

**Ref :** 212468FUL

**Address:** MANHATTAN BUSINESS PARK, WEST GATE, EALING W5 1UP

**Ward:** HANGER HILL

**Proposal:** Application for demolition of 8 industrial units and 10 flats and construction of a mixed-use development ranging between 7 and 13 storeys above podium level comprising new light industrial floorspace (Use Classes E(g), B8 and Sui Generis uses not detrimental to the amenities of the office and residential uses above), office floorspace(Use Class E(c)), and café floorspace (Use Class E(b)), with 326 flats (Use Class C3) and basement and surface level parking).

**Drawing numbers:** PL001 Rev P1 Existing Site Location Plan, PL002 Rev P1 Existing Site Plan, PL003 Rev P1 Existing Ground Floor Plan, PL004 Rev P1 Existing Ground and First Floor Plan (Unit 9), PL005 Rev P1 Existing Elevations – Unit 9, PL006 Rev P1 Existing Ground and First Floor Plans – Units 1-8, PL007 Rev P1 Existing Elevations – Units 1-8, PL101 Rev P1 Proposed Site Location Plan, PL102 Rev P3 Proposed Site Plan, PL103 Rev P3 Proposed Level OO GA Plan, PL104 Rev P2 Proposed Mezzanine Level GA Plan, PL105 Rev P2 Proposed Upper Ground Level GA Plan, PL106 Rev P1 Proposed Level 01 GA Plan, PL107 Rev P1 Proposed Level 02-07 GA plan, PL108 Rev P1 Proposed Level 08 GA Plan, PL109 Rev P1 Proposed Level 09 GA Plan, PL110 Rev P1 Proposed Level 10 GA Plan, PL111 Rev P1 Proposed Level 11 GA Plan, PL 112 Rev P1 Proposed Level 12-13 GA Plan, PL113 Rev P1 Proposed Roof Plan, PL115 Rev P2 Proposed Basement Level, PL201 Rev P2 Proposed South Elevation, PL202 Rev P2 Proposed North Elevation, PL203 Rev P2 Proposed East Elevation, PL204 Rev P2 Proposed West Elevation, PL206 Rev P2 Block A Proposed West Elevation, PL207 Rev P2 Block B Proposed East Elevation, PL208 Rev P2 Block B Proposed West Elevation, PL209 Rev P2 Block C Proposed East Elevation, PL210 Rev P2 Block C Proposed East Elevation, PL211 Rev P2 Block D Proposed East Elevation, PL212 Rev P2 Block D Proposed West Elevation, PL213 Rev P2 Block E Proposed East Elevation, PL301 Proposed Long Section Rev P1, PL302 Rev P1 Proposed Cross Section, PL120 Rev P1 Proposed Typical 1B Apartment Layouts, PL121 Rev P1 Proposed Typical 2B Apartment Layouts, PL122 Rev P1 Proposed Typical 3B Apartment layouts, PL123 Rev P1 Typical DDA Apartment Layouts, PL220 Rev P2 Proposed South Elevation Bay Study 1, PL221 Rev P1 Proposed South Elevation Bay Study 2, PL222 Rev P1 Proposed East Elevation Bay Study 3, PL223 Rev P1 Proposed North Elevation Bay Study 4, PL224 Rev P1 Proposed Courtyard East Elevation Bay Study 5, PL225 Rev P1 Proposed Courtyard South Elevation Bay Study 6, PL 226 Rev P2 Proposed North Elevation Bay Study 7, PL500 Rev P1 Proposed NIA Areas, PL501 Rev P1 Proposed GIA Areas, PL503 Rev P1 Proposed Existing GIA Areas, LD 101B Ground Floor Landscape

