

Ref: 216832FUL

Address: West World, West Gate, Ealing, London, W5 1DT

Ward: Hanger Hill

Proposal: Demolition of existing building and erection of industrial/warehouse unit (Class E(g)(iii), Class B2 and/or B8 uses) with ancillary office space and associated car, HGV and cycle parking, fencing, gates and landscaping.

Drawing numbers: 020293-RPS-SI-XX-DR-A-0100 rev P02 (Site Location Plan); 020293-RPS-SI-XX-DR-A-0101 rev P05 (Block Plan);

20293-RPS-SI-XX-DR-A-0102 rev P01 (Existing Site Layout); 20293-RPS-SI-XX-A-0106 rev P01 (Existing Elevations); 020293-RPS-SI-XX-DR-A-0107 rev P01 (Existing Roof Plan);

20293-RPS-SI-XX-DR-A-0103 rev P08 (Proposed Site Layout); 20293-RPS-SI-XX-DR-A-0104 rev P06 (Proposed Office Plans); 20293-RPS-SI-XX-DR-A-0105 rev P05 (Proposed Elevations); 20293-RPS-SI-XX-DR-A-0108 rev P04 (Proposed Roof Plan); 20293-RPS-SI-XX-DR-A-0109 rev P05 (Proposed Site Sections); 20293-RPS-SI-XX-DR-A-0110 P04 (Proposed Building Plan); 100 rev C (Landscape Strategy Plan); 501 rev B (Detailed Planting Plan 1/2); 502 rev B (Detailed Planting Plan 2/2); 550 rev B (Typical Tree and Shrub Palette); JSL4071_770 (Tree Survey Report and Arboricultural Impact Assessment);

JAP02484 rev 1 (Air Quality Assessment); Design and Access Statement Version P05; HLEF79317 (Flood Risk Assessment and Sustainable Drainage System Strategy); Framework Travel Plan (Motion, dated 18/08/2021); JAJ02521-REPT-01-R2 (Noise Impact Assessment); 210630 R JER9208 KD Phase 1 PRA Unit 1 Hanger Lane V2 R0 (Phase 1 Geo-Environmental Preliminary Risk Assessment); Planning Statement (prepared by RPS); Sustainability Statement rev P01 (Scotch Partners); Transport Statement (Motion, dated 22/11/2021); Energy Statement rev P02 (Scotch Partners); Air Quality Neutral Assessment rev 1; JCG25375 rev 1.0 (Construction Management Plan); Industrial BREEAM Assessment; Offices BREEAM Assessment; EDCO01684 V1 (Invasive Species Management Plan); ECO01684-R-01 V1 (Preliminary Ecological Assessment)

Type of Application: Full Planning Application

Application Received: 01/12/2021

Report by: Joel Holland Turner

Recommendation: Grant subject to conditions and a s.106 agreement

Executive Summary:

The proposed development involves the demolition of the mostly vacant, 10-storey office building that currently exists on the site and the construction of an industrial building within the E(g)(iii)/B2 and B8 use classes. The application site exists within a Strategic Industrial Location and therefore the overall uses proposed are wholly consistent with the site designation and the scale of the proposal would fully optimise the site for potential industrial uses. Whilst no potential occupant for the site has yet been secured, the design of the industrial building has allowed for the greatest adaptability and flexibility to appeal to a wider pool of potential occupants, however the site has been designed with storage, logistics and distribution uses in mind.

The design of the industrial building is conventional for this type of use, with a large box-like structure providing servicing and HGV movement areas to its eastern side. The street facing parts of the proposed development have been designed with glazing and banding to allow for a greater sense of articulation and visual interest when viewed from the public realm. The design of the south-eastern corner of the building and the layout of the car parking, cycle parking and pedestrian movement areas improves the legibility of the space, particularly in relation to the existing building to be demolished, with makes little contribution to the character and appearance of the area.

Appropriate conditions have been recommended to ensure that the proposed development does not materially impact the adjacent hotel to the east and emerging residential development within the area, with respect to noise and acoustics. Conditions relating to potential contaminated land have also been recommended and the applicant has agreed to a financial contribution for mitigation projects relating to poor air quality, particularly the designation of the site as within an Air Quality Focus Area.

The proposed development presents a very good energy strategy, that has been reviewed by Council's Energy Consultant who is strongly supportive of the scheme. The proposed development at the design stage would achieve net zero carbon, with this achieved through lean and green measures as outlined within the Energy Hierarchy of the London Plan. 'Be seen' measures would be achieved through energy monitoring over a 3-year period to ensure that this net zero target would be met. This supports Council's declaration of a climate emergency and objectives of being net-zero by 2030.

