect and enhance diverse local industrial employment space.
- Give confidence to businesses, landowners and developers to make decisions.

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

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

A key element of the Masterplan is establishing the principle of where co-location of industrial and residential uses would be appropriate. A zoning option was considered as the most appropriate method of establishing where such mixed uses should be concentrated and where it is appropriate to restrict sites to

pure industrial uses. The preferred option is shown in the image below, with the sites appropriate for co-location shown in blue and those restricted to industrial uses in red.

Figure 6: Zoning Option for Co-Location (Blue), Solely industrial (Red) and Residential (Yellow)

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

Height and density were also considerations given within the Masterplan. The determinations on height and density were given by establishing both the consented and emerging schemes within the local area, establishing principles through a Benchmarking exercise and consideration given to the distinct lack of green space that currently exists within the LSIS. Based off an assessment of green space requirements for the local area, a density target of 300 units/ha was considered appropriate. In this instance, the development would have a density of 531 units/ha, which exceeds this requirement, however, is broadly in line or less than other consented schemes within the area.

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

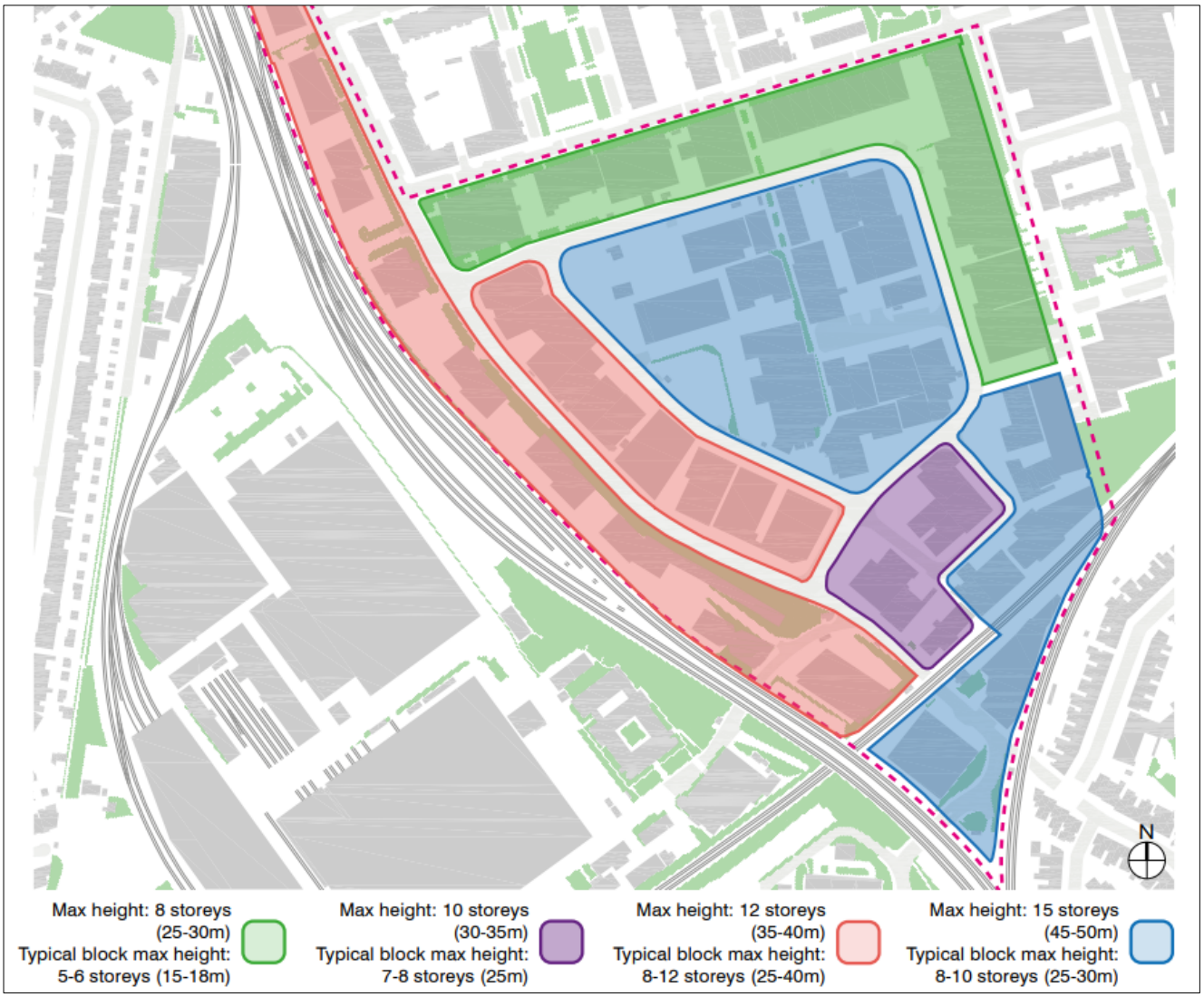

Figure 7: Building Heights

The area shaded in red, to which the application site forms a part, has a maximum height of 12 storeys, with a typical block height of 8-12 storeys. It is noted that the maximum height of the building is to be 12 storeys, with the predominant building height being 11 storeys. It is accordingly considered that the proposed development would fall within the height parameters identified by the Masterplan. It must be noted that the development would still be considered to be a tall building and therefore this proposed development will be assessed against the London Plan policy with respect to tall buildings, as well as the emerging Ealing Local Plan (Reg19).

In terms of industrial intensification of the site, the development generally follows the co-location strategy of “Tabletop with Residential Above Industrial Principle”, which encourages greater internal floor to ceiling heights. This is achieved in this instance. It also should be noted that the existing premises to be demolished, currently occupied by 3D Eye Limited, is poor quality and there is an evident capacity to improve on the existing industrial use to provide spaces that are attractive to a wide variety of end-users. The existing building has a rating of 2/5 stars based on the CoStar Building Rating System. It has an existing capacity of 15 FTE employees.

Based off the same system, if the scheme were to be delivered as proposed, there would be the potential for 20-49 employees, dependent upon the type of occupier of the premises. This is in line with the Council Plan for 2022-2026 to “create good jobs”. The design of the industrial space would also allow for the subdivision of the space, where necessary, to accommodate a wider variety of occupants. The potential for the space to be used by a wider variety of occupants would generate greater economic activity for the local community. The space could also be taken over by a sole occupier, however an indication of how the space could be subdivided is demonstrated within the image below.

Figure 8: Subdivision Potential of Proposed Industrial Space

Affordable Workspace

Policy E3 of the Ealing Draft Local Plan, as well as Policy E3 of the Reg19 Draft Ealing Local Plan, encourages developers to make provision for affordable workspace within new developments. It notes that such space can have broader social or economic benefit to the Borough. The policy states that “Affordable workspace in Ealing will be provided on the basis of a level on development of…5% of net floor space in office and industrial schemes”. It continues to say that where an industrial space is required to provide less than 3,000sqm of affordable workspace, then “provision should by means of off-site contributions”.

Calculating the net amount of industrial space, this would refer to the uplift in the amount of industrial floorspace. In this instance, this would equate to 190sqm. Applying the requirements of 5% as outlined within the policy, off-site contributions should be secured for approximately 10sqm of space. It is noted that this is a very insignificant amount.

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

Agent of Change

Proposals that co-located industrial uses with residential within designated industrial zones, such as SIL and LSIS are required to consider the Agent of Change principle, as required by Policy E7(D)(d) of the London Plan. The Agent of Change principle places the responsibility of mitigating the impact of

nuisances (including noise) from existing noise generating uses on proposed new development close by, thereby ensuring that residents and users of the new development are protected from nuisances, and existing uses are protected from nuisance complaints. As the proposal involves the implementation of residential uses into a predominantly industrial area, the responsibility falls on this more sensitive use to effectively mitigate any potential impacts that come along with typically industrial type uses.

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

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

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

It is also noted that a number of other developments have been approved within this urban block, with some currently under construction. These other developments also undertook Agent of Change Assessments and given the proximity of these sites to the application site, it is expected that conclusions would be similar.

Noise

Being located within an established industrial area (LSIS), it is reasonable to expect that there would be some noise impacts that would effectively need to be mitigated. This includes road traffic noise (Bollo Lane and Stirling Road), periodic railway noise from the nearby Piccadilly and District Lines, as well as commercial activities. However, the report notes that since the closure of the Acton Recycling Centre on Stirling Road, the surrounding acoustic environment has improved. This has been somewhat replaced by existing construction activities on neighbouring sites, however it is noted that this is temporary in nature.

Monitoring was undertaken in and around the application site to give accurate measurements of the existing conditions relating to noise. This is detailed within the applicant's Environmental Noise Assessment. This Assessment has been reviewed by Council's Pollution-Technical Officer, who has recommended conditions to ensure that the internal living environment of the residential uses would be acceptable. This will be outlined further within this report, as well as within the recommended conditions.

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

Vibration

The main activities causing vibration is the passing traffic on Bollo Lane. This could be exacerbated by HGVs that come to and from the industrial area. As the report, however, notes, vehicular traffic on Bollo Lane is limited to 20mph, which reduces the level of vibration emanating from road-related activities. It should also be noted that residential uses commence at the second floor of the development, creating additional space between the sensitive uses and the source of vibration. This includes a setback from the carriageway of approximately 5 metres.

No significant impacts arising from vibration have accordingly been identified.

Dust

No significant dust generating uses exist around the application site. The situation has accordingly been improved by the closure of the Acton Recycling Centre in recent times. The application has also been reviewed by Council's Air Quality Officer, with an assessment provided in a later section of this report.

Odour

The applicant's engineer notes that "the surrounding land uses are not considered to present a potential risk of odour generation". The report concludes that there is "no discernible odours were noted in the vicinity during any of the site visits completed by IDOM".

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

Lighting

Other than street lighting, there are no significant impacts identified in relation to lighting. Whilst there is a Council depot for the storage of refuse lorries near to the site, it is significantly distanced from the application site and appropriately screened by dense vegetation. The site did not appear to have any flood lighting or security lighting that could impact future residents. No lighting impacts have accordingly been identified.

