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

Report by: Gregory Gray

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

Executive Summary:

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

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

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

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

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

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

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

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

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

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

A. Non-Financial obligations:

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

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

B. Financial Obligations:

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

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

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

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

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

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1. SITE AND SURROUNDINGS

1.1 Site

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



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



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



View south from Argyle Road



Blocks on The Avenue and Gordon Road



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



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

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

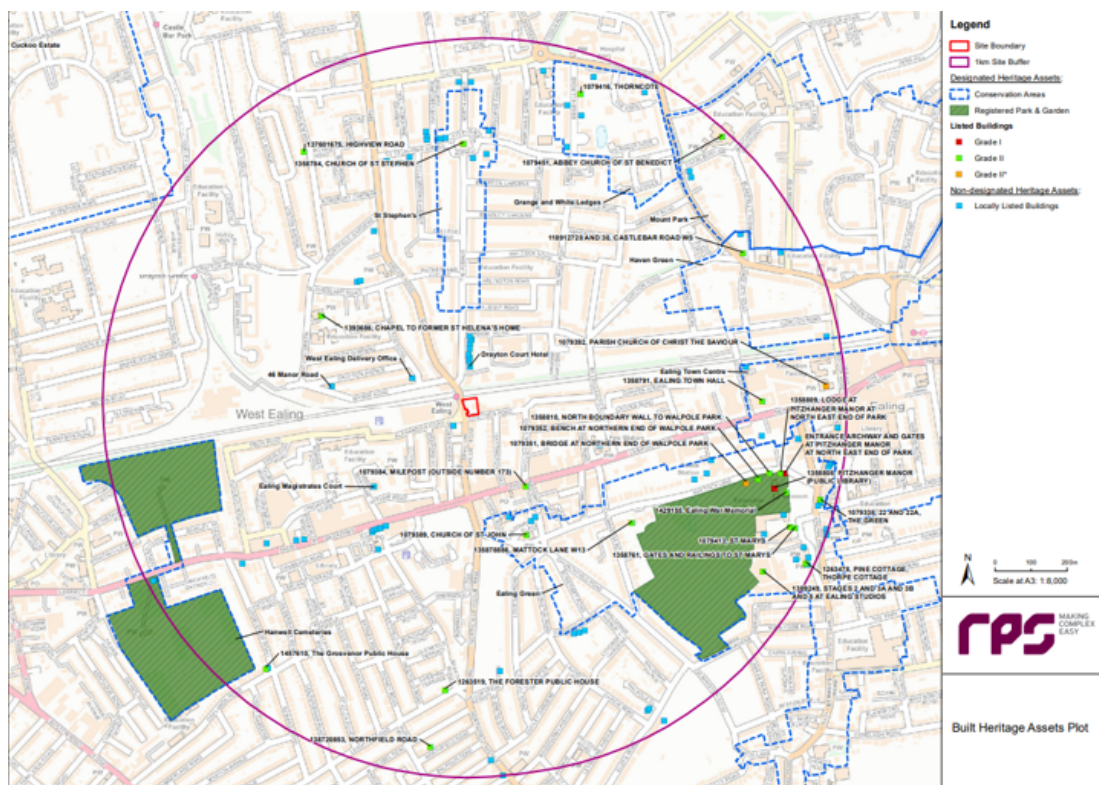


Rear of Majestic store and extract from application of trees to be removed.



2. HERITAGE ASSETS

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



3.ECOLOGY AND BAT SURVEY

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

4.ARCHAEOLOGY

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

5.APPLICATION DESIGN DEVELOPMENT

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

6. PRE APPLICATION CONSULTATION

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

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

6.1 GLA Pre-Application Consultation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6.2 LBE Officers Pre-Application Consultation

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

6.3 Community Review Panel

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

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

6.4 Design Review Panel (DRP)

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

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

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

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

6.5 Community and Stakeholder Engagement

The applicant has undertaken the following consultation events involving:

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

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

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

A second phase of engagement was arranged in June 2023.

Meeting with Ward Members 3rd November 2022.

Meeting with Constituency MP: 24th August 2022.

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

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

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

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

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

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

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

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

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

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

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

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

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

a. Building design

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

b. Environmental concerns

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

c. Local community

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

d. Local services and infrastructure

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

e. Other issues

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

f. Concerns relating to students

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

g. Transport and parking

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

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

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

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

7.APPLICATION PROPOSALS

7.1 Block Design and Layout

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

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

(a)Student Accommodation:

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

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

(b) Commercial space:

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

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

(c) Public Realm:

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

(d) Building Form and Heights:

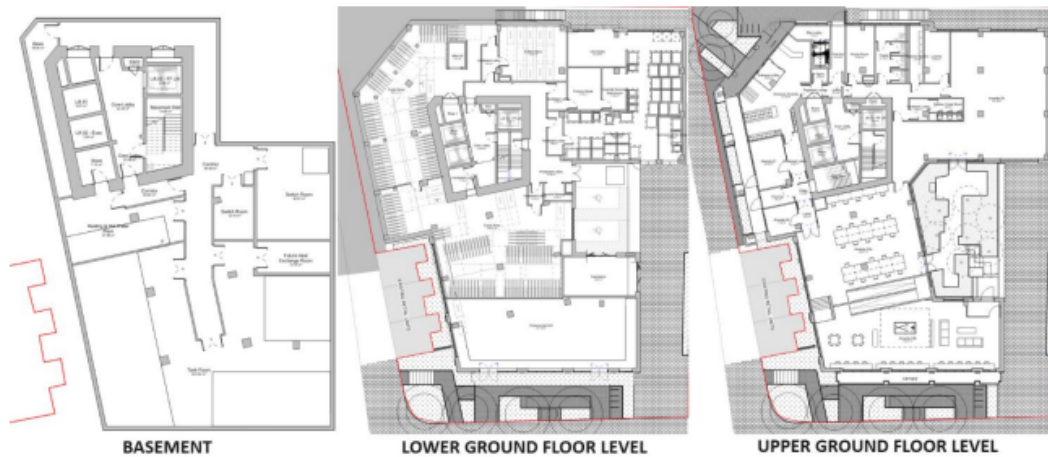
A C-shaped block comprising:

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

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

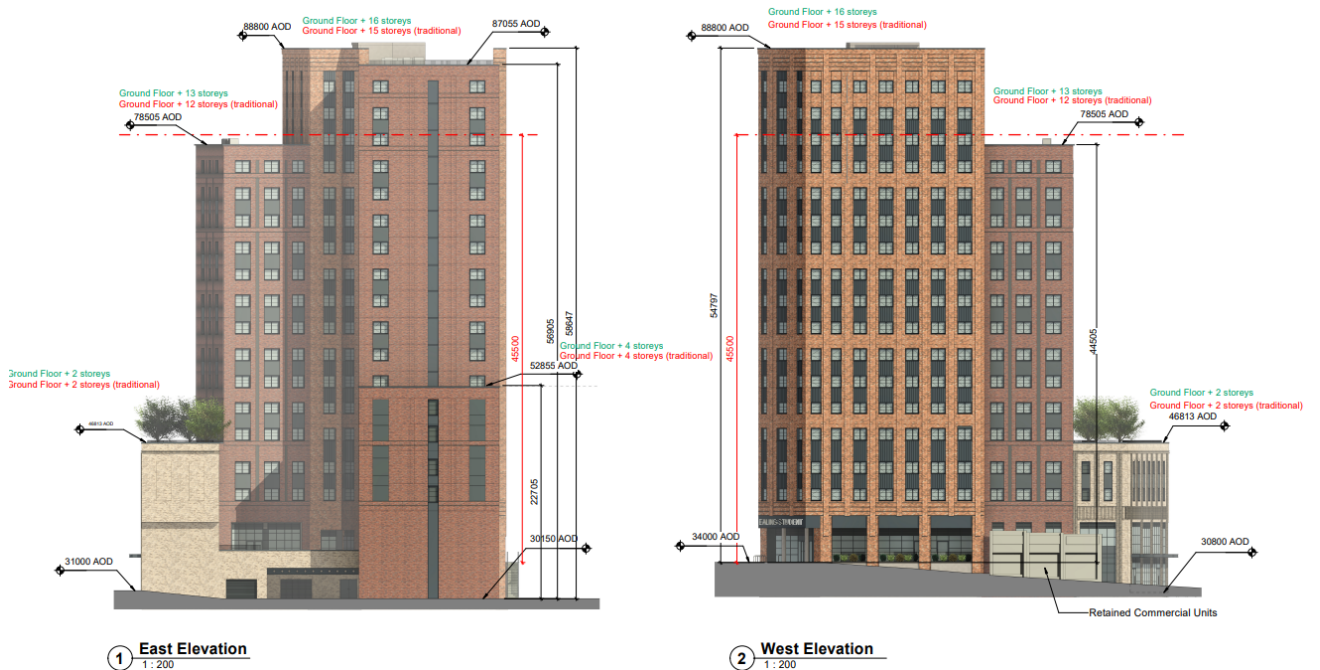


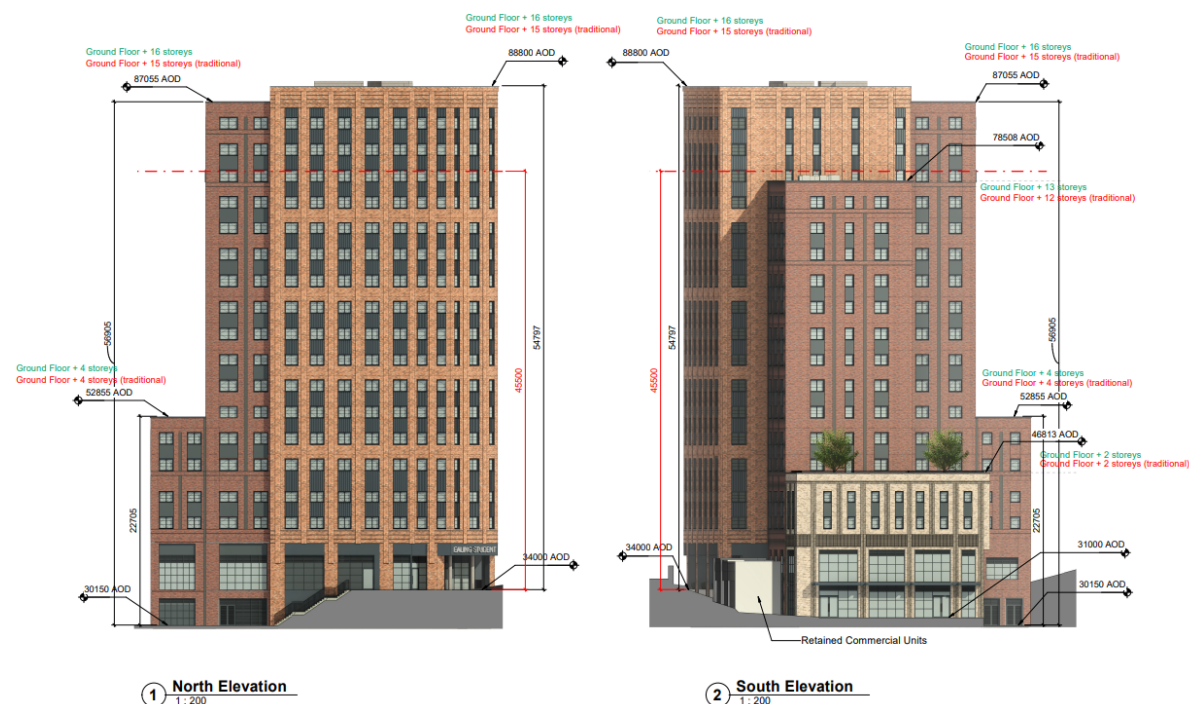
Illustrative landscape site plan (Community use hatched in purple)