The Landscaping proposals for the site do involve the removal of many existing trees within the site, however the Preliminary Ecological Assessment and Invasive Species Management Plan have outlined many recommendations to improve habitat within the site and control and eradicate Japanese Knotweed, Giant Hogweed and Small Leaved Cotoneaster that has been identified within the site. The replacement vegetation within the site includes softening to the street frontage of the site, significant vegetation to the rear, outdoor furniture to provide amenity to employees and visitors and intermittent landscaping around car parking areas.

The proposal results in a significant site-wide reduction in car parking spaces and compliant amount of cycle parking to encourage a modal shift to more sustainable forms of transportation. The application site is also in close proximity to established cycle and pedestrian routes and within

walking distance of Hanger Lane Underground Station and established bus routes. The proposal therefore represents a highly sustainable location and the applicant will also be required to submit a Travel Plan, to demonstrate methods that will be taken to reduce reliance on private vehicle transport. The recommended s106 agreement also includes funding towards projects in the local area, to improve transport infrastructure, connectivity and accident remediation.

Overall, the site offers a highly sustainable form of development within a designated Strategic Industrial Location that will contribute to Ealing and London by providing increased economic activity and employment opportunities for local residents. It is therefore recommended that the application be approved, subject to conditions and s106 agreement.

Recommendation:

That planning permission is granted subject to the satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following:

Heading	Contribution
Transport and Public Realm Improvements	£115,000
Travel Plan Monitoring	£3,000
Post Construction Energy Equipment Monitoring	£5,235
Air Quality Mitigation	£82,580
TOTAL	£205,815

- Implementation of the Travel Plan
- Payment of the council’s reasonable legal and professional costs in preparing the s106 agreement
- All financial contributions to be index linked

AND

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

Site Description:

The application site is a somewhat regular shaped plot, with an area of approximately 15,400sqm and a frontage to West Gate of 99 metres. The application site is currently occupied by a large mixed use office building, known as West World, however the applicant advises that the site is mostly vacant, with large former occupants, River Island and Mercedes, recently vacating. The existing building is 10 storeys and is surrounded by significant areas of car parking, with some of this car parking being formed, and other areas informal.

The site is designated as Strategic Industrial Land (SIL) and designated as within the Park Royal/West Gate/Quill Street SIL. The surrounding area, despite its industrial location, has a mix of uses, with warehouses and offices, industrial uses and emerging residential uses. To the east of the application site, fronting Hanger Lane, is the Fox and Goose Public House, with an associated hotel near the site containing 77 rooms. The site is also designated as being within an area of Local Park Deficiency.

It should be noted that there has been incremental residential development into the SIL, with the most prominent being West Gate House, located at the junction of Hanger Lane and West Gate.

This former office block was converted into residential uses under the prior approval process (178465PAOR) for 311 residential units, with a subsequent application to increase the number of storeys to accommodate an additional 51 residential units also approved (181010FUL and 195247VAR). An application for planning permission is also under consideration for a large mixed-use industrial and residential scheme between 7 and 13 storeys at Manhattan Business Park to the south-west of the application site.



Figure 1: Site Location Plan

The Proposal:

The proposal involves the complete demolition of the existing 10-storey office block and the construction of a large industrial warehouse within Use Classes E(g)(iii), B2 and/or B8. The site would also include ancillary office space within the footprint of the main building.

The proposed development would include two crossovers to West Gate, with the western one providing access to a general car parking area comprising 39 car parking spaces. The eastern access would provide access to large HGV service vehicles, with individual parking bays provided along the eastern edge of the proposed building.

The proposed development would also involve the implementation of associated fencing, cycle parking, gates and landscaping.

Consultation:

Public:

Public consultation of the application commenced on 19/01/2022 and concluded on 09/02/2022. The application was advertised within the Ealing Gazette and eleven (11) site notices were put up within the surrounding area, including on West Gate, the A40 pedestrian underpass, Priory Gardens, Hanger Lane (A4005) and Quill Street.

No objections to the proposed development were received during the statutory consultation period.