Housing Land Supply

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

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

The Council is currently compiling the evidence needed to confirm its position regarding the level of deliverable supply, and once completed this will be documented in an update to the latest AMR (October 2021). For reasons outside the Council's control the completion of this exercise has been delayed awaiting the migration of missing pipeline data into the GLA's Planning London Datahub. The GLA's London Development Database (a 'live' system monitoring planning permissions and completions) was replaced in 2020 by the Planning London Datahub. During this transition between databases, there was a gap in coverage where neither database was operational and this prevented

permission data being captured for a significant period, which has given rise to the incomplete pipeline. This incomplete pipeline poses a significant barrier to establishing future levels of deliverable supply. Typically, most of the supply identified through a five year land supply is expected to be derived from the pipeline of permissions.

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

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

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

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

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

Local Character and Design

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

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

In addition to this, the Reg19 Draft Local Plan Policy DAA states that new development should constitute high quality design that has a positive visual impact, which is achieved through accessibility and legibility and complements the local context through high quality materiality.

The applicant has engaged extensively in the pre-application process and also the overall design has been reviewed by the Council's Design Review Panel and Community Review Panel. The comments provided by these Panels are summarised earlier in this report, with the Officer Response also provided. This process accordingly complies with the requirements of Policy D4(D) of the London Plan.

The existing site, whilst functional, is generally in a poor condition that makes no significant contribution to the character and appearance of the area and possesses little architectural merit, Whilst the site is setback from the highway on Stirling Road, the space created here results in the unorganised parking of vehicles, with it being observed on many occasions that many of the vehicles overhang onto the footpath, creating an unpleasant environment for pedestrians. On the Bollo Lane side of the application site, the existing building is devoid of any activity and the existing condition of the building includes corrugated metallic materials that are in a significantly poor condition, with rust, weathering and deterioration evident.

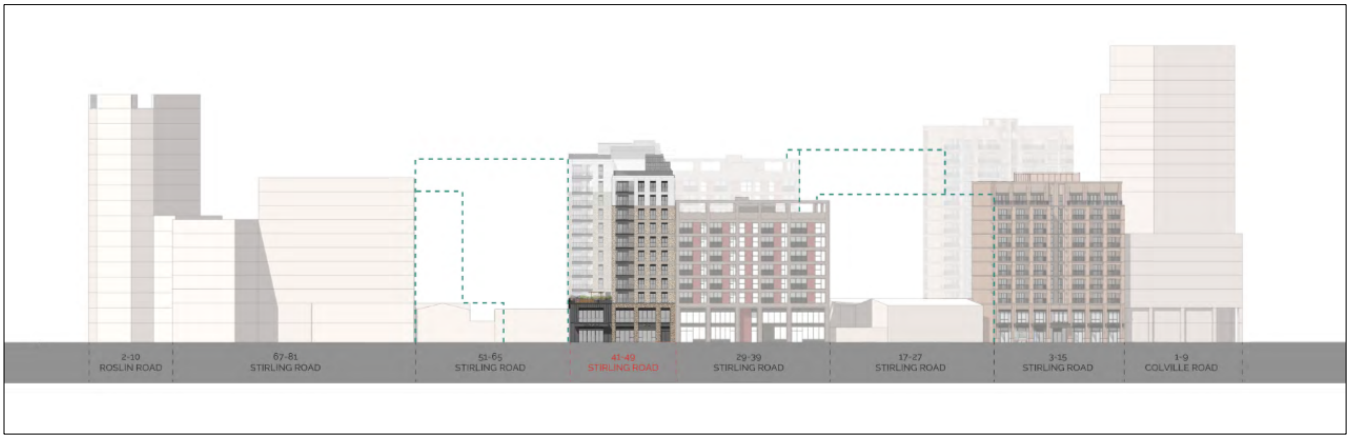

Figure 9: Street Scene Elevation (Proposed Scheme with other Consented Schemes)

The proposed development, on both frontages, takes its cue from the building currently under construction at 29-39 Stirling Road adjoining the site. The proposed developments together would create floor plates at both industrial levels that present a cohesive street frontage. Whilst the building steps back slightly on Bollo Lane from the established building line of 29-39 Stirling Road, this is due to the land registry title for the two plots not having a consistent frontage. Nevertheless, this creates some degree of visual articulation in the façade on Bollo Lane and also increases the width of the footpath in this location. The space between the footpath and the front building line of the proposed development appears to be land that is owned by Council. The actual front boundary of the site along Bollo Lane appears to be denoted by the existing building, with the vegetation and fence line not falling within the application site.

It should be noted that Council, on 14/07/2022, granted the right of access to the owners of 41-49 Stirling Road over Bollo Lane by way of entering into a formal Deed of Easement. A condition of this approval is that the owners of 41-49 Stirling Road "must maintain, in good condition, the strip of land between their property and the pavement on Bollo Lane and must not build on or use it to generate revenue". This proposal would comply with this requirement.

Figure 10: Proposed Bollo Lane frontage

Figure 11: Proposed Stirling Road frontage

Whilst there are some design links to the neighbouring development, the proposed development maintains its own distinct individuality. The brick tones selected are primarily light and dark grey in colour which graduate with different textures within the façade. Banding is provided through soldier coursing as the development increases in height. The base, middle and top of the development, in line with the objectives of Policy D9, create variance in tone and texture that emphasise their respective roles within the façade, providing visual interest.

The base of the development provides for an expressed steel frame consisting of dark grey ironmongery which provides a contrast along the façade. The different materiality contained within the base of the provides both a reference to the industrial heritage of the site, whilst also subliminally differentiating both the residential and industrial uses of the building. This is repeated to a lesser extent on the Stirling Road frontage, whereby large opening doors, will potentially allow deliveries and servicing vehicles to enter into the site or to allow larger goods to enter and exit the site to awaiting vehicles in the proposed loading bay.

Figure 12: Base of Bollo Lane frontage

Figure 13: Base of Stirling Road frontage

Overall, the design of the building is well-considered that is in keeping with the emerging pattern of development within the area. The design and materiality of the building celebrates its industrial heritage in contemporary way and the establishing of active frontages that greet the street will provide a significantly enhanced pedestrian experience. The overall design of the building provides a good

amount of visual articulation and variation in its design that will result in a significant enhancement to the character and appearance of the surrounding area. The proposal is considered to accordingly comply with Policy D1 and D4 of the London Plan, Policies 7B and LV7.4 of the Ealing Development Management DPD and Policy DAA of the Draft Local Plan (Reg19).

Tall Buildings

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

The Draft Local Plan Policy D9 states that the site would be located within Zone A7, which defines a tall building at 8 storeys, however, the policy also notes that "tall buildings on designated industrial sites will be subject to agreed masterplans and based on local impacts and sensitivity". As has been referred to within this report and as shown within Figures 6 and 7, the site has been identified by the South Acton Masterplan as an area of focus for co-location of residential and industrial uses.

Within the urban block bounded by Bollo Lane, Stirling Road, Roslin Road and Colville Road, the Masterplan states that heights up to 12 storeys may be acceptable. With the proposed development at 12 storeys, the proposal would fit within this general outlined parameter. The Masterplan recognises that there are already consented developments within this block between 10 and 20 storeys, however the limit of 12 storeys was appropriate for all remaining undeveloped parcels of land "to maintain a variety in the skyline".

Whilst the site would have a visual impact by virtue of the proposed development being a tall building, it should be noted that the site would be framed to the north and south by buildings currently under constructed and those emerging that have been consented or have a resolution to grant. With the continued build-out of these developments on adjacent sites, many views of the development would be obscured north-south direction and only be present in an east-west direction.

In a local context, the views of the proposed development would be limited to in and around the public realm of Bollo Lane and from within the industrial estate itself. Images of the typical views of the site as shown within Figure 10 and 11 within this report. In considering the longer-range views of the proposed development, particularly designated heritage assets, this is provided within the section below.

Impact on Heritage

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

Whilst the site is not located within a Conservation Area, nor it is within the vicinity of any listed buildings, being a tall building, the development may be visible from longer-range designated heritage assets. Given the location of the application site, the only heritage assets that could be harmed by the proposal would include Gunnersbury Park and Cemetery, Acton Green Conservation Area, Chiswick Common (London Borough of Hounslow) and Kew Gardens. In all cases, the development would be of

a significant distance and limited height to result in any views adversely affective designated heritage assets. In instances where the proposed development could be visible, this is predominantly screened by dense vegetation. This will be expressed within the images below.

Figure 14: View from Gunnersbury Cemetery

Figure 15: View from Acton Green Conservation Area

Figure 16: View from Gunnersbury Park

Figure 17: View from Kew Gardens

As demonstrated within the images above and in accordance with the NPPF tests, the proposed development would constitute 'less than substantial harm' to any designated heritage assets. In balancing this impact, the proposed development would have public benefits that would significantly outweigh any harm caused, including the full optimisation of the site, the delivery of affordable housing

provision and uplift in the amount of industrial space currently on the site. Impacts on heritage are accordingly considered to be acceptable.

Housing Mix

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

Housing Type	No. of Homes
1-bedroom	7
2-bedroom	32
3-bedroom	12

Table 1 – No. of Units by Size

Council would typically class 2b4p homes and greater as those being able to accommodate families. The proposed development would deliver 29 of the total 51 homes as family housing, representing 56% of the proposed development. This would accordingly be good affordable housing provision for the Borough.