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

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





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

(d) Parking:

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

(e) Landscaping:

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

(f) Access:

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

(g) Energy:

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

7.2 Principle of Purpose Built Student Accommodation (PBSA)

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

1. Student Demand Study

The Study concludes:

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

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

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

The Study states:

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

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

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

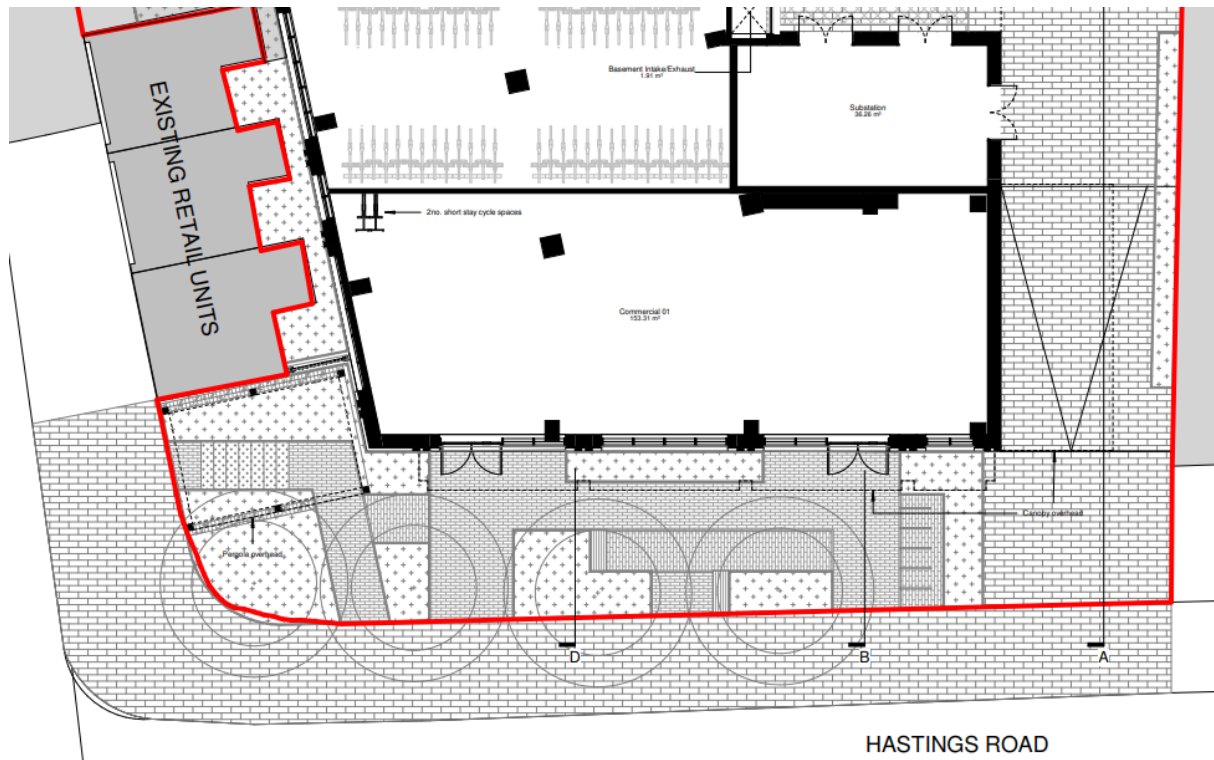
2. Student Management Plan

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

7.3 Commercial Floorspace

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

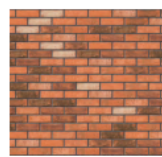
total of 436sqm. In their place, the proposed development would provide a single unit of 157sqm (GIA) of replacement floorspace, in the form of a Use Class E commercial unit.



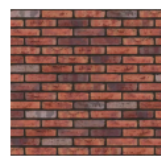
7.4 Appearance and Materiality

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

PRIMARY BRICKS



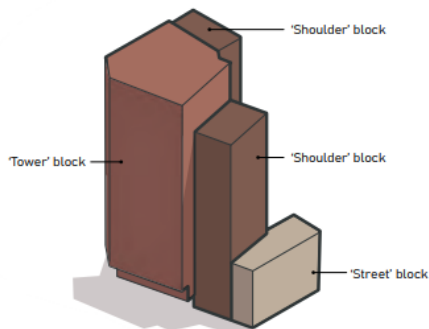
B1 - Red brick
Location: 'Tower' block



B2 - Brown brick
Location: 'Shoulder' block



B3 - Buff brick
Location: 'Street' block



SECONDARY MATERIALS



B4 - Darker buff brick
Location: 'Street' block - projecting stretcher bond detail



B5 - Dark grey brick
Location: 'Tower' block / 'Shoulder' block - projecting stretcher bond detail



C1 - Dark grey colour
Location: Window frames, metal spandrel panels, parapet copings, handrails

7.5 Landscaping

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



7.6 Highways and Parking

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

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



Car Access



Servicing access

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

7.7 Framework Travel Plan

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

'3.2 On site student parking

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

'3.3 Start and End of Term

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

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

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

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

...