Internal Consultation:

Flooding and Water Management	Satisfied with the proposed surface water drainage strategy
Landscape Architect	Satisfied with the Landscaping Proposals The information in the Preliminary Ecological Appraisal in relation to orchids on site is noted. They should follow this advice and all the recommendations in 5.4/6.0 detailed below.
Environmental Health (Noise and Vibration)	<p>According to the Noise Impact Assessment report by RPS ref. JAJ 02521-REPT-01-R2 dated 23/11/2021, the future tenant of the proposed warehouse is not yet known, so potential adverse impacts by this development have been considered and modelled, based on similar operations elsewhere.</p> <p>The warehouse is assumed to be operational 24 hours a day. Noise from external plant and vehicles including forklifts would be the same during night and day.</p> <p>75 trips in and out per day by heavy goods vehicles are assumed. Internal activities are also unknown and are assumed. No external plant is indicated to date.</p> <p>The nearest noise sensitive premises are said to be the Fox and Goose hotel to the East.</p> <p>The consultant recommends that a 3m high acoustic barrier should be erected on the east side of the development as high noise levels from deliveries to proposed 9 loading bays are predicted and to reduce the likelihood of adverse impacts.</p> <p>HGV movements are suggested to be the main sound source affecting the Fox and Goose hotel.</p> <p>A BS4142 assessment has concluded that the noise would be above the measured background level and an adverse impact is likely.</p> <p>However, due to the hotel's amenity space reported to be on the other side and mechanical ventilation, noise levels at the hotel are calculated to</p>

	<p>be within relevant criteria.</p> <p>I believe there may also be residential flats existing or proposed nearby which have not been considered in the assessment. In any case, once known, confirmed details of the proposed use and installations should be provided. As much external noise is likely to be generated by potential plant and use of the external areas, the need for mitigation measures is very likely.</p> <p><u>Recommended conditions:</u> External noise from machinery, equipment, extract/ventilation ducting, mechanical installations Anti- vibration mounts and silencing of machinery etc. Site and Operations Management Plan Enclosures and Sound Barriers Demolition Method Statement and Construction <u>Management Plan</u></p> <p><u>Recommended Informatives</u> Permitted hours for building work Notification to neighbours of demolition/ building works</p> <p>Dust Dark smoke and nuisance Noise and Vibration from demolition, construction, piling, concrete crushing, drilling, excavating, etc. Asbestos</p>
<p>Pollution-Technical (Contaminated Land)</p>	<p>The RSP preliminary risk assessment JER9208 has been reviewed.</p> <p>The report indicates there is the potential that unknown underground tanks are still present on site and recommends further investigation.</p> <p>This is agreed with.</p> <p>the following conditions are requested: Site Investigation Remediation Scheme Verification Report</p>
<p>Energy Consultant</p>	<p>The Council is very supportive of the proposed Energy Strategy prepared by Scotch Partners LLP that will deliver a theoretically net zero carbon development. Strategy has been assessed against the draft SAP10 benchmark and follows the standard “lean, clean, green” energy hierarchy as required by the London Plan. Industrial Space will be built to at least BREAAAM “Very Good” standard, with a score of 64.24% and office space to “Very Good” standard with a score of 65.35%</p> <p>Recommended s106 obligations £5,235 – Post Construction Energy Equipment Monitoring</p> <p>Recommended conditions</p>

	<p>Energy and CO₂ Overheating and Cooling Non-Residential BREEAM energy/CO₂ accreditation Post-construction renewable/low-carbon energy equipment monitoring Post-construction energy use monitoring (“be Seen”)</p>
<p>Transport and Highways</p>	<p>This development will increase vehicular and cycling trips in Hanger Lane Gyratory. To promote modal shift, the measures mentioned in section 10 of this report should be introduced to reduce the risk of accidents, especially to vulnerable road users such as pedestrians and cyclists on the adjacent road network and junctions.</p> <p>This development is likely to increase congestion during the morning and evening peak period. Green travel plan measures should be designed to achieve an increased modal shift from car to sustainable transport such as walking, cycling and public transport.</p> <p>Recommended contributions Transport and Public Realm – Total £118,000 Consisting of Traffic Congestion - £5,000 Parking - £10,000 Cycle Infrastructure – £30,000 Accident Remediation Adjacent Roads - £15,000 Accident Remediation Ealing Road - £15,000 Underpass - £10,000 Footway Improvements - £25,000 Bus Stop Improvements - £5,000 Travel Plan Monitoring - £3,000</p>

Planning Policies:

The relevant policies are listed in the Informatives section below.