Plan, LD 102A Upper Ground Landscape Plan, LD 103A Level 01 Landscape Plan, LD 104A Level 08 Landscape Plan, LD 105C Level 09 Landscape Plan, LD 106B Level 10 Landscape Plan, LD 107A Composite Landscape Plan, LD 108 Illustrative Masterplan, LD 301A North Elevation Planters, LD 302 Landscape Sections, 9103-SQP-XX-XX-DW-A-SK018 – NIA Apartment and Private Balcony Areas UG-Level 01-FFL, 9103-SQP-XX-XX-DW-A-SK019 – NIA Apartment and Private Balcony Areas Level 02-FFL Level 03-FFL, 9103-SQP-XX-XX-DW-A-SK020 – NIA Apartment and Private Balcony Areas Level 04-FFL – Level 05-FFL, 9103-SQP-XX-XX-DW-A-SK021 – NIA Apartment and Private Balcony Areas Level 06-FFL – Level 07-FFL, 9103-SQP-XX-XX-DW-A-SK022 – NIA Apartment and Private Balcony Areas Level 08-FFL – Level 09-FFL, 9103-SQP-XX-XX-DW-A-SK023 – NIA Apartment and Private Balcony Areas Level 10-FFL – Level 11-FFL, 9103-SQP-XX-XX-DW-A-SK024 – NIA Apartment and Private Balcony Areas Level 12-FFL – Level 13-FFL, NIA Apartment and Private Amenity Areas Schedule by Squire and Partners, Material Revisions Document by Squire and Partners (20 June 2022);

**Supporting Documents:** Planning Statement by Maven Plan (March 2021), Revised Design Statement by Squire & Partners Architects Rev A (October 2021), Residential Quality Document by Squire & Partners Architects (October 2021), Affordable Housing Statement by Squire & Partners (November 2021), Westgate Triangle Intensification Study and Masterplan Rev A by Squire & Partners (October 2021), Landscape Design Statement by GL Hearn, (December 2020), Economic and Industrial Land Assessment by Icen Projects (March 2021), Viability Appraisal by Knight Frank (March 2021) and Addendum Letter dated 15 June 2022, Agent of Change Assessment by Idom (March 2021), Revised Townscape and Visual Impact Assessment by Waterman (November 2021), Built Heritage Statement by RPS (November 2020), Daylight and Sunlight Report by EB7 (March 2021), Transport Assessment by Paul Mews Associates (January 2021) and Technical Note by Paul Mews Associates dated 14 June 2021, Framework Travel Plan by Paul Mews Associates (December 2020), Outline Construction Logistics Plan by Paul Mews Associates (December 2020); Delivery and Servicing Plan by Paul Mews Associates (December 2020), Energy and Sustainability Statement by Buro Happold (December 2020), Circular Economy Statement by Buro Happold (July 2021), Arboricultural Report and Impact Assessment by Crown Trees (December 2020), Drainage Strategy by CSP London (November 2020), Noise and Vibration Assessment by Waterman (March 2021), Noise and Vibration Addendum by Waterman (September 2021), Air Quality Assessment by Waterman (February 2021), Air Quality Addendum by Waterman (July 2021), Odour Risk Statement by GL Hearn (February 2021), Pedestrian Level Wind Desk-Based Assessment by RWDI (November 2021), Preliminary (Contaminated Land) Risk Assessment by Waterman (December 2020), Structural Report by CSP London (December 2020), Outline Construction Method Statement by Gardiner Theobald (October 2021), Fire Strategy

**Statement by Elementa Consulting (June 2022), Statement of Community Involvement by Thorncliffe (December 2020), Biodiversity Net Gain Assessment by Middlemarch Environmental (October 2021), Biodiversity Mitigation and Enhancement Plan by Middlemarch Environmental (October 2021), Dusk Emergence Bat Survey by Middlemarch Environmental (October 2021), Preliminary Bat Roost Assessment by Middlemarch Environmental (July 2021), Preliminary Ecological Appraisal by Middlemarch Environmental (July 2021), Odour Modelling Assessment by Temple (July 2021).**