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

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

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

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

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

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

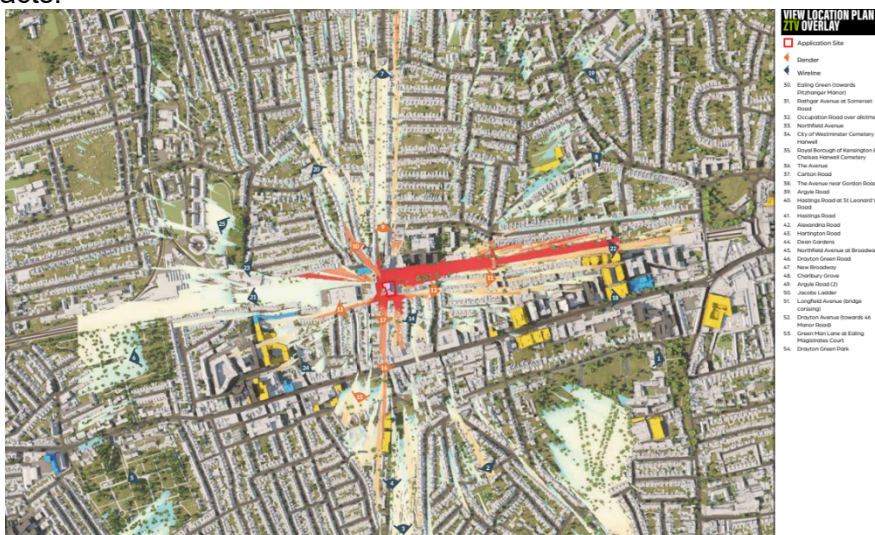
7.8 Construction Management

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

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

7.9 Visual Impacts

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



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

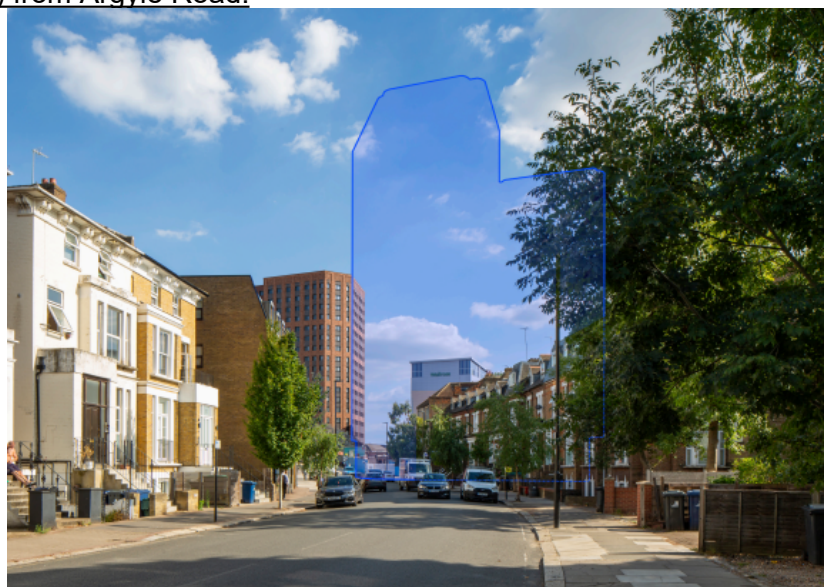
Verified Summer time wireline View 2 of block (in pink) in conjunction with West 55 tower (in blue) from Rathgar Avenue in Ealing Green CA:



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



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



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



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



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



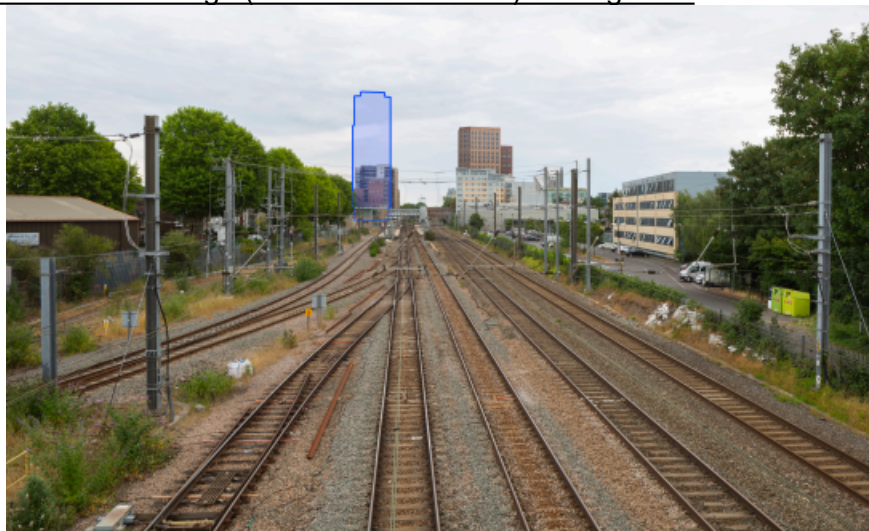
Verified Summer time CGI View 17 of block (rendered in colour) in conjunction with West 55 tower (in blue) from Drayton Green Road looking north:



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



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



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



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

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



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

7.10 Energy and Renewables

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

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

7.11 Whole Lifecycle Carbon

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

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

7.12 Fire Strategy

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

8. APPLICATION NOTIFICATION

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

9. EIA SCOPING

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

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

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

10. PLANNING HISTORY

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

11. REPRESENTATIONS

Including representations received in relation to amended plans.

Ealing Civic Society (ECS)

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

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

Creffield Area Residents Association (CARA)

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

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

Five Roads Forum (5FR)

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

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

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

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

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

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

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

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

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

St Stephens CA Panel

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

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

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

Further response from St Stephens CA Panel to amended plans:

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

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

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

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

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

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

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

Central Ealing Residents' Association (CERA)

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

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

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

Further response from CERA to amended plans

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

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

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

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

Gordon Road and Surrounding Streets Residents Association (GRASS)

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

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

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

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

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

Neighbour Representations

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

Support

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

reduce what could have been a single monolithic design.