Reasoned Justification:

Principle of Development

Policy E5 of the London Plan states that development proposals within SILs should be supported where the uses proposed fall within the industrial type activities set out within Part A of Policy E4. Policy E4 defines such uses encourages a number of types of uses, which includes hybrid B1(c), B2 and B8 uses to accommodate services that support the wider London economy and population. It should be noted that B1 uses have been superseded by the new Class E, with Class E(g)(iii) being most relevant to the former B1(c). Therefore, the principle of such a proposal for a hybrid industrial scheme within a Strategic Industrial Location is supported wholly by the requirements of the London Plan.

This is also supported by Policy 1.2(b) of Ealing’s Development Strategy, which states that long term protection shall be afforded to Strategic Industrial Locations, which comprise the Borough’s strategic employment land and are the primary focus for general industrial and warehouse uses. The scale of the proposed development will bring additional economic activity to the Borough, which will, in turn,

increase employment opportunities for local residents, in a sustainable and appropriate location.

It is noted that no potential occupant has been identified by the applicant and therefore the proposal has been designed with the highest degrees of flexibility in mind. The principle of this is considered to be acceptable as the proposal would fully optimise this site for industrial uses by increasing the footprint of development on a designated industrial site and its industrial capacity, to create a space that could accommodate a wide variety of appropriate uses and respond effectively to changing market trends. The development has been designed particularly with logistics and distribution in mind, which is appropriately located within close proximity to the A40.



Figure 2: Local Context

The site is also considered to be a highly sustainable location and whilst car parking is proposed within the development, it would dramatically decrease car parking capacity in comparison to the existing situation. The site is also well-located to existing local bus services on Hanger Lane/Ealing Road and is within close proximity to the Hanger Lane (Underground) Station, offering services along the Central Line and Park Royal (Underground) Station, on the Piccadilly Line. There is a also a good network of pedestrian routes surrounding the application site.

The principle of development is therefore wholly supported by planning policy and is therefore considered to be acceptable.

Local Character and Design

Policy D4 of the London Plan (2021) requires that the design of new developments should give regard to its layout, scale, height, density, land uses, materials architectural treatment, detailing and landscaping. LV Policy 7.4 of the Ealing Development Management DPD seeks to ensure that development is respectful of the surrounding built form in terms of its street sequence, building pattern, dimensions, scale, bulk and appearance.

It is noted that the proposal, at just over 8,000sqm is a large development that significantly increased the bulk, scale and massing on the site in comparison to the existing situation. However,

given the site's industrial location, the proposal and its overall design, character and appearance, the development represents an optimisation of the site for industrial type uses. It is also noted that the proposal would result in the demolition of the existing 10 storey building and therefore the proposal would result in a reduction in height when viewed in a wider context.



Figure 3: Indicative Visuals of Proposed Development

The design of the proposal represents a box-like structure that is typical of conventional industrial development within the Borough. This allows the development to provide for adaptable space for a range of uses. The layout of the site, with the building positioned to the western side of the site allows for adequate vehicle circulation areas for large HGVs that may use the site. Whilst the design of the proposal is conventional for an industrial development, the front elevation includes a number of features to add visual interest and articulation to the façade. This is particularly important as this is the part of the development that addresses the public realm and would be most visible within the local area.

Locating the ancillary office space to the front of the building avoids the need for blank walls and presents the opportunity to provide additional glazing, particularly the south-eastern corner, which uses high level glazing that is wrapped around by white banding that continues along the front elevation. This promotes the legibility of the space by clearly denoting the entrance to the building. The eastern elevation of the building is designed accordingly to practicality. As this is primarily used by service vehicles, the amount of roller doors is necessary and is consistent with the industrial character of the area.

Appropriate amounts of vegetation have been provided within the site to maintain a balance between ensuring the functionality of the space and softening the overall appearance of the building.

The colour scheme for the development uses neutral colours of grey and white, with a typical cladding material uses. These neutral tones will ensure that the proposed development will not sit dominantly within the streetscene by blending in more easily with its surroundings. Overall, the

design, whilst conventional for industrial developments of its type, is acceptable and would make a positive contribution to the character, appearance and visual amenity of the surrounding area.



Figure 4: Indicative Visuals of Front/Side Elevation

Impact on Residential Amenity

The closest sensitive receptor to the application site is the hotel that sits at the rear of the Fox and Goose Public House on Hanger Lane. It is understood that there are 77 rooms within this existing hotel and would adjoin the application site at the rear. Whilst hotel uses do not offer permanent residential accommodation, it is important to consider the impact that the proposed development would have on the quality of the accommodation that guests of the hotel would experience. This is to ensure not only the comfort of guests, but the continued viability of a hotel use neighbouring the site.