Affordable Housing

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

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

Affordable Housing by Unit Number

Housing Type	Private Market	London Affordable Rent	Shared Ownership
1 bedroom	4	0	3
2 bedroom	25	1	6
3 bedroom	4	8	0
Total Homes	**33**	**9**	**9**
Percentage	64.8%	17.6%	17.6%
Cumulative	**64.8%**	**35.2%**	

Affordable Housing by Habitable Room

Housing Type	Private Market	London Affordable Rent	Shared Ownership
1b2p	8	0	6
2b3p	24	3	9

2b4p	51	0	9
3b5p	12	20	0
3b6p	4	12	0
Total HRs	**99**	**35**	**24**
Percentage	62.6%	22.2%	15.2%
Cumulative	**62.6%**	**37.4%**	

Tenure Split – Unit No. and HRs

Housing Tenure	No. of Homes	No. of HRs	% Homes	% HRs
London Affordable Rent	9	35	50%	59%
Shared Ownership	9	24	50%	41%
Total	**18**	**59**	**100%**	**100%**

Tenure Split – Floorspace

Housing Tenure	No. of Homes	Amount of Floorspace	% Floorspace
London Affordable Rent	9	808sqm	59.3%
Shared Ownership	9	555sqm	40.7%
Total	**18**	**1,363sqm**	**100%**

Accordingly, based on Habitable Room calculations, the scheme would deliver affordable housing at 37.4% which complies with the requirements for the fast-track route, as outlined by Policy H5 of the London Plan. The tenure split would be 59/41 in favour of Affordable Rent products. This is within a reasonable margin of error in relation to Council's preferred target of 60/40, as outlined by Policy 3A of the Ealing Development Management DPD.

It is also worthy to note that the scheme would deliver a total of 8 x 3-bedroom homes within the London Affordable Rent tenure. This would therefore deliver a significant amount of accommodation to families in need of this affordable housing product.

Quality of Residential Accommodation

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

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

Housing Typology	No. of Homes	Required	Proposed Range	Complies?
1b2p	7	50sqm	50sqm-53.3sqm	Yes
2b3p	12	61sqm	64.3sqm-71.7sqm	Yes

2b4p	20	70sqm	70.6sqm-71.9sqm	Yes
3b5p	6	86sqm	86.4sqm-88.8sqm	Yes
3b5p (Duplex)	2	93sqm	100sqm-106.6sqm	Yes
3b6p	3	95sqm	99.8sqm	Yes
3b6p (Duplex)	1	102sqm	119sqm	Yes

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

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

Figure 18: Typical Floor Plan (Floors 6-8)

Given the relatively constrained nature of the site, it is acknowledged that there is some difficulty in providing a significant amount of dual-aspect flats within the scheme. The Mayors Housing Design Standards LPG (June 2023) outlines succinct definitions of what constitutes a dual aspect flat, which must meet strict criteria. Based off a full review of the submitted floor plans, in accordance with the requirements of the Mayor of London, the development would provide 13 of the 51 homes as dual aspect (25.5%). The remaining homes 38 homes would be single-aspect. However, some of these single-aspect homes would have an enhanced aspect, typically created by a sideways facing window into a balcony. Whilst not meeting the definition of a single-aspect flat, this would provide additional opportunities for natural daylight and ventilation. Those with the enhanced single-aspect would total 20 homes, or a total of 39.3%. Therefore, the dual-aspect homes with the enhanced single-aspect homes would total 64.8%.

Policy D6 of the London Plan states that single-aspect homes that are north facing should be avoided. To this effect, none of the proposed homes would be single-aspect, north facing. In reviewing the applicants Daylight and Sunlight Assessment, the proposal provides for good levels of daylight within each of the individual rooms, noting the site's urban location, its constrained nature and the desire to

achieve a balance between overheating and daylight. Those homes that are single-aspect have been designed to be less deep than other flats to ensure the maximum distribution of daylight within living spaces. This is considered to be acceptable.

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

Housing Typology	No. of Homes	Required	Proposed Range	Complies?
1b2p	7	5sqm	6.3sqm-7.9sqm	Yes
2b3p	12	6sqm	7.8sqm-10.8sqm	Yes
2b4p	20	7sqm	7.4sqm-7.8sqm	Yes
3b5p	6	8sqm	8sqm-14.1sqm	Yes
3b5p (Duplex)	2	8sqm	8sqm-14.8sqm	Yes
3b6p	3	9sqm	14.1sqm	Yes
3b6p (Duplex)	1	9sqm	12.6sqm	Yes

Policy D7 of the London Plan requires that at least 10% of all homes are to meet Building Regulation requirement M4(3) to be classed as ‘wheelchair accessible dwellings’ with all other homes to meet Building Regulation Requirement M4(2) to be classed as ‘accessible and adaptable dwellings. The submitted Schedule of Accommodation shows that there would be 6 x 2b3p flats within Private Market tenure and 6 x 2b3p flats within LAR tenure that would meet the requirements of M4(3) of Building Regulations. This represents a total of 12 homes or 23.5% of the total development. This is in excess of the minimum requirement. All other flats will need to meet the standards of M4(2), which will be secured by condition.

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

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

Amenity Space

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

Communal Open Space

As detailed earlier within this report, each of the proposed homes would be provided with private amenity areas, typically in the form of balconies. Each of the proposed spaces would meet or exceed

the minimum standards of Policy 7D of the Ealing Development Management DPD, providing good quality living conditions for future residents.

It is also a requirement of Policy 7D that communal amenity spaces should also be provided. Collectively with the proposed private spaces, the total amenity provision within the development should equate to 15sqm per flat. As such, the minimum requirement would be 765sqm of amenity space.

The proposal would provide communal amenity space on the podium above the industrial space (3rd floor) and atop the roof space facing Bollo Lane (11th floor). The spaces proposed are considered to be high quality and accessible to all, which also includes children's play space. However, play space is an additional requirement and not included within the amenity space calculation.

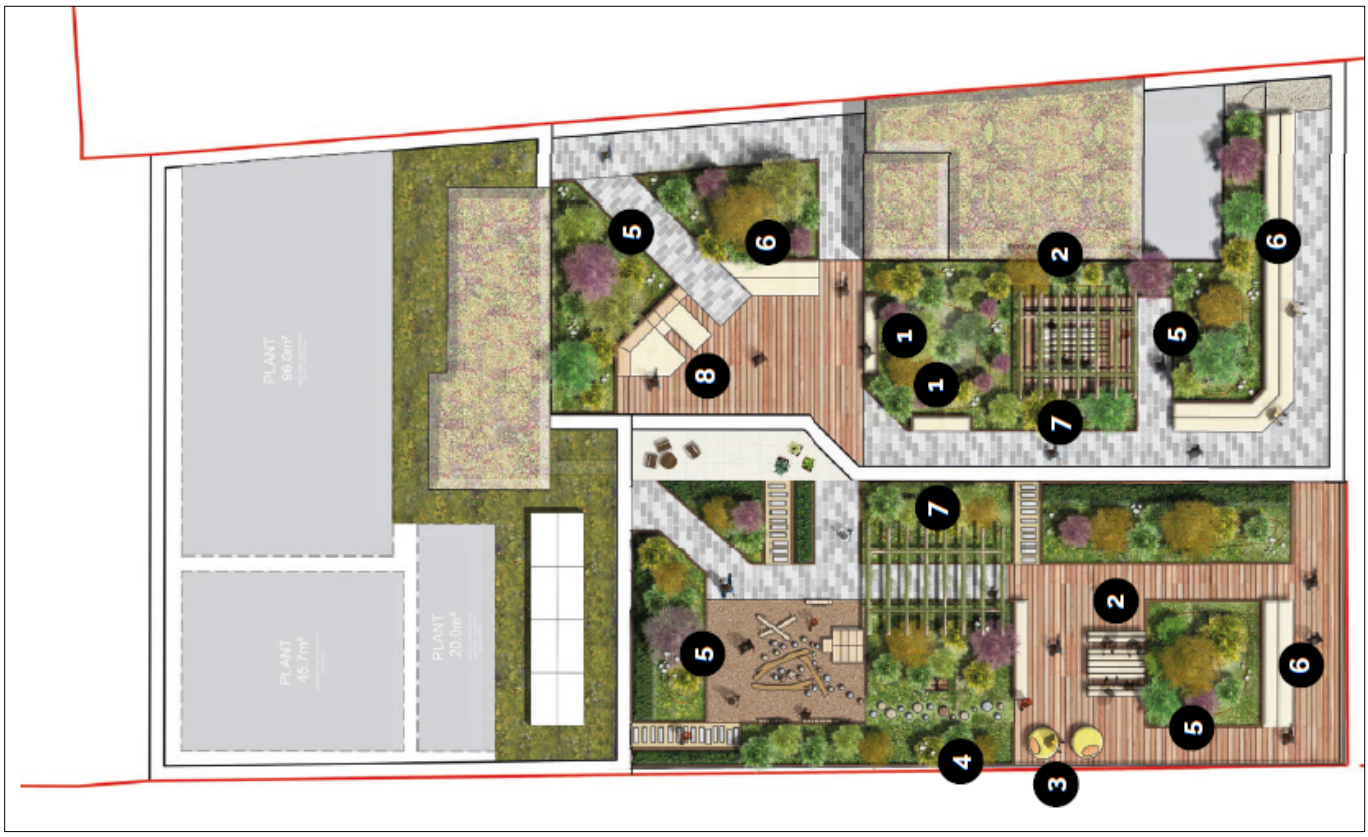

Figure 19: Communal Open Space (Image has been rotated)

The second floor would provide for 97sqm (not inclusive of play space) of communal amenity space and the eleventh floor would provide 247sqm of communal amenity space, providing a total of 344sqm. Together, with the private amenity spaces, this would still result in a shortfall, however, the Head of Terms detail within this report provide for a financial contribution for this to be provided off-site. As detailed within the South Acton LSIS Masterplan, the financial contribution could be used for the future delivery of off-site provision for improved accessibility to open space within the local area.

Figure 20 : Second Floor Podium Visualisation

Despite the shortfall, the proposal would deliver a mix of good quality amenity spaces, with dense tree planting that would also provide defensible space for flats that will face onto the second floor amenity space. The layout of the spaces would provide for different types of users, with pergolas, timber seating, raised planters, deck chairs and picnic tables providing for good quality space for future users and encourage social interaction amongst residents. Different types of planting, as well as insect hotels will encourage biodiversity.