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

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

Object or Neutral

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

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

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

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

12. EXTERNAL CONSULTEES

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

‘Strategic issues summary

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

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

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

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

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

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

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

13. INTERNAL CONSULTEES

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

14. REASONED JUSTIFICATION

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

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

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

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

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

14.2 NPPF, 2023

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

...; and

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

On design quality, the Framework states:

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

Para. 130 states:

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

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

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

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

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

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

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

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

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

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

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

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

The NDG also says:

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

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

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

14.3 Housing Land Supply

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

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

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

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

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

14.4 Development Plan Policy

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

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

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

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

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

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

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

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

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

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

H15 (Student Accommodation) requires:

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

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

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

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

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

The site has the following designations or notations:

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

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

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

14.7 Principle of PBSA Development

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

14.8 Affordable Student Accommodation Policy

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

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

14.9 Metropolitan Centre Retail Policy

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

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

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

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

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

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

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

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

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

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

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

15. ASSESSMENT OF APPLICATION MERITS

15.1 Scale and Site Capacity

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

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

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

15.2 Tall Building

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

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

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

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



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

Allocation: Mixed used development appropriate to the town centre.

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

Indicative Delivery Timetable: 2016-2021

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

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

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

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



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

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

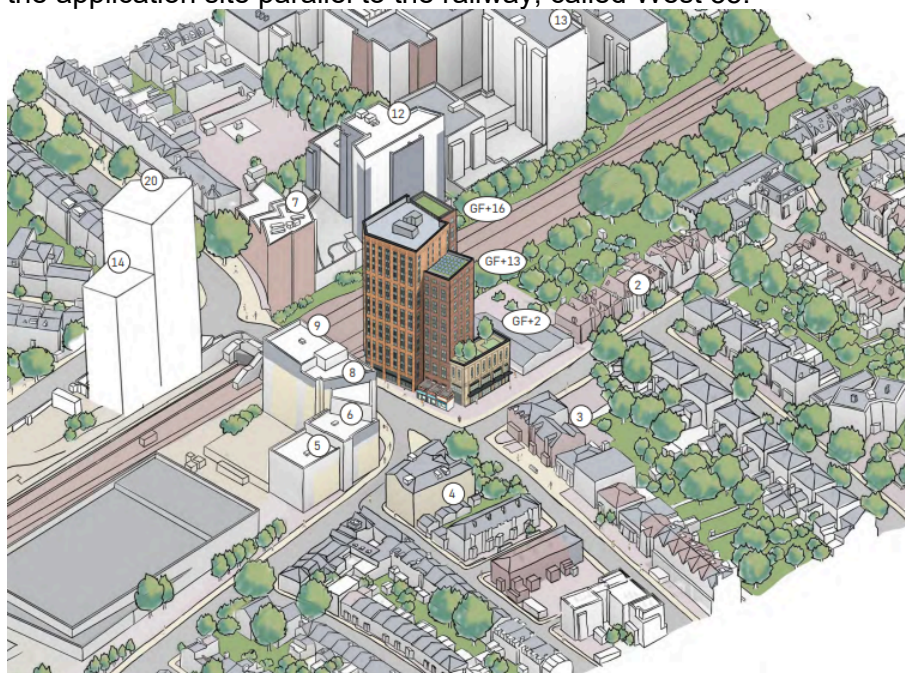
Due to the proximity of the railway line, a convincing case would need to be presented that proposals for residential accommodation would have a satisfactory level of amenity. Any residential use on the site must be designed to adequately shield residents from the noise and vibrations coming from the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

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

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

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

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



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

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

the Local Plan Reg 19

Ealing – 16EA

West Ealing Station Approach

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



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

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

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

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

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

In addition, the 16EA adds the following:

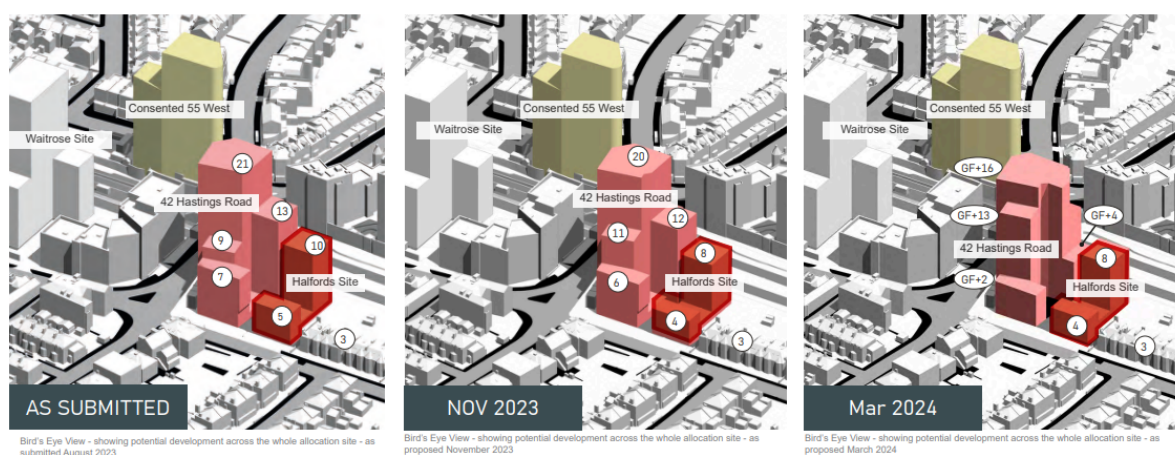
- a. give preference to a comprehensive development of the whole Allocation or demonstrate the remainder can deliver an optimal development,
- b. ensure heights are developed in accordance with the Tall Buildings Strategy, in a range of 4-13 storeys subject to testing in townscape, heritage and visual/residential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