The Acoustic Assessment notes that the impacts of noise experienced by guests of the hotel would be HGV movements, which is a conclusion agreed with by Council Officers, particularly as the vehicle movement areas of the proposed development would adjoin the hotel. Given that the site is located within SIL, the development has the potential to operate on a 24 hour basis, and accordingly significant impacts could be experienced during typical sleeping hours.

The recommendation of the applicant’s Acoustic Consultant is that a 3m high noise barrier be erected along this boundary to mitigate noise generated by HGV movements. This conclusion is agreed with by Council’s Pollution-Technical Officer, who has recommended a condition requesting details of the acoustic fence to be provided to Council prior to the commencement of the development. Such an acoustic fence has been considered to effectively mitigate adverse noise impacts on this neighbouring sensitive receptor.

There has been existing residential development encroach into the area, which includes Westgate House, which lies approximately 100 metres to the southeast of the application site. Given the distance of the proposed development from Westgate House, it is unlikely that the proposed development would be impacted by the operations of the building itself. Noise impacts are likely to

be limited to HGV movements along West Gate. However, the previous approvals over the Westgate House site required enhanced sound insulation of the building envelope, which has been discharged (192628CND). Therefore, this existing sound insulation improvements to Westgate House would likely mitigate any noise impacts of HGV movements along West Gate.

Council's Pollution-Technical Officer has also recommended details of noise levels emitted from plant equipment which could adversely affect surrounding sensitive receptors to be submitted as a condition. These details would need to include any mitigation measures as necessary. Subject to the recommended conditions, Council's Pollution-Technical Officer is satisfied that the proposal would not adversely impact the amenity of surrounding sensitive receptors.

Air Quality

The application site is located within an Air Quality Focus Area within the Borough. Whilst the applicant has contended that the proposed development would have a minute impact on local air quality, Council has advised the London Council's Air Quality and Planning Guidance states that all development will have an impact on local air quality and mitigation should therefore be sought through all developments.

Whilst mitigation measures have been implemented within the site, Council routinely requests s106 financial contributions to mitigate the total combined emissions from the scheme, which considers emissions from generators, HGV movements during both the construction and operational phases of the development and emissions from NRMM. As such the Council has requested a financial contribution of £82,580, which is based on £10 per sqm. This is based on the Greenwich Formula (contained within the Low Emissions Strategies Good Practice Guidance from DEFRA) and is used across London. Following extensive discussion with the applicant, this contribution has been agreed.

Contaminated Land

The applicant has submitted a Preliminary Risk Assessment for Contaminated Land, which has concluded that there is the potential of unknown underground tanks that may be present on the site and may be a source of contamination, requiring further investigation. The Risk Assessment has been reviewed by Council's Pollution-Technical Team and as a safeguarding measure, conditions have been recommended requiring a Site Investigation, details of any remediation works and a Verification Report following any remedial works, to be submitted to Council. On the basis of these conditions, the proposal raises no concerns with respect to contaminated land and consequent impacts on public health.

Energy and Sustainability

Council's Energy Consultant is highly supportive of the proposed Energy Strategy which effectively delivers a net-zero carbon development. The proposal has followed the "lean, clean and green" hierarchy, as is required by Policies SI2 and SI3 of the London Plan. At the design phase, the development would achieve net-zero carbon, with 50.83% being achieved through "lean" efficiency measures and 49.3% through "green" renewable ASHPs (Air Source Heat Pumps) and Photovoltaic Panels. The Photovoltaic Panel proposed to the roof alone would have a capacity of 100kWp that would mitigate an estimated 24t/CO₂.

The proposal would therefore constitute a very sustainable development, which is a requirement of the NPPF. In addition to this, Ealing Council has declared a climate emergency with a focus on achieving net zero emissions by 2030. The Energy Consultant has recommended contributions toward monitoring, which is in line with Policy SI2 of the London Plan's "be seen" guidelines. After a period of 3 years, monitoring will demonstrate whether the low carbon energy systems proposed

within the development have delivered net zero. If they have not the developer will be liable for a Carbon Offset contribution to mitigate any demonstrable shortfall (within a margin of error).

As such, the Energy Strategy is wholly supported and in line with the objectives of Ealing’s Climate and Ecological Strategy and Policies S12, SI3 and SI4 of the London Plan.