Children's Play Space

Children's play space is required to be provided at a rate of 10sqm per child, with the projected child yield based on an established population yield calculated produced by the GLA. Based on this, the scheme would deliver a child yield of 23 children, requiring a minimum space of 230sqm. The age split would equate to 13 children within 0-4 years and 10 children within 5-11 years.

On-site play space would be provided in the form of balance beams, natural play, a timber play hut, stepping stones and sensory play installations. This is shown indicatively in the image below as the exact details of play space will be required to be submitted by condition.

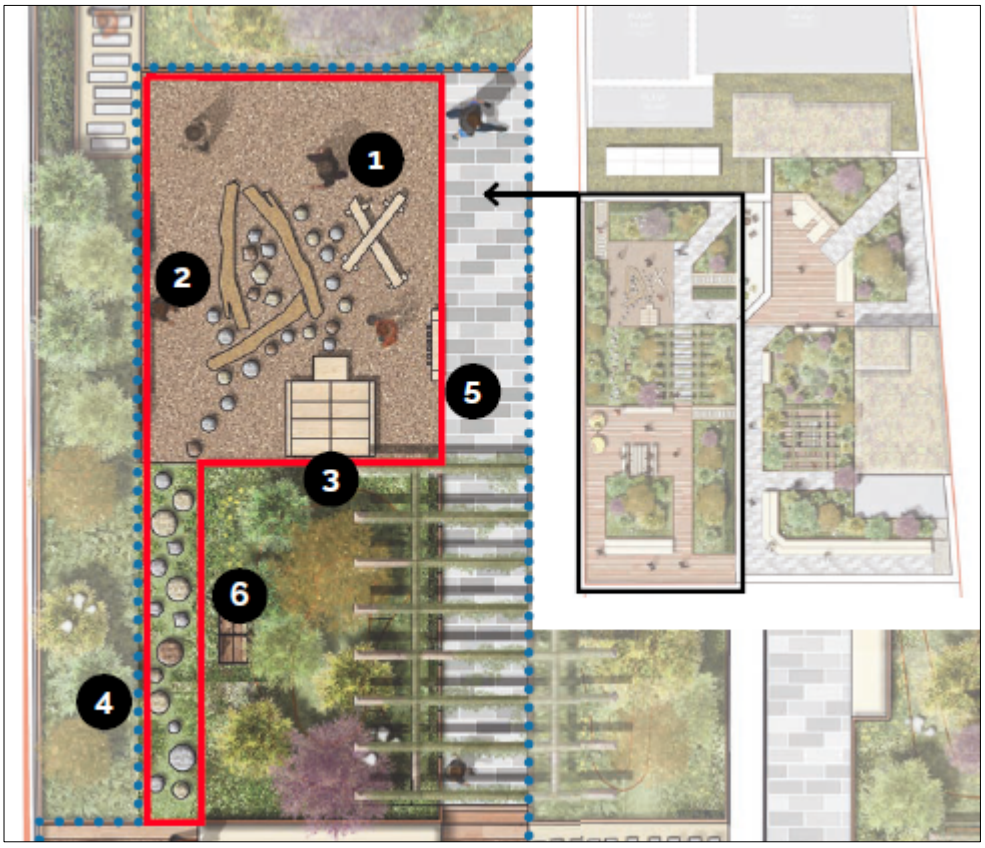

Figure 21: Play Space Proposal

At the second-floor podium area, a total of 25sqm of formal play space and 110sqm of informal play space would be provided, totalling 135sqm of play space. The play space proposed would be designed for the 0-4 age category, and financial contributions within the Heads of Terms have been recommended for the off-site provision of play space for 5–11-year-olds. This is an acceptable outcome in this instance as Policy S4 of the London Plan states that play facilities for older children (such as the 5-11 age group) can be provided through off-site provision, where existing open space and play facilities are within "400m of the development and be accessible via a safe route from children's homes".

In this instance, the site is within adequate walking distance of West Park and Bollo Brook Park to cater for older age groups. These existing parks feature table tennis tables, an adventure playground, as well as a MUGA which can adequately cater for this age group. The financial contributions sought could be used toward increasing opportunities for play closer to the site, as identified within the South Acton LSIS Masterplan.

Overall, the total children's play space, whilst representing a shortfall, would be an acceptable outcome for this site, particularly given its constrained nature and would comply with the objectives of Policy S4 of the London Plan.

Landscaping and Urban Greening

Policy G5 of the London Plan states that major developments should contribute to the greening of London "by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping, green roofs, green walls and nature based sustainable drainage".

The existing site and its surrounds are generally devoid of any significant green spaces or landscaping and accordingly the proposal will result in a significant improvement on the existing situation.

As shown within the image below, the application site maximises the opportunities for urban greening within the space available to it. This includes the use of green roofs, intensive planting within the proposed amenity areas and opportunities for habitat.

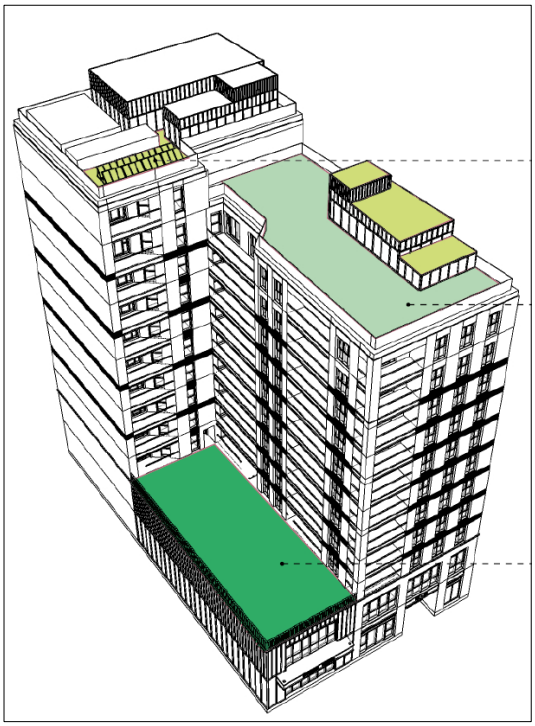

Figure 22: Spatial Layout of Landscaping

Policy G5 of the London Plan also states that in relation to the Urban Greening Factor, "the Mayor recommends a target score of 0.4 for developments that are predominately residential". The measures taken within the proposed scheme to maximise the level of urban greening delivers a UGF of 0.42, which exceeds the minimum requirement and is a good outcome for the site.

Impacts on Neighbouring Properties

Policy 7B of the Ealing Development Management DPD seeks to ensure that new development does not give rise to significant adverse impacts on neighbouring properties, with respect to overlooking, loss of light, privacy, noise and a sense of enclosure. Council Officers acknowledge the impact on the industrial premises at 51-55 Stirling Road, which was raised as an issue during the consultation period, however, this has been addressed within the Consultation section of this report.

The only property that is likely to be impacted by the proposed development is the development at 29-39 Stirling Road. Whilst this proposal is currently under construction with no existing residents, it is important to consider the impact that the proposal will have on this adjoining development within the future.

The proposed development would create a wall along the central podium area of 29-39 Stirling Road. Whilst the proposal will inevitably have an impact, it should be noted that this form of development was always envisaged as part of the Hawkins/Brown Masterplan, as has been detailed earlier within this

report. The applicant was requested to provide imagery of how the visual impact of the proposed development would be experienced by users of this central podium area, which is shown in the image below.

Figure 23: View from Central Courtyard of 29-39 Stirling Road

It is noted that the flank elevation of the proposed development includes a number of windows, however it should be noted that these windows are to the communal corridors of the proposed development and not into or out of any habitable spaces.

Daylight

A relevant concern is the impact that the proposed development would have on daylight and sunlight to both the central podium and the homes proposed within this adjoining scheme that would be close to the flank wall of the proposed development. As such, the Daylight and Sunlight report has been scrutinised by Council Officers to determine the overall impact.

In measuring the daylight to adjoining residential premises, Vertical Sky Component (VSC) is the most relevant test. This test quantifies the amount of available daylight received at a particular window and measured on the outer pane of the window. BRE Guidance recommends that the VSC of a window is 27%, or at least 0.8 times its former value. When a room or window does not comply with this requirement, this would effectively mean that the impact would be 'noticeable' but not necessarily 'detrimental'. It should be noted that BRE Guidance is purely advisory and non-compliance does not inherently mean that a proposed development would be unacceptable.

The report, by a suitably qualified professional, also notes that a VSC in an urban location, such as that proposed, of 18% is common. The results of the analysis show that 77% of the analysed rooms meet the strictest criteria of 27% and are accordingly acceptable. A further 6% of the rooms meet the 18% criteria. The greatest impact, naturally are those rooms closest to the flank elevation of the proposed development. Many of the rooms tested only result in a minor non-compliance with BRE Guidance. In any case, the proposal is broadly consistent with similar forms of development on other sites and is acceptable in this instance.

Sunlight

Based on BRE Guidance from 2022, the main requirement for sunlight in housing is in living rooms, whereas in bedrooms and kitchens sunlight is viewed as less important. For interiors, access to sunlight can be quantified. BS EN 17037[1] recommends that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1 February and 21 March with cloudless conditions. It is suggested that 21 March (equinox) be used. For dwellings, at least one habitable room, preferably a main living room, should meet at least the minimum criterion.

In accordance with the BRE guide, only windows facing within 90 degrees of due south need to be assessed. In this instance, a total of 54 rooms were assessed. Similar to the VSC test, BRE Guidance states that an APSH (Annual Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours) of at least 0.8 times its former value is considered to be adequate.

On this basis, the results of the test show that on an annual basis, the number of rooms that are fully compliant with BRE Guidance is 46, equating to 85%. In winter months, the rooms that meet BRE Guidance is 51, equating to 94%. This is a very good outcome for an urban location and comparatively to other schemes.

There are 8 rooms achieving annual APSH values below the recommendations. These are located on the lower floor of the property. Given the different massing proposed in front of these windows, it is inevitable that lower sunlight values are achieved in this location.