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

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

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

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



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

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

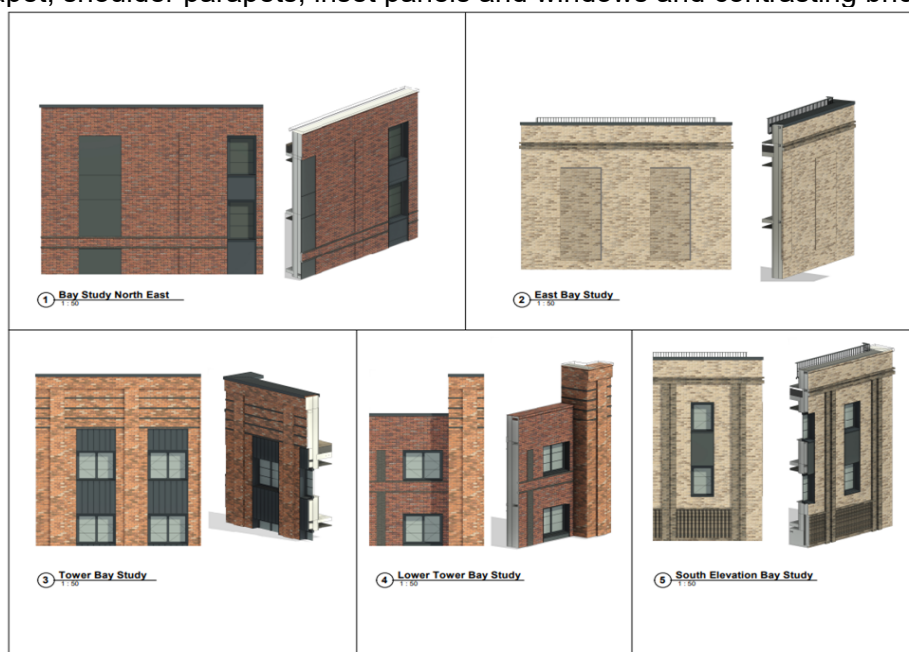
Short to mid-range views from the south, on Drayton Green Road and Hastings Road, as well as from Dean Gardens and Alexandria Road would impinge the skyline but not in a harmful way. In contrast it would appear subordinate in the views and locations north on

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

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

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

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



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

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

15.4.Functional Impacts

The GLA is examining the Fire Strategy for policy compliance.

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

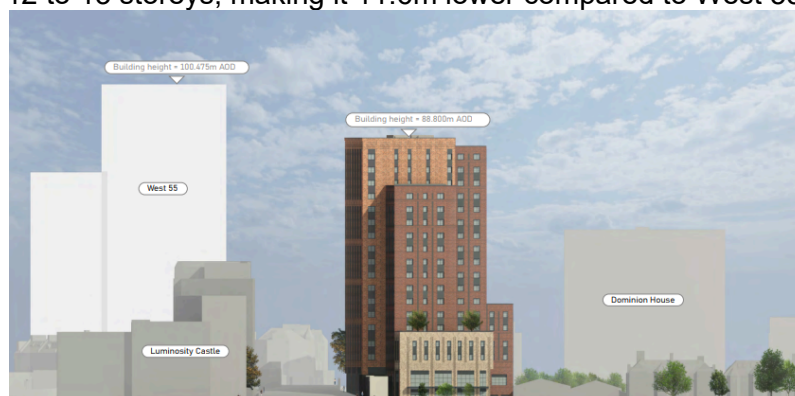
It is not feasible to incorporate public access to the roof of the Block to allow wider views of London as proposed by Policy D9D as it would compromise potentially resident security and amenity and require significant design changes. Further, other than the PBSA podium garden, the roofs are intended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

15.5.Environmental Impacts

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

15.6 Cumulative Effects

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



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

15.7 Heritage Impacts

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

A. Statutory Designated Heritage Assets and Assessment of Harms

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

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

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

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

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

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

a. St Stephens CA

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

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

B. Non statutory (Locally Listed) Heritage Assets

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

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

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

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

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

C. Overall conclusion on impacts on heritage assets

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

15.8 Highways/Transport

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

15.9 Trees and Landscaping

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

15.10 Amenity Space

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

15.11 Ecology

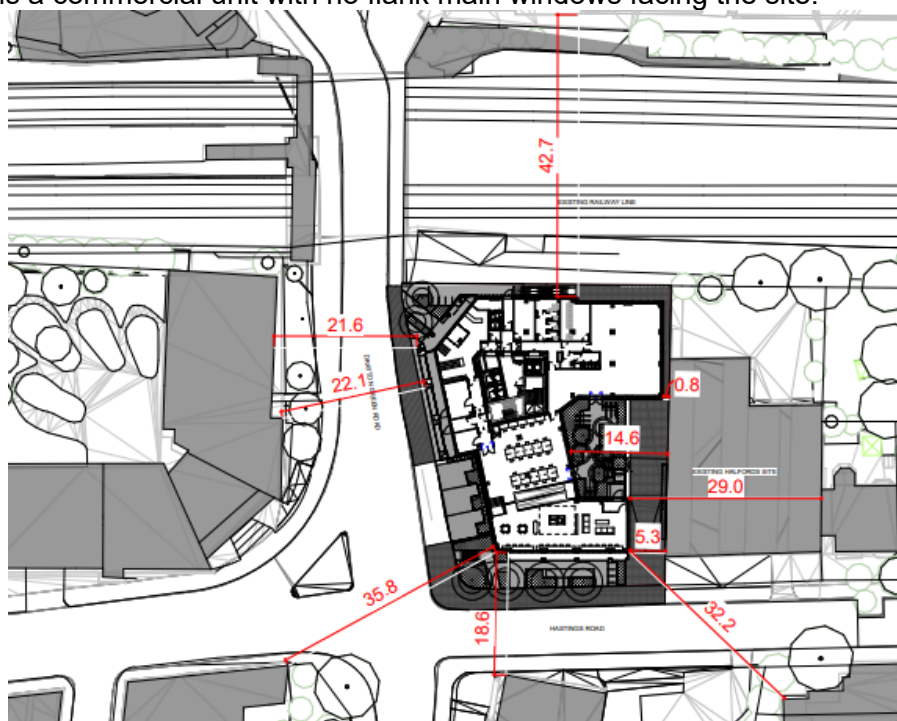
Natural England has not responded to the statutory consultation. A Phase 1 Habitat Survey and Desk Study confirmed that the site is not designated as being of ecological value. A tree, the buildings and other structures have low or negligible potential for roosting bats. The adjacent SINC to the railway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