**Type of Application: Major**

**Application Received: 09/03/2021**

**Revised: 18/10/2021**

---

**Report by: John Robertson**

**Recommendation: Grant with conditions subject to Stage II referral to the Mayor of London, completion of S106, S278 and S38 agreements and conditions of consent. This permission would also be subject to a Community Infrastructure Levy payment to the Greater London Authority (GLA).**

**Executive Summary:**

This application seeks permission for a mix of industrial, office and residential redevelopment on an existing industrial site within the Westgate Triangle, which forms part of a Strategic Industrial Location (SIL). The site lies on the north side of the A40 just west of the Hanger Lane Gyratory. The Central Line railway adjoins the southern boundary and part of the HS2 rail line runs below the site.

The Westgate Triangle contains four large office blocks, trade counter / retail and self storage units, some smaller industrial units and a single large industrial unit fronted by offices. Traditionally, this area was an office location benefitting from the A40 and underground links into central London and had a limited industrial role. However, several office blocks have permission for conversion to flats and the current floorspace mix in the area is 41% offices, 33% residential, 10% retail, 8% industrial, 3% storage and 3% hotel.



**Site Plan**

The proposal would demolish 8 industrial units and 10 flats on the site and redevelop it to provide a mixed-use development of 5 residential blocks of 7 to 11 storeys, with linking blocks between them, above a 2 storey podium containing industrial (ground floor) and office space (first floor). This would provide:

- 326 flats including 112 affordable units;
- 4,097 sq m of light industrial floorspace, a 772 sq m increase on current provision;
- 2,539 sq m of office space;
- 854 sq m of shared residential amenity floorspace including a gym and cinema;
- 153 sq m of cafe space at the entrance of the development;
- 4,579 sq m of residential amenity space in the form of balconies, communal roof terraces and podium garden areas on the roof of all blocks;
- 92 car parking spaces at basement and surface level.

On the northern edge of the site, a new, landscaped pedestrian street would provide a landscaped green link to the public open space and River Brent to the west, and the Hanger Lane public transport to the east. A new service vehicle route on the south side of the development will provide access to basement level residential and office parking, and ground level industrial parking and service areas.

Residential development within a Strategic Industrial Location such as this needs to be part of a plan-led process of industrial intensification or part of a co-ordinated masterplanning process. The applicant has

developed the Westgate Triangle Intensification Study and Masterplan document for the Westgate Triangle area in consultation with the GLA, Ealing Council and the adjoining landowners. This identifies those parts of the Triangle where industrial intensification and/or co-location could occur to increase industrial land and floor space capacity. The applicant also argues that these material planning considerations justify mixed-use development on this site:

- the character of this SIL is unlike any other in Ealing since it is mostly occupied by offices, residential and retail trade uses with very little industrial use, which forms only 8% of total floorspace;
- the south-eastern part of this SIL is already undergoing substantial change with the conversion of Westgate House from office to residential, with a new affordable housing block to the side and the residential conversion of Kantar House, with 600 residential units, further reinforcing the mixed-use character of this SIL with its limited industrial uses;
- the technical reports accompanying the application demonstrate that the proposed residential use could co-exist with the existing uses and likely future uses on adjoining sites based on agent of change principles;
- providing housing on the site would not prejudice future development potential of other sites in the SIL given that some are already in residential use, adjoin such uses or already in uses compatible with residential use and unlikely to be redeveloped for any incompatible uses;
- the application site lies on the southern edge of the SIL against the railway line and A40 and the new HS2 ventilation shaft and Ealing open space to the west and so only borders the rest of the SIL on two sides with adjoining properties in office use or retail trade use, which are compatible with mixed-use development;
- adjoining sites are likely to remain in their current use or be redeveloped for light industrial, retail trade or other mixed uses rather than heavy industrial uses that would be incompatible with the residential uses nearby or the mixed-use development proposed on the application site; the current application for new industrial space on the adjoining Westworld site confirms this;
- the proposal would result in a 23% increase (772 sq m) of industrial floorspace on the site, intensifying the industrial use and delivering modern, high quality and more flexible office space to replace some of the older and less flexible space already lost within the wider Westgate triangle as a result of conversions from offices to residential;
- the Masterplan indicates that redevelopment of the application site and the adjacent West World site could together provide 7,772 sq m of additional industrial floorspace, a 220% gain;
- the proposal would not set an undesirable precedent for mixed-use redevelopment on other SIL sites given the very site-specific circumstances that relate to this site.