Overshadowing

In relation to the impact on overshadowing, the main concern is the central podium to 29-39 Stirling Road, which is an area that will provide open space and amenity to future residents of this adjoining development. However, given the fact that the proposed development is located to the north-west of no. 29-39, it is expected that any impact on sunlight to this amenity space, as a result of the proposed development, would be minimal.

BRE Guide recommends that for a garden or amenity to appear adequately sunlit throughout the year, at least half of it should receive at least two hours of sunlight on 21 March (Spring Equinox). Where this does not comply, a proposal is considered acceptable where it is 0.8 times its former value. On 21 March, 41.79% of the podium space would receive 2 hours of direct sunlight. Whilst this is below the 50% requirement, this is the exact same condition as existing and therefore the proposal results in no reduction in sunlight, based on BRE Guidance, and is therefore acceptable.

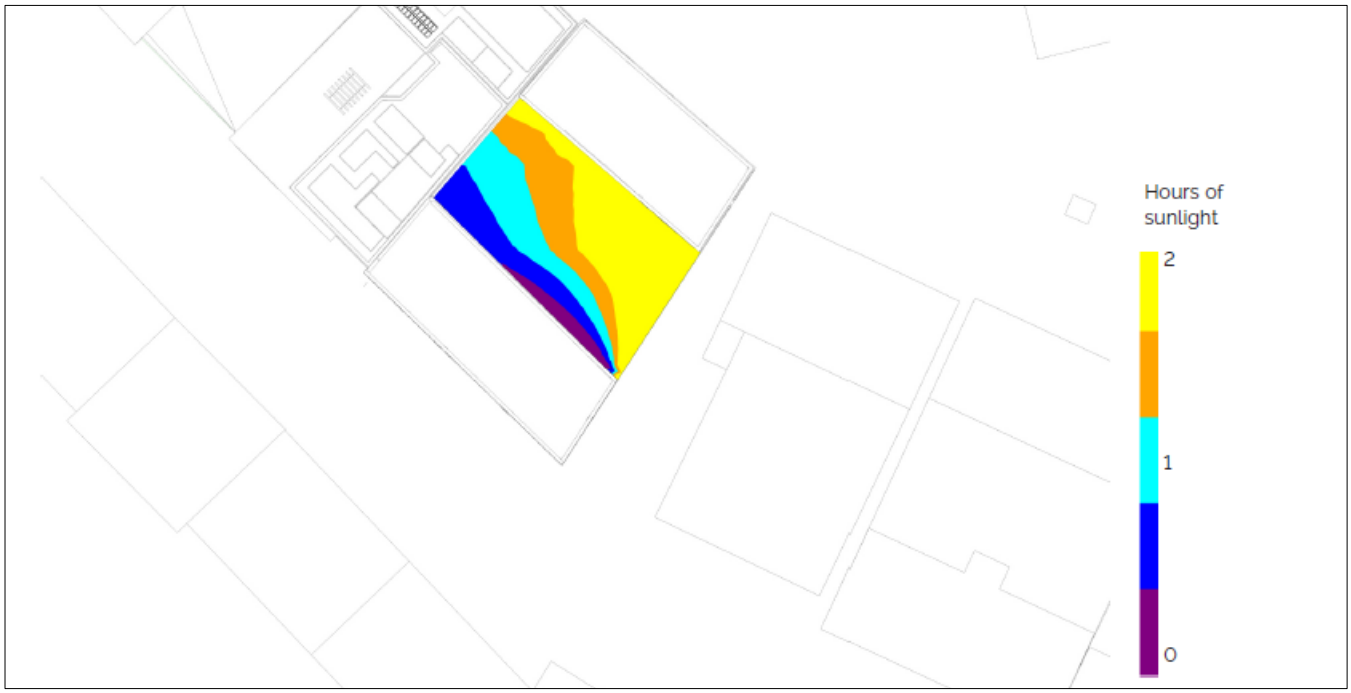

Figure 24 : Sunlight on the Ground – 21 March

On 21 June, the longest day of the year, 100% of the podium area would receive at least 2 hours of direct sunlight. The proposed development therefore has no impact and the amenity space on the adjoining site would retain good quality living conditions as shown in the image below.

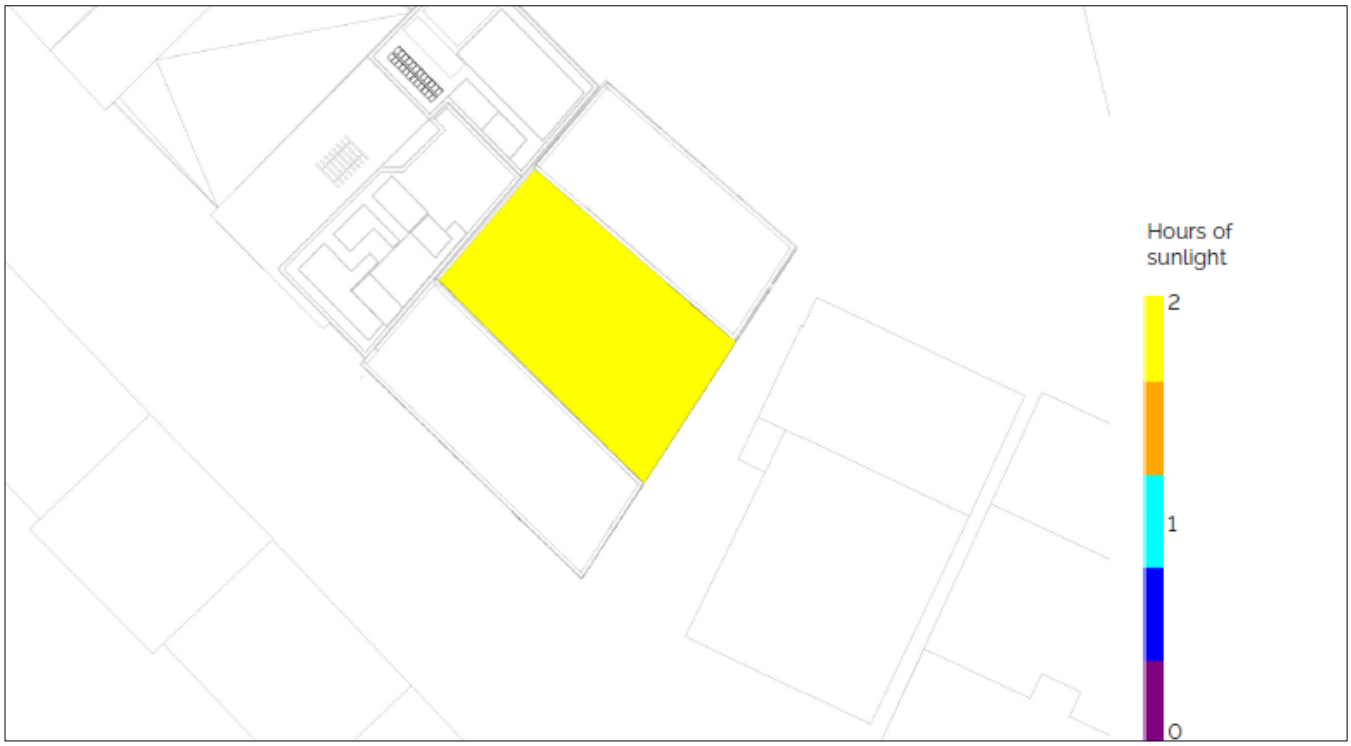

Figure 25 : Sunlight on the Ground – 21 June

Transport Considerations

Policy T6.1 of the London Plan states that car-free development should be the starting point for all development proposals that are (or are planned to be) well-connected to public transport. In this instance, the site is located within a PTAL of 4, which suggests a moderate to high level of public transport accessibility. This includes frequent bus services along Bollo Lane, as well as the site being in close proximity to Acton Town Station (Piccadilly and District Lines) as well as South Acton Station (Overground or the newly named “Mildmay Line) as well as potential future access to the West London Orbital. The proposed development, aside from disabled parking, would represent a car-free scheme, which would be wholly acceptable in this instance.

Policy T6.1 of the London Plan also notes that disabled persons parking should be provided at a rate of 3% of dwellings from the outset and demonstrate how an additional 7% could be delivered should the need arise. The proposal would require a total of 5 spaces, with 2 spaces to be provided from the outset, with it to be demonstrated how an additional 3 spaces could be accommodated. In this instance, 4 spaces would be provided from the outset. This falls short by 1 of the overall maximum requirement, but it should be noted that other schemes within the street are also delivering on-street disabled parking and there will likely be spill-over between different developments. In this instance, given the number of proposed disabled parking spaces that will be coming forward, particularly on Stirling Road, the overall provision is acceptable to avoid an oversaturation of disabled parking spaces at the expense of all other users.

In order for the proposed industrial space to be successful for occupants falling within the Use Classes of E(g)(iii)/B2 and B8, it is considered necessary for there to be appropriate provision for loading and servicing areas. Along with other developments within the street. The applicant’s indicative plans for loading and servicing are shown on the below plan, with indicative plans showing loading bays on both Stirling Road and Bollo Lane. The loading bay on Stirling Road would be consolidated with that of the loading bay of 29-39 Stirling Road, adjacent to the proposed development. The acceptability of this proposal will be subject to further detailed design through a recommended s278 agreement for works to the highway to establish the acceptability of this proposal. However, the proposed provision would be acceptable in principle for providing good access to the industrial spaces proposed. These loading areas would have a dual function of providing access for both the residential and industrial spaces within the proposed development.

Figure 26: Loading Bay and Blue Badge Parking Spaces – Indicative Plans

Policy T5 of the London Plan seeks to ensure that new developments are provided with the required amount of cycle parking provision, to encourage a modal shift to more sustainable forms of transportation. The table below, outlines an assessment of the requirements.