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

15.12 Privacy and Overlooking

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

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



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

15.13 Sunlight, Daylight and Overshadowing

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

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

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

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

15.14 Environmental Impacts

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

a. Air Quality

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

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

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

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

b. Noise

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

c. Wind and Microclimate

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

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

d. Energy and Sustainability

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

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

e. Environmental Health (Contaminated Land)

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

f. Flood Risk

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

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

15.15 Balance of the EAL11/EA25 Site Allocation

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

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

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

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



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

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

16. HERITAGE ASSETS AND PUBLIC BENEFITS

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

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

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

The applicant states the scheme will deliver the following benefits:

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

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

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

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

17. FIRE SAFETY

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

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

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

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

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

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

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

18. S106 CONTRIBUTIONS

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

19. COMMUNITY INFRASTRUCTURE LEVY

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

20. EQUALITIES ANALYSIS

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

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

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

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

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

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

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

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

21. OVERALL CONCLUSIONS AND RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

22. HUMAN RIGHTS ACT

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

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

23. PUBLIC SECTOR EQUALITY DUTY

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

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

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

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

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

APPENDIX: CONDITIONS AND INFORMATIVES

Conditions

1. Time Compliance.

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

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

2. Approved Plans and Supporting Documents/Reports

List of plans

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

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

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

List of reports/documents

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

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

Reason: For the avoidance of doubt.

3. Quantum of Development

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

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

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

4. Materials

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

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

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

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

5. Solar Glare

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

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

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

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

6. Roof terrace/amenity space screens

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

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

7. Masts and Aerials

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

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

8. Inclusive Access

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

Reason: To comply with the London Plan.

9. Tree Planting

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

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

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

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

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

10. Ecological Mitigation and Management

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

Reason: In the interests of ecological protection and enhancement.

11. Renewable/Low Carbon (and CO₂) Energy

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

thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the renewable energy installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

- c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) The development shall incorporate the overheating mitigation measures detailed in the dynamic Overheating Analysis by Cudd Bentley in March 2024 (v6). Any later stage version shall be compliant with CIBSE guidance Part O (TM59/Guide A) and modelled against the TM49 DSY1 (average summer) weather data files, and the more extreme weather DSY2 (2003) and DYS3 (1976) files for TM59 criteria (a) and (b).
- e) Within three months of the occupation/first-use of the development a two-page summary report prepared by a professionally accredited person comparing the “as built stage” TER to BER/DER figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) and/or the Display Energy Certificate(s) (DEC's) shall be submitted to the Council for approval.

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

12. Post-construction energy equipment monitoring

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

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

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

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

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

- a) Within 8 weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the ‘be seen’ energy performance indicators, as outlined in Chapter 3 ‘Planning stage’ of the GLA ‘Be seen’ energy monitoring guidance document, for the consented development. This should be submitted to the GLA’s monitoring portal in accordance with the ‘Be seen’ energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and within 2 months of the building first being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the ‘be seen’ energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 ‘As-built stage’ of the GLA ‘Be seen’ energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA’s monitoring portal. In consultation with the Council’s chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 ‘In-use stage’ of the GLA ‘Be seen’ energy monitoring guidance document.
- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following 3 years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 ‘In-use stage’ of the GLA ‘Be seen’ energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA’s monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 ‘In-use stage’ of the GLA ‘Be Seen’ energy monitoring guidance document for at least 3 years.

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

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

14. Whole Life-Cycle Carbon Assessment

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

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

15. Circular Economy Statement (CES)

- a) Within 3 months of the first occupation of any part of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted). This should be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.
- b) Specific commitments detailed in the Circular Economy statement produced by Cudd Bentley in March 2004 (v5) or any later approved version, and accompanying Logistic Plans, should be implemented including; diverting 95% of construction waste from landfill, putting 95% of excavation materials to beneficial on-site use, and supporting the London Plan target of diverting 65% of Operational Waste from landfill by 2030.

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

16. Non-Residential BREEAM energy/CO₂ accreditation

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

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

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

17. Sustainable Design and Construction

Prior to occupation the sustainability measures detailed in the final approved Sustainability Statement submitted by Cudd Bentley in March 2024 (v7), and any other relevant supporting documents, shall be implemented and maintained. The measures shall meet the requirements of local and regional planning policies and be in line with the Mayor's Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with the London Plan, Ealing Development Management DPD, Ealing Development (Core) Strategy and Mayor's Sustainable Design and Construction SPG.

18. Digital Connectivity

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

Reason: To comply with London Plan policy.