The proposed development of up to 13 storeys including the podium level can be considered as tall buildings and the site is not identified in the Ealing Development Plan as appropriate for tall buildings. However, the scheme has been assessed against London Plan Policy D9 design criteria and those of the new Ealing Design Guidance and would accord with most of the relevant design criteria.

A viability appraisal accompanies the application and indicates that, due to exceptional construction costs from building over the HS2 railway tunnels, the scheme can only deliver 36% affordable housing

by habitable rooms, equivalent to 112 units. This would comprise 34% London Affordable Rent and 66% Shared Ownership units. While this amount does not accord with the London Plan and the tenure mix does not accord with the Council’s preferred tenure mix, it is considered acceptable given the verified viability constraints of the site.



South Elevation Illustrative View

**View from A40**

Some 71% of the flats would be dual aspect, including all of the 3 bedroom units, and none of the single aspect units would be north facing. Within the constraints of this urban location, all the flats are considered to have acceptable levels of daylight. Subject to further measures required by planning conditions, the proposed residential units would provide adequate environmental conditions and adequate living conditions in terms of floor space, layout and visual outlook.

Within the development itself, there would be a separation distance of 15 -16m between windows in facing blocks, which would be adequate to prevent overlooking. Some facing projecting balconies in different blocks would be separated by only 13m but most of these balconies would be set at an angle to each other, reducing the perception of overlooking.

All proposed flats would have private amenity space to meet London Plan standards in the form of balconies or gardens. Communal amenity areas would be provided in the form of roof terraces at 8th, 9th and 10th floor levels with additional roof terraces above linking elements between blocks. Courtyard Gardens are also proposed on the upper ground and first floor podium with seating areas, grass lawns, informal play areas and private garden terraces. A new pedestrian footpath along the northern side of the site would be landscaped with planters, trees and benches. There would be modest shortfall of residential amenity space on the site but this would be offset by a S106 contribution to develop a nature park adjacent to the western boundary of the site.

In terms of impacts on residential amenity, the nearest dwellings are over 50m away to the south. Several objections have been received from residential occupiers on the grounds of overlooking of gardens but these are from dwellings at least 50-60m from the site and separated from it by the A40 and the railway line. Given nearby commercial or industrial uses and the separation distances involved, no unacceptable overlooking or overbearing effects or noticeable reductions in daylight or sunlight on nearby dwellings or other occupiers should arise.

The proposed development would provide high standards in terms of sustainable design and construction including energy and water efficiency measures, an Air Source Heat Pump system and rooftop photovoltaic (PV) panels to provide zero-carbon electricity. Potential impacts with regard to air quality, noise and land contamination can be adequately dealt with by the conditions proposed.

Transport Services consider the development would increase vehicular, pedestrian and cycling trips on the Hanger Lane Gyratory system. However, various measures and financial contributions would adequately mitigate these impacts including improvements to bus services and pedestrian and cycle infrastructure, accident remedial measures around the Hanger Lane Gyratory, footway improvements, Hanger Lane underpass improvements, an accident remedial scheme on Ealing Road, traffic calming measures on adjacent residential roads, a cycle quiet way between Hanger Lane Gyratory and Ealing Broadway and a review of nearby CPZs. A restriction on resident parking permits would also apply.

The proposal would generate some 285 local jobs, an increase of 237 on the current situation. It would also improve the quality of industrial space on the site and provide high quality, flexible office units that could help diversify job opportunities in the area.

Overall, the scheme will provide a number of planning and regeneration benefits including a significant increase in the housing stock, 112 affordable units, a