Use	Rate	Requirement
Residential – Long Stay	1 space per studio 1.5 spaces for 1b2p dwelling 2 spaces for all other dwellings	99 spaces
Residential – Short Stay	5-40 dwellings = 2 spaces Thereafter 1 space per 40 dwellings	2 spaces
Industrial – Long Stay	1 space per 500sqm	2 spaces
Industrial – Short Stay	1 space per 1000sqm	1 space

The proposal would provide cycle parking for residents at first floor level within two separate storage areas being 54.9sqm and 84.2sqm. Collectively the proposal would provide for 99 bicycles and 7 cargo bicycles, exceeding the minimum requirement. A condition has been recommended, requiring that the proposed cycle parking provision complies with the London Cycle Design Standards. Each of the cycle storage areas would be provided with an adequately sized lift to allow residents and bicycles to reach ground floor level.

A total of four x cycle parking spaces are provided for both the short and long stay requirements for the industrial use, this exceeds the minimum 3 spaces requirement. For the short stay residential provision, two spaces would be provided on the footpath on Bollo Lane, close to the residential entrance, meeting the minimum requirement. The total cycle parking provision would be acceptable.

Overall, the proposal raises no concerns with relation to transport and the proposed development is considered acceptable on these grounds.

Refuse and Recycling Storage

Based on Council's Waste Management Guidelines, the formula used for the capacity requirements for refuse and recycling storage states that the necessary capacity would be 12,230L. There would be two separate refuse storage areas with each having access to either Bollo Lane or Stirling Road. The total capacity provided would be 13 x 1,110L euro-bins (14,300L). This exceeds the minimum requirement and is acceptable. Both spaces would be accessible to the individual loading bays on both roads, for ease of collection. This is considered to be acceptable.

Energy/Sustainability

The Council's Energy Consultant is broadly supportive of the proposed energy strategy produced by HTA in November 2022 (v3) with Technical Note of 16/10/2023.The development is all electric with no gas infrastructure on-site.

The strategy proposes a mid-temperature communal site-wide mid temperature (approx 60/40^{o} flow/return) (air-to-water) Air Source Heat Pump distribution loop with (assumed) dwelling heat exchangers (HIU) feeding underfloor heating and/or panel radiators, and domestic hot water (DHW). Also proposed are two PV arrays on the roof with a combined capacity of (approx) 7.8 kW (5.4 kWp and 2.27 kWp).

The Council confirms that there is no available "Clean" district heat network (DHN), however, the energy plant room will be futureproofed for connection to any future DHN by ensuring sufficient space is allocated for a valve and heat exchange.

The Strategy has been assessed against Part L 2021 using SAP10.2 emission factors and follows the London Plan policy SI2/SI3 "Lean, Clean, Green, Seen" energy hierarchy.

The predicted Energy Use Intensity (EUI) is 26.74 kWh/m^2/p/a for the residential element, and 100.5 kWh/m^2/p/a for the non-residential space.

An Overheating Analysis report with proposed mitigation measures has been submitted. The analysis assumes full mechanical ventilation and heat recovery (MVHR). It is compliant with Part O (TM59/Guide A) and TM52 (non-domestic buildings) and follows the TM49 methodology of modelling against the DSY1 average summer year (2020) weather data files, as well as the more intense (but non-mandatory) DSY2 (2003) and DSY3 (1976) data files.

All rooms (and corridors) comply with the mandatory DSY1 modelling for criteria (a) and (b). XX of the rooms failed DSY2 and DSY3 but the proposed mitigation measures in the assessment will help to minimise overheating risk. The commercial space is compliant with Guide A.

At the current design stage the overall site-wide CO_2 emissions will be cut by at least 60.40%, with 13.96% carbon reduction through "Lean" efficiency measures, and 46.44% through "Green" renewable energy.

There is a shortfall of 884.1 tonnes CO_2 (over 30 years) in the zero-carbon that will be mitigated through an "offset" S106 payment at £95 per tonne to the Council of £83,990.

If after one year of in-situ monitoring the renewable energy systems do not deliver, within a reasonable margin of error, the carbon reductions predicted in the Energy Strategy then the Developer may need to pay an additional Carbon Offset contribution to mitigate some or all of the shortfall.

The WLC strategy produced by HTA in October 2022 (v2) confirms that the development has the potential to be compliant with the GLA Benchmark targets. Modules A1-A5 should achieve 791 KgCO2e/m^2, and B1-C4 (excluding B6/B7) 358 KgCO2e/m^2, with a total carbon emissions baseline scenario (over 60 years) of 1,052 KgCO2e/m^2 (including module D and sequestration benefits).
The Circular Economy statement produced by HTA in November 2022 (v2) confirms that the development will be compliant with the London Plan targets of diverting 95% of demolition/construction

waste from landfill, putting 95% of excavation materials to beneficial on-site use, and supporting the diversion of 65% of Operational Waste from landfill by 2030.

Environmental Health

Noise

As outlined within the Agent of Change section of this report, the existing acoustic environment has been robustly assessed by the applicant through monitoring. The results of this acoustic assessment will be used as a basis to determine the appropriate level of sound insulation of the external building fabric, to ensure that the internal living conditions meet relevant British Standards.

Council's Pollution-Technical Officer has reviewed the Environmental Noise Assessment and Agent of Change Assessment and is satisfied with the conclusions of this report. Accordingly, the officer has recommended an appropriate condition to secure the details of the external building fabric prior to commencement of the superstructure.

Other conditions have also been recommended for internal sound insulation between the industrial and residential uses, as well as between communal spaces and residential properties and between individual residential homes.

Air Quality

The Council's Air Quality Officer has reviewed the submitted scheme and recommended a number of conditions to ensure that the proposal would not have a negative impact on air quality. A ventilation strategy has also been recommended to ensure that all future residents would have access to a fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter.

A financial contribution has also been requested to mitigate and monitor local air quality. An Air Quality and Dust Management Plan for the demolition and construction phases of the development has also been recommended.

Contaminated Land

Council's Contaminated Land Officer has reviewed the submitted Phase 1 Risk Assessment, which notes that a site investigation has been recommended. The Officer agrees within this recommendation.

Conditions relating to a site investigation, remediation scheme and verification report have been recommended.

Crime Prevention

London Plan Policy D11 states that Boroughs should work with their local Metropolitan Police Service 'Design Out Crime' officers and planning teams to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime.

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

Mayor's Community Infrastructure Levy (CIL)

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

Conclusion

The application site in its current form is dilapidated and does not make a significant contribution to the quality of the public realm or the local character or visual amenity of the area. Whilst the existing building is somewhat functional in its existing form, the proposal would result in an uplift of industrial capacity in a more modern premises that will ensure that the development would contribute positively toward to the economic regeneration of Ealing and deliver good quality jobs for local residents.

The proposed development is consistent with the principles established by the South Acton LSIS Masterplan. This includes being within an identified co-location zone, that is consistent with other neighbouring developments that are either approved or under construction. The heights proposed within the scheme (11 to 12 storeys) would be consistent with the maximum heights outlined of 12 storeys. The applicant will make proportionate financial contributions towards delivery of public realm improvements that have been identified within the Masterplan.

The scheme delivers good quality homes in a desirable location, somewhat equidistant to two significant public transport nodes, that offer rail services on three separate lines. The site is also along a relatively frequent bus route, and with the provision of cycle parking and the lack of car parking, the scheme would positively contribute to a modal shift to more sustainable forms of transportation across the Borough.

The design of the development is considered to be high quality, with variation and articulation, both in its form and materiality, offering improved engagement with the street and providing active frontages to Bollo Lane and Striling Road. The height, bulk and masing of the proposed development are considered to be appropriate to their local context, as well as in short-, medium- and long-range views.

All of the homes would meet the relevant space standards of both the London Plan and local policy, providing for good internal and external living spaces that would provide good quality living conditions. Residents would have access to good quality communal spaces with integrated landscaping, open space and children's play areas. Good amounts of affordable housing would be integrated into the scheme.

Overall, it is considered that the scheme complies with all relevant local, regional and national planning policy and it is recommended that the application be approved, subject to Stage II GLA referral, conditions and s106 and s278 agreements.

Human Rights Act:

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

Public Sector Equality Duty

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

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

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

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

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

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

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

Fire Safety

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

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

The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations (2010). These require minimum standards for any development, although the standards will vary between residential and commercial uses, and in relation to new build and change of use/conversions. The regulations cover a range of areas including structure and fire safety.
Any person or organisation carrying out development can appoint either the Council's Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure that the requirements of the Building Regulations are met. The BCB would carry an examination of drawings for

the proposed works, and carry out site inspection during the work to ensure that the works are carried out correctly. On completion of work the BCB will issue a Completion Certificate to confirm that the works comply with the requirements of the Building Regulations. In relation to fire safety in high rise residential developments, some of the key measures include protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

APPENDIX A

Conditions/Reasons:

COMPLIANCE

1. **Statutory Timeframes**

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

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

2. **Approved Plans and Documents**

The development hereby approved shall be carried out in accordance with drawing title numbers:

AP00 rev B (Ground Floor Plan); AP01 rev B (First Floor Plan); AP02 rev B (Second Floor Plan); AP03 rev B (Third-Fifth Floor Plan); AP06 rev B (Sixth-Eighth Floor Plan); AP09 rev B (Ninth Floor Plan); AP10 rev B (Tenth Floor Plan); AP11 rev B (Eleventh Floor Plan); APRF rev B (Roof Plan); 0252 rev A (Eastern Boundary Elevation); 0253 rev A (Bollo Lane Elevation); 0260 rev A (Proposed Section West-East); 0261 rev A (Proposed Section North-South); 0254 rev A (Bollo Lane and Stirling Road Elevations); 0250 rev A (Western Boundary Elevation); 0251 rev A (Stirling Road Elevation); DVP-SRE-200-0900 rev B (Illustrative Landscape Plan); DVP-SRE-200-2900 rev B (General Arrangement Plan); DVP-SRE-200-2901 rev B (Levels Strategy Plan); DVP-SRE-200-2902 rev B (Planting Strategy Plan);