19. Floodlights, Security lights and Decorative External Lighting

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

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

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

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

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

20. Water Usage

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

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

21. Construction Environment Management Plan (CEMP)

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

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

22. Residential and Commercial Travel Plan

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

1. Residential Travel Plan and
2. Commercial Travel Plan

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

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

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

23. Cycles Parking

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

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

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

24. Disabled Persons Car Parking

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

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

25. Delivery and Servicing Management Plan (DSP)

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

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

26. Refuse Storage

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

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

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

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

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

28. Air Quality and Dust Management Plan (AQDMP)

Prior to commencement of any works onsite, an Air Quality and Dust Management Plan (AQDMP) shall be submitted for the approval of the Local Planning Authority. The AQDMP will be based on the findings of Air Quality (Dust) Risk Assessment provided in the Air Quality Assessment report titled "Construction Dust Risk Assessment: 42 Hastings Road, West Ealing, Reference: APS_P1153A_F1-4" dated 11 March 2024. The AQDMP will provide a scheme for air pollution mitigation measures based on the findings of the Air quality report. The plan shall include a Dust Management Plan for both Demolition and Construction phase.

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

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

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

29. Ventilation

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

The Report shall also include the following information:

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

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

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

30. Music and Amplified Sound

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

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

31. Demolition Method Statement and Construction Management Plan

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

Details shall include control measures for:

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

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

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

32. Cranes

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

Reason: In the interests of aircraft safety.

33. Transport/commercial/industrial/cultural noise sources

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

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

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

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

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

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

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

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

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

36. Separation of bedrooms from communal uses and facilities

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

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

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

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

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

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

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

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

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

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

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

39. Emergency Generator and/or Plant

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

If any diesel generators are proposed, they will be required to demonstrate compliance of minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) as set out in Ealing Air Quality Action Plan 2022-2027. Details of the diesel generator including make, model and emission details shall be submitted to and approved by the Local Planning Authority in writing. The report should contain the results of NOx emissions testing of the diesel fuelled generator units by an accredited laboratory, emissions concentrations expressed at specific reference conditions for temperature, pressure, oxygen and moisture content under normal operating conditions. Where any combustion plant does not meet the relevant standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology. Evidence of installation shall be required where secondary abatement is required to meet the NOx Emission standard 150mg/Nm-3 (at 5% O2). The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation

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

40. Intrusive Land Investigation

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

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

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

41. Contamination Remediation Scheme

Prior to the commencement of any works on site (other than demolition and site clearance) a detailed remediation scheme based on the Jomas report P4473J2576/JWT conceptual site model and recommendations, to bring the site to a condition suitable for the intended use shall be submitted to and subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms accordingly prior to the commencement of development, other than that required to carry out remediation works.

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

42. Remediation Verification Report

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

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

43. Piling Method Statement

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

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

44. Fire Safety

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

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

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

Reason: To comply with London Plan fire safety policy.

45. Lift Installation

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

Reason: In the interests of the amenities of residents.

46. Secured by Design

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

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

Informatives

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

National Planning Policy Framework 2023

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

London Plan, 2021

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

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

London Plan Supplementary Planning Guidance

Affordable Housing and Viability SPG

Housing SPG

Optimising Site Capacity: A design led approach LPG

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

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

Chapter 1 - Vision for Ealing 2026

1.1 Spatial Vision for Ealing

1.2 Delivery of the Vision for Ealing 2026

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

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

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

Development Sites DPD

Site Allocation EAL11

Reg 19 Ealing Local Plan, 2024:

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

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

Supplementary Guidance

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

London Plan Supplementary Planning Guidance

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

Ealing Supplementary Planning Documents/Interim Guidance

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

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

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

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

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

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

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

5 Dark smoke and nuisance

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

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

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

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

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

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

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

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

10. Ground Water discharge:

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

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

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

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

14. Network Rail:

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

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

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

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

Future maintenance

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

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

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

Plant & Materials

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

Drainage

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

Scaffolding

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

Piling

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

Fencing

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

Lighting

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

Noise and Vibration

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

Vehicle Incursion

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

Landscaping

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

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

Existing Rights

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

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

Network Rail's Asset Protection team:

Anglia: AssetProtectionAnglia@Networkrail.co.uk

Kent and Sussex: AssetProtectionLondonSouthEast@NetworkRail.co.uk

Wessex: AssetProtectionWessex@NetworkRail.co.uk

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

15. Secured by Design:
The applicant's attention is drawn to the letter of 10th April 2024 from the Metropolitan Police Design Out Crime Office (Met Reference NW6844) requesting that the development must achieve Secured by Design accreditation.
16. Non-Road Mobile Machinery:
All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.
17. Energy and CO2:
In April 2019 Ealing Council passed a motion declaring a Climate Emergency with a commitment to draw up and implement policies that will achieve a target of net zero emissions by 2030.

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

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

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

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

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

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

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

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

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

20. Thames Water:

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development” The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

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

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

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

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

please contact Thames Water. Email: developer.services@thameswater.co.uk

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

Affinity Water Comments

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

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

Supplementary Comments

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

21. Heathrow Airport

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

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

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

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

CAA Crane Notification

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

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

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

22. Ventilation Condition 29

With regard to details submitted pursuant to Ventilation Condition 29, the applicant's attention is drawn to the following information that shall be submitted in respect of this condition:

- i) Details on minimising intake of road traffic pollutants (including NOx and PM) for habitable rooms within the development. In particular receptors for floor levels 01-04 at Drayton Green Road identified as P1, P2, P46, P47, P48, P49 and P50 in report titled "Air Quality Site Suitability: 42 Hastings Road, West Ealing, Reference: APS_P1153A_I1-4" dated 11 March 2024.
- ii) Details on minimising intake of any sources of local pollution as specified in the Ventilation: Approved Document F, Volume 1: Dwelling.

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