Landscaping and Ecology

During the course of the application, the landscaping proposals have been amended, which the applicant advises is due to operational, security and BREEAM purposes which have come up through detailed design. Nevertheless, the proposal is still considered to be acceptable and has been reviewed by Council’s Landscape Architect. The Landscape Architect has advised the applicant to consider including informal seating areas within the landscaped areas for employees and visitors to use, with a picnic table and staff amenity space to provided at the front of the property, adjacent to the cycle store.



Figure 5: Landscaping Strategy

It is noted that the site contains a number of trees to be removed in the site, however trees have been retained where possible. There are no TPOs (Tree Protection Orders) over the application site and the existing trees and their locations necessitate removal to allow for any substantial development of the application site.

The frontage of the site includes a number of landscaped areas to soften the appearance of the building, with a large landscaped area retained to the rear. Landscaping and trees are also intermittently arranged around the proposed car parking area.

An Invasive Species Management Plan has been provided by the applicant, which notes that three invasive species were found within the site, which include Japanese Knotweed, Giant Hogweed and Small Leaved Cotoneaster. The report makes a number of recommendations for the control and

eradication of these invasive species, and it has been recommended by conditions that the recommendations of this report be followed. This includes during demolition and construction to prevent further growth and distribution into the local area of these invasive species.

Similarly, a Preliminary Ecological Assessment has been provided, which notes that the existing site has limited ecological value and the existing habitat is of "limited conservation interest". The report includes a number of opportunities for enhancements include the installation of bat, bird and insect boxes, which should be considered by the developer by way of condition. The landscaping plan has taken on the recommendation of retaining existing native trees where possible, as well as the planting of other native trees, which has been reviewed by Council's Landscaping Team.

As such, the landscaping scheme is considered to be acceptable and conditions have been recommended to follow the recommendations of both the Preliminary Ecological Assessment and Invasive Species Management Plan.

Transport and Highways

Policy T6 of the London Plan outlines maximum standards for car parking for development, which is categorised by intended use classes. However, as the London Plan does not include standard maximum car parking rates for industrial developments, with Policy T6.2 stating that for industrial development, provision should be determined on a case-by-case basis but give regard to the standards outlined within Table 10.4. The Table 10.4 states that for Outer London, a maximum rate of 1 space per 100sqm can be used. Based on this, the maximum standard would equate to approximately 81 spaces.

The proposal would provide for 39 spaces, which would not exceed the standards as outlined within Table 10.4. Therefore, the proposal is considered acceptable. It should also be noted that the existing site provides for parking well in excess of this, and as such, the proposal would significantly decrease the amount of off-street parking based on the existing situation. The proposal is also within close proximity to the Hanger Lane Underground Station and a Travel Plan has been recommended by condition, where the applicant will be required to outline measures to encourage more sustainable forms of transportation and reduce reliance on private vehicle transportation.

Policy T5 of the London Plan also requires new development to make provision for adequate cycle parking to also increase opportunity for a modal shift to more sustainable forms of transportation. The most relevant rate for B2/B8 uses within Policy T5 is 1 space per 500sqm for employees and 1 space per 1000sqm for visitors to the site. This would equate to 17 spaces for employees and 9 spaces for visitors. The proposal exceeds this amount with 24 long stay spaces provided within a secure enclosure and 9 short stay spaces for visitors to the site, to be located close to the entrance to the building. The cycling provision is therefore considered to be acceptable.

Policy T6.5 (Table 10.6) states that for disabled parking spaces for workplaces, the provision of disabled parking spaces shall be 5% of the total amount provided. The proposal involves 39 parking spaces, which equates to a requirement of 2 spaces. A total of 3 spaces would be required, which complies with the minimum requirement. Whilst the London Plan outlines no specific requirement for industrial development to provide electric vehicle charging points, the development would provide 6 spaces as electric charging points. This is considered to be adequate for a development of this size.

Given the impact that the proposed development may have on the local road network, Council has requested £115,000 in the form of a s106 financial contribution towards individual projects within the

local area. The contribution is calculated proportionately and does not provide full funding for each of these projects. The applicant has agreed to the requested financial contributions.

Refuse

Waste and recycling storage would be located within the servicing area and if of a size that provides adequate capacity for the industrial use, with room to expand if necessary. As the space has been designed for HGV vehicles, servicing of this refuse storage area raises no issues.

Mayor's Community Infrastructure Levy (CIL)

In accordance with the Community Infrastructure Levy (CIL) regulations, the industrial elements of the development would be liable to pay CIL at £60 per square metre (rate as of 2019 and subject to indexation).