Revised Affordable Housing Statement (Newsteer, July 2023); Agent of Change Assessment (IDOM, October 2022); Air Quality Assessment (IDOM, October 2022); Revised Circular Economy Statement (HTA, June 2023); Revised Daylight, Sunlight and Overshadowing Assessment (HTA, June 2023); Design and Access Statement (HTA, October 2022) with Addendum (HTA, June 2023); Drainage Strategy (IDOM, October 2022); Economic and Industrial Assessment (Iceni Projects, November 2022); Energy and Sustainability Assessment (HTA, November 2022); Environmental Noise Assessment (IDOM, October 2022); Framework Travel Plan (RPS, November 2022); Geo-Technical and Geo-Environmental Desk Study (IDOM, October 2022); Healthy Streets Transport Assessment (RPS, October 2022) with Addendum (RPS, July 2023); Revised London Plan Fire Statement (BB7, June 2023); Outline Construction Logistics Plan (RPS, October 2022); Outline Delivery Servicing Plan (RPS, November 2022); Revised Planning Gateway One Fire Statement (BB7, June 2023); Planning Statement (Newsteer, October 2022); Statement of Community Involvement (HTA Design, undated); Verified Views Document (AVR London, November 2022); Whole Life Carbon Assessment (HTA, October 2022); Revised Schedule of Accommodation (HTA, ref: DVP-SRE-200)

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

3. **Restriction of Commercial/Industrial Uses**

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 as amended, or any future amendments, the industrial workspace at ground floor within both buildings hereby permitted shall be used only for purposes within Use Class E(g)(iii)/B2/B8 of the Town & Country Planning (Use Classes) Order 1987 as amended, and for no other purpose, without the prior written permission of the local planning authority. The industrial workspace must be completed in full prior to the occupation of the proposed residential flats. For the first floor of the commercial space, more flexible Class E(g)/B2 and B8 uses only are permissible, as is ancillary space associated with industrial uses at ground floor level.

Reason: To safeguard the industrial uses on the site in accordance with Policy 1.2(b) of the Ealing Development (Core) Strategy 2012 and Policy E7 of the London Plan (2021)

4. **Secure by Design**

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

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

5. **Accessible Housing**

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

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

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

6. **Refuse Storage**

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

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy

7A of the Ealing Development Management Development Plan Document (2013), policy SI8 of the London Plan (2021) and the National Planning Policy Framework (2021).

7. **No masts/satellite dishes or external equipment**

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

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

8. **Opening of Doors**

Doors to all buildings should be fixed to ensure that they do not open onto the public highway, except for doors for the purposes of fire escape and access to electricity stores.

Reason: To protect pedestrian safety in accordance with policies T1, T3 and T4 and of the London Plan 2021.

9. **Passenger Lifts - Operation**

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), Policy D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

10. **Anti-Vibration Isolators**

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

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

11. **Non-Road Mobile Machinery**

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

Reason: To safeguard adjoining occupiers of the development against unacceptable noise, disturbance and emissions, policies 1.1(j) of the Ealing Development (Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing's Development Management DPD (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2023).

12. **External Lighting**

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

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

PRIOR TO COMMENCEMENT

13. **Air Quality and Dust Management Plan**

Prior to commencement of any works onsite, an Air Quality and Dust Management Plan (AQDMP) shall be submitted for the approval of the Local Planning Authority. The AQDMP will be based on the findings of Air Quality (Dust) Risk Assessment provided in the Air Quality Assessment report titled "41-49 Stirling Road" dated October 2022. The AQDMP will provide a scheme for air pollution mitigation measures based on the findings of the Air quality report.

The plan shall include:
a) Dust Management Plan for Demolition Phase
b) Dust Management Plan for Construction Phase

The applicant shall contact the council's pollution technical team about the installation of air quality monitors on site and always provide direct access to monitoring data for the duration of the project. The monitors shall be installed on site at least 4 weeks prior to any site clearance and demolition to provide baseline data and shall be maintained on site until first occupation of the development hereby approved. Direct access to monitoring data will be always provided. The Air Quality Dust Management Plan shall be implemented on commencement of any works on site and the site shall be managed in accordance with the approved plan for the duration of the construction.

Reason: In the interests of the amenity of adjoining occupiers and to minimise particulate matter associated with construction works in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012, policy 7A of the Ealing Development Management Development Plan (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2023).

14. **Demolition Method Statement and Construction Management Plan**

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

- Noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014),
- Dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition),

- Lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals),
- Delivery locations,
- Hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 Saturdays (except no work on public holidays),
- Neighbour liaison, notifications to interested parties and considerate complaints procedure,
- Public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works, in case of emergencies, enquiries or complaints.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site, in accordance with Policies D6, D14 and T7 of the London Plan and Policy 7A of the Ealing Development Management DPD.

15. **Construction Logistics Plan**

Prior to the commencement of development, a site Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall take into account other major infrastructure and development projects in the area and shall include the following:

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

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

16. **Thames Water - Piling Method Statement**

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

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

17. **London Underground – Detailed Design and Method Statement**

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

a) prior to commencement of each phase of the development, provide details of foundations, groundworks, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent)
b) provide details on the use of tall plant - e.g. tower crane and piling rig as they pose a potential risk to LU. The applicant will need to satisfy LU that there is no over sail and risk of collapse is mitigated
c) provide details on the use of scaffolding - There is also the potential risk from any scaffold if erected. The applicant is requested to provide details of any temporary works design to satisfy LU that correct industry standards and guidance have been adhered to

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

18. **Contaminated Land – Site Investigation**

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within the approved desk study phase 1 report - IDOM DS-22486-22-335 Nov 2022) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors up dated. This assessment must be undertaken by a competent

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

19. **Contaminated Land – Remediation Scheme**

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

20. **Contaminated Land – Verification Report**

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

21. **Details of Materials**

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

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies D1 and D4 of the London Plan (2021) and the National Planning Policy Framework (2023).

22. **Whole Life-Cycle Carbon Assessment**

a) Prior to the Commencement of Construction (excluding demolition, site clearance, site investigation and site remediation) a Whole Life Carbon Assessment shall be submitted to the Council for approval. The Assessment shall be compliant with policy SI2(F) of the London Plan and in line with the GLA (March 2022) guidance. The Development shall meet the GLA

benchmark targets and seek to achieve the aspirational target.

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

c) The Development shall implement the potential measures identified in the WLC Assessment prepared by HTA in October 2022 (v2). Modules A1-A5 should aim to achieve 791 $KgCO_2e/m^2$, and B1-C4 (excluding B6/B7) 358 $KgCO_2e/m^2$, with a total carbon emissions baseline scenario (over 60 years) of 1,052 $KgCO_2e/m^2$ (including sequestration and module D benefits).

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

23. **Sound Insulation – Building Envelope**

a) Prior to commencement of the superstructure, details shall be submitted to the Council for approval in writing, of the sound insulation of the building envelope including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) to achieve internal noise limits specified in SPG10. Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve criteria of BS8233:2014.

b) A post completion sound assessment shall be carried out where required to confirm compliance with the noise criteria and details, including any mitigation measures, be submitted for the Council's approval before the premises are occupied.

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

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

24. **Noise – Plant and Equipment**

Prior to the commencement of the superstructure, details shall be submitted to the Local Planning Authority for approval in writing, of plant/ machinery/ equipment/ducting/air in- and outlets/ mechanical installations and their external rating noise level, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the

development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014 +A1 2019, with all plant/equipment operating together at maximum capacity. Where required, a post installation sound assessment shall be submitted to the Local Planning Authority for approval in writing. The assessment shall be carried out to confirm compliance with the noise criteria and shall include additional steps to mitigate noise as necessary.

Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

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

25. **Sound Insulation – Separation of Uses**

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

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

26. **Sound Insulation - Noise Sensitive Rooms in Neighbouring Flats**

The sound insulation of the floor/ceiling /wall structures separating different types of rooms/uses, eg. kitchen/living/dining/ bathroom adjoining/above/below bedroom of separate dwelling, should be enhanced by at least 5dB above the recommended Building Regulations values. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

27. **Sound Insultation - 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 6able 5 BS8233:2014. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins inside a habitable room. Details shall include mitigation measures and the resulting sound insulation value and internal sound/rating level. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

28. **Air Quality – Ventilation Strategy**

Prior to the commencement of the superstructure, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for residents shall be submitted to and approved by the Local Planning Authority. The report will contain details for the installation of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air for all residential dwellings.

The report shall also include the following information:

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

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

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

29. **Digital Connectivity**

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

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

PRIOR TO OCCUPATION

30. **Circular Economy**

a) Prior to completion of construction of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted). This should be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted

to, and approved in writing by, the local planning authority, prior to occupation.

b) Specific commitments detailed in the Circular Economy statement produced by HTA in November 2022 (v2) or any later approved version, and accompanying Logistic Plans, should be implemented including; diverting 95% of construction waste from landfill, putting 95% of excavation materials to beneficial on-site use, and supporting the London Plan target of diverting 65% of Operational Waste from landfill by 2030.

