

Minutes of the meeting of the Planning Committee

Date: Wednesday, 13 December 2023

Venue: The Atrium - Perceval House

Attendees (in person): Councillors

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

Also present:

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

1 Apologies for Absence and Substitutions

There were none.

2 Urgent Matters

There were none..

3 Declarations of Interest

There were none.

4 Matters to be Considered in Private

There were none.

5 Minutes

RESOLVED:

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

6 Site Visit Attendance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Committee proceeded to vote on the application.

RESOLVED:

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

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

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

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

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

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

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

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

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

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

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

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

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

unloading to take place inside.

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

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

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

The Committee proceeded to vote on the application.

RESOLVED:

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

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

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

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

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

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

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

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

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

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

The Committee proceeded to vote on the application.

RESOLVED:

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

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

10 Planning Services Performance Report

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

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

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

RESOLVED:

That the planning committee noted the report and commended officers in

planning services for their performance.

11 Public Speaking at Planning Committee - Protocol Update

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

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

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

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

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

RESOLVED:

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

12 Date of the Next Meeting

The date of the next meeting was 24 January 2024.

Meeting commenced: 7.00 pm

Meeting finished: 9.28 pm

Signed:

Dated: Wednesday 28 February 2024