Taking into consideration credits received from the existing use, the total charge for the proposed development would be nil. This is as the floor area of the existing building to be demolished exceeds the floorspace proposed.

However, the final assessment of the CIL liability will be determined by Council's CIL Officer.

Conclusion:

As the above report demonstrates, the proposal represents a highly sustainable scheme, and is of a design that is commensurate with its industrial location and designation. The principle of the development of this site is acceptable as it would fully optimise the site for industrial type activities within an appropriate location. The proposal would provide benefits to the local economy by increasing economic activity and improving employment opportunities within the local area.

Subject to reasonable and relevant conditions, the proposal would not unduly harm neighbouring sensitive receptors, would not compromise highway safety and would improve habitat within the site. Appropriate financial contributions have been secured to mitigate adverse impacts on the highway and improve local transport infrastructure, as well as improve local air quality.

The Officer recommendation for this proposed development is to approve, subject to conditions and s106 agreement.

Human Rights Act:

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

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

Appendix A

Description of the conditions/reasons:

1. Time Limit

The development to which this permission relates shall be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990.

2. Approved Plans

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

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

3. Materials

All external materials to be used in the development shall match those as outlined within the submitted application form and approved drawings/documents.

Reason: To ensure that the materials are sympathetic with the surroundings, in accordance with policies 1.1 & 1.2 of the Ealing Core Strategy (2012), policies 7.4 & 7B of the Ealing Development Management Development Plan Document (2013), policies D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

4. Tannoys and PA systems

No tannoys or public address systems shall be used, except in cases of emergency.

Reason: To ensure that external noise sources are kept to a minimum to protect the amenity of surrounding residential uses in accordance with Policy 7.15 of the London Plan, Policy D13 of the draft London Plan, Policy 7A of the Ealing Development Management DPD and SPG10.

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

Prior to the installation of the relevant plant, details of the external rating noise level emitted from fixed and mobile plant/ machinery/ equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate shall be submitted to the Local Planning Authority for approval in writing. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014 +A1 2019, with all plant/equipment operating together at maximum capacity. Where required, a post installation sound assessment shall be submitted to the Local Planning Authority for approval in writing. The assessment shall be carried out to confirm compliance with the noise criteria and shall include additional steps to mitigate noise as necessary.

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding

premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy 7A of the Ealing Development Management DPD and Policy D14 of the London Plan

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

Prior to use, machinery, plant and 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 vibration noise from mechanical installations/ equipment, in accordance with Policy 7A of the Ealing Development Management DPD and Policy D14 of the London Plan

7. Site and Operations Management Plan

Prior to the commencement of the use, a Site and Operations Management Plan shall be submitted to the Council for approval in writing. Details shall include

- hours of use,
- times and frequency of activities, deliveries and collections, vehicle movements,
- details of a good delivery strategy,
- a clear policy of careful handling, avoiding banging, dropping heavy items, noisy shutters, etc.
- quiet reversing methods,
- absorbent surfaces,
- shielded position of lorry engines starting up and breaking, etc.

The assessment shall be based on standards of the Council's SPG10 and BS8233:2014 for noise sensitive receivers. Quiet Deliveries Good Practice Guidance by the DfT (Department for Transport) and the FTA (Freight Transport Association) shall be observed. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, fumes, etc. in accordance with Policy 7A of the Ealing Development Management DPD and Policies D14 and T7 of the London Plan.

8. Enclosures and Sound Barriers

Prior to commencement of the development of the acoustic barrier, details shall be submitted to the Council for approval in writing, of mitigation provided by enclosures, as necessary, and a sound barrier around the loading bay area, in accordance with criteria and specifications outlined in the Council's SPG10. Approved details shall be implemented prior to occupation /use of the development and thereafter be permanently retained.

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

9. Demolition Method Statement and Construction Management Plan

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

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

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

11. Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within an approved desk study phase 1 report RSP report JER9208) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors updated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

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

12. Remediation Scheme

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

accordance with its terms prior to the commencement of development, other than that required to carry out remediation works.

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

13. 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.

14. Non-Road Mobile Machinery (NRMM)

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

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

15. Air Quality and Dust Management Plan

Before the development is commenced, (including demolition and site clearance) an Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment shall be produced in accordance with current guidance The Control of Dust and Emissions during Construction and Demolition, SPG, GLA, July 2014, for the existing site and the proposed development. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the site.