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

31. **Energy and CO_2**

a) Prior to construction completion and occupation, the Development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO_2 emissions of at least 60.40% (equating to 45 tonnes of CO_2 per year) beyond Building Regulations Part L 2021 and using SAP10.2 conversion factors. These CO_2 savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by HTA in November 2022 (v3) with Technical Note of 16/10/2023 including:
    i. Lean, energy efficiency design measures to achieve an annual reduction of at least 12.11% equating to at least 7.80 tonnes in regulated carbon dioxide (CO_2) emissions over BR Part L 2021 for the residential development, and at least 25.74%, equating to at least 2.6 tonnes, over Part L 2021 for the non-residential space.
    ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 7.8 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 46.44%, equating to 34.6 tonnes, in regulated carbon dioxide (CO_2) emissions over Part L 2021.
    iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the heat pump system(s) (including the heat generation and the electrical parasitic loads of the heat pumps), in line with the Council's monitoring requirements.

b) Prior to Installation, details of the proposed renewable energy equipment, and associated monitoring devices required to identify their performance, shall be submitted to the Council for approval. The details shall include the communal heat distribution loop schematics, the exact number of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the renewable energy installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.

d) The development shall incorporate the overheating mitigation measures detailed in the dynamic Overheating Analysis by HTA in November 2022 (as part of the Energy Strategy v3). Any later stage version shall be compliant with CIBSE guidance Part O (TM59/Guide A), and modelled against the TM49 DSY1 (average summer) weather data files, and the more extreme weather DSY2 (2003) and DYS3 (1976) files for TM59 criteria (a) and (b).

e) Details of how the development will be futureproofed for connection to any suitable future DHN by ensuring sufficient space is allocated for a valve and heat exchange.
f) Within three months of the occupation/first-use of the development a two-page summary report prepared by a professionally accredited person comparing the "as built stage" TER to BER/DER figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) and/or the Display Energy Certificate(s) (DEC's) shall be submitted to the Council for approval.

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

32. **Post-construction renewable/low-carbon energy equipment monitoring**

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

a) Enter into a legal agreement with the Council to secure a S106 financial contribution, or alternative financial arrangement, for the post-construction monitoring of the renewable/low carbon technologies to be incorporated into the development and/or the energy use of the development as per energy and CO_2 Condition(s).

b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency of the renewable energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of five years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council's chosen AEMP supplier (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.

33. **Cycle Parking**

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

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

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

34. **Deliveries and Servicing Plan**

A Delivery and Servicing Plan (DSP) for the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The DSP should clearly identify how the on-street loading bay will be managed to ensure that, as far as possible, that space is continually available for deliveries. No deliveries or servicing shall occur within the proposed disabled bays or on Bollo Lane.

The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on adjoining uses and highway safety and the free flow of traffic in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012 and policy T3 and T4 of the London Plan (2021).

35. **Site-Wide Waste Management Plan**

Prior to the first occupation of the hereby approved development, details of the refuse and recyling storage for both buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number and capacity of bins, the location of storage and the materials for the store. The approved storage shall be brought into use prior to the first use of the hereby approved development and shall be permanently retained thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policy SI 8 of the London Plan (2021).

36. **Travel Plan**

A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for the residential and industrial uses of the development. The detailed Travel Plan shall be prepared in accordance with Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out in accordance with the approved Travel Plan.

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

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

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

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

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

38. **Diesel Generators**

Prior to their operation, details on all new installed diesel generators demonstrating compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) must be submitted and approved in writing by the Local Planning Authority. The details must include the results of NOx emissions testing of the diesel fuelled generator units by an accredited laboratory, emissions concentrations expressed at specific reference conditions for temperature, pressure, oxygen and moisture content under normal operating conditions.

Where any combustion plant does not meet the relevant standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology. Evidence of installation shall be required where secondary abatement is required to meet the NOx Emission standard 150mg/Nm-3 (at 5% O2). The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation.

Reason: To ensure LA meets its obligations to deliver air quality objectives for NO2 in accordance with London Local Air Quality Management (LLAQM), and to limit PM2.5 (fine particulates) to safeguard public health and well-being and external amenity of nearby sensitive receptors.

ONGOING CONDITIONS

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

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

a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.

b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. In consultation with the Council's chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

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

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

Informatives

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

National Planning Policy Framework (2023)

5 Delivering a sufficient supply of homes
8 Promoting healthy and safe communities
9 Promoting sustainable transport
11 Making effective use of land

12 Achieving well designed places
14 Meeting the challenge of climate change, flooding and coastal change

London Plan (2021)

D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D8 Public realm
D9 Tall buildings
D10 Basement development
D11 Safety, security and resilience to emergency
D14 Noise
E4 Land for industry, logistics and services to support London's economic function
E5 Strategic Industrial Locations (SIL)
E6 Locally Significant Industrial Sites
E7 Industrial intensification, co-location and substitution
HC1 Heritage conservation and growth
HC3 Strategic and Local Views
HC6 Supporting the night-time economy
S4 Play and informal recreation
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SD6 Town centres and high street
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.4 Hotel and leisure uses parking
T7 Deliveries, servicing and construction
T8 Aviation
T9 Funding transport infrastructure through planning

Supplementary Planning Guidance /Documents

Accessible London: achieving an inclusive environment
Mayor's Sustainable Design and Construction SPD April 2014
The Mayor's transport strategy
The Mayor's energy strategy and Mayor's revised Energy Statement Guidance April 2014
The London housing strategy
The London design guide (interim edition) (2010)
Draft shaping neighbourhoods: Children and young people's play and informal recreation (2012)
Planning for equality and diversity in London
Housing - Supplementary Planning Guidance (2012)
Housing SPG (March 2016)

Energy Planning (March 2016)
Children and Young People's Play and Informal Recreation SPG (September 2012)
Crossrail Funding: Use of Planning Obligations and the Mayoral Community Infrastructure Levy SPG (March 2016)
Affordable Housing & Viability- Supplementary Planning Guidance (2017)

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

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)
1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)
2.1 Development in the Uxbridge Road / crossrail corridor (a), (b), (c), (d), (e)
5.5 Promoting parks, local green space and addressing deficiency (b) and (c)
5.6 Outdoor sports and active recreation
6.1 Physical infrastructure
6.2 Social infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential
Ealing local variation to London Plan policy 3.5: Quality and design of housing development
Policy 3A: Affordable Housing
Policy 4A: Employment Uses
Ealing Local variation to London Plan policy 4.7: Retail and town centre development
Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions
Ealing local variation to London Plan policy 5.10: Urban greening
Ealing local variation to London Plan policy 5.11: Green roofs and development site environs
Ealing local variation to London Plan policy 5.12: Flood risk management
Ealing local variation to London Plan policy 5.21: Contaminated land
Ealing local variation to London Plan policy 6.13: Parking
Policy 7A : Operational amenity
Ealing local variation to London Plan policy 7.3 : Designing out crime
Ealing local variation to London Plan policy 7.4 Local character
Policy 7B : Design amenity
Policy 7C : Heritage
Policy 7D : Open space

Draft Ealing Local Plan (Reg19) (2024)

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

Adopted Supplementary Planning Documents

Sustainable Transport for New Development

Interim Supplementary Planning Guidance/Documents
SPG 3 Air quality
SPG 4 Refuse and recycling facilities (draft)
SPG 10 Noise and vibration

Other Material Considerations

BRE Site layout planning for daylight and sunlight (2011)
Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006)
BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise
DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
Environment Agency guidance 'Verification of Remediation of Land Contamination', Report: SC030114/R1'.
BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

Ealing's Draft Local Plan (Regulation 18) November 2022
Policy DAA: Design and Amenity
Policy SSC: Small Sites Contribution

Ealing Housing Design Guidance (2022)

London Housing Design Standards LPG (2023)

In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. Consideration was also given to highways, and the provision of adequate living conditions for occupiers. The proposal is considered acceptable on these grounds, and it is not considered that there are any other material considerations in this case that would warrant a refusal of the application.

2. Construction and demolition works, audible beyond the boundary of the site shall only be carried on between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Bank Holidays. No bonfires shall be lit on site. Prior to commencement of building works, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.

3. Prior to the commencement of any site works and as works progress, all sensitive properties surrounding the development shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

4. Calculation of building envelope insulation – Interim SPG10 advises:

a) A precise sound insulation calculation under the method given at BS EN12354-3**:** 2000, for the various building envelopes, including the use of the worst case one hour data (octave band linear noise spectra from 63 Hz – 4k Hz) by night and day, to arrive at the minimum sound reductions necessary to meet the SPG10 internal data.

b) Approved laboratory sound insulation test certificates for the chosen windows, including frames and seals and also for ventilators, in accordance with BS EN ISO 140-3: 1995 & BS EN ISO 10140-2:2010, to verify the minimum sound reductions calculated.

c) The SPG10 internal and external criteria to be achieved.

Aircraft noise affecting the site is at a contour level of worst mode one day equal to $L_{Aeq,16hr}$ 60 dB and LAeq,1hr 67dB by 2016. In calculating the insulation required the Lleq,1hr aircraft noise spectrum, shown at SPG10, shall be used, along with the spectrum for any other dominant noise sources. Under SPG10, the predicted LLeq,1hr aircraft noise exposure for the site at 2016 has to be used and combined with any other noise exposures. The spectra to be used are as follows:

Octave band centre frequency Hz	**dB Linear - $L_{eq,1hr}$**	
	60 dB contour	**57 dB contour**
63	73	70
125	72	69
250	69	66
500	67	64
1000	62	59
2000	57	54
4000	45	42
Total $L_{Aeq,1hr}$ for spectrum 16 – 8K Hz	**67**	**64**

5. Land contamination:

a) Reference should be made at all stages to appropriate current guidance and codes of practice; this would include:

i. Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
ii. Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
iii. LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
iv. BS10175:2011 Investigation of potentially contaminated sites – Code of Practice
v. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
vi. Verification of Remediation of Land Contamination', Report: SC030114/R1, Environment Agency, 2010
vii. Planning Policy Statement 23: Planning and Pollution Control;
viii. PPS23 Annex 2: Development on Land Affected By Contamination;
ix. Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008

- Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.

- All raw data should be provided in a form that can be easily audited and assessed by the Council (e.g. trial pit logs and complete laboratory analysis reports)

- on-site monitoring for ground gases with any relevant laboratory gas analysis;
- Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).

b. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.

6. This permission does not grant consent for the display of external advertisements at this site which are subject to the Town & Country Planning Control of Advertisements (England) Regulations 2007, and which may need to obtain a separate advertisement consent from the local planning authority under those regulations.

7. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted for the approval of the relevant Health and Safety Enforcement Officer.

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

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

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

10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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

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

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

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

12. Dust

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

13. Dark smoke and nuisance

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

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

Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-

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

15. Fire Statement

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

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

17. Street Numbers

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

18. Although it is not anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096 .