The plan shall include:

- a) Dust Management Plan for Demolition Phase
- b) Dust Management Plan for Construction Phase

The Air Quality Dust Management Plan shall be implemented on commencement of any works on site and the site shall be managed in accordance with the approved plan for the duration of the construction.

Reason: In the interests of the amenity of adjoining occupiers and to minimise particulate matter associated with construction works in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012, policy 7A of the Ealing Development Management Development Plan (2013) and policy S11 of the London Plan(2021); and National Planning Policy Framework (2021).

16. Deliveries, Servicing, Parking and Cycling Management Plan

Details of a Deliveries, Servicing, Car Parking and Cycle Parking Design and Management Plan illustrating the internal layouts and accessibility, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby approved. The Plan should provide details on how general and blue badge car parking spaces will be allocated. The development shall be operated only in accordance with these approved details permanently thereafter. The details shall also demonstrate how the proposed cycle parking will comply with the London Cycling Design Standards.

Reason: To promote sustainable and equitable patterns of transport, in accordance with Section 9 of the National Planning Policy Framework (2021) and policies T2, T5 and T6 of the London Plan (2021)

17. Travel Plan

Notwithstanding any information submitted, a detailed Travel Plan designed to manage the transport needs of the occupiers of the development, including measures to minimise car usage and promote alternative modes of transport shall be submitted to and approved in writing by the Local Planning Authority. The revised and detailed Travel Plan shall be prepared in accordance with the Transport for London Travel Plan Guidance and Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out strictly in accordance with the approved Travel 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 T2, T3 and T4 of the London Plan (2021); and Ealing's Sustainable Transport for New Development SPG.

18. Invasive Species, Ecology and Habitat

The recommendations and opportunities for enhancement, outlined within both the Invasive Species Management Plan and Preliminary Ecological Assessment shall be implemented in full, where possible, to control and eradicate identified invasive species within the site and improve and enhance local habitat.

Reason: To control and prevent the spread of invasive species identified during demolition, construction and operation of the proposed development and to improve biodiversity and the ecology within the site, in accordance with Policy LV5.10 of the Ealing Development Management DPD and Policies G5,G6 and G7 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, the London Plan (2021), the adopted Ealing Development (Core) Strategy (2012) and the Ealing Development Management Development

Plan Document (2013) and to all relevant material considerations including Supplementary Planning Guidance:

National Planning Policy Framework (2021)

London Plan (2021)

GG2 Making the best use of land
GG3 Creating a healthy city
GG5 Growing a good economy
GG6 Increasing efficiency and resilience
D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D8 Public realm
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
E2 Providing suitable business space
E4 Land for industry, logistics and services to support London's economic function
E5 Strategic Industrial Locations (SIL)
E7 Industrial intensification, co-location and substitution
E11 Skills and opportunities for all
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.2 Office Parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations

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

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)
1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)
5.5 Promoting parks, local green space and addressing deficiency (b) and (c)
6.1 Physical infrastructure
6.2 Social infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Policy 4A: Employment Uses
 Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions
 Ealing local variation to London Plan policy 5.10: Urban greening
 Ealing local variation to London Plan policy 5.11: Green roofs and development site environs
 Ealing local variation to London Plan policy 5.12: Flood risk management
 Ealing local variation to London Plan policy 5.21: Contaminated land
 Ealing local variation to London Plan policy 6.13: Parking
 Policy 7A : Operational amenity
 Ealing local variation to London Plan policy 7.3 : Designing out crime
 Ealing local variation to London Plan policy 7.4 Local character
 Policy 7B : Design amenity
 Policy 7D : Open space

Adopted Supplementary Planning Documents

Sustainable Transport for New Development

Interim Supplementary Planning Guidance/Documents

SPG 3 Air quality
 SPG 4 Refuse and recycling facilities (draft)
 SPG 10 Noise and vibration

In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. Consideration was also given to highways, local ecology, contaminated land and air quality. 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. Permitted hours for building work

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

3. Notification to neighbours of demolition/ building works

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

4. 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.

5. Dark smoke and nuisance

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

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

Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-1 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.

7. Asbestos

Where works involve materials containing asbestos, specialist licensed contractors and carriers should be employed for the safe handling and disposal of asbestos materials to a licensed site, in accordance with Health&Safety Executive guidelines.

8. Site Notices

The developer/applicant is hereby advised to remove all site notices on or near the site that were displayed in pursuant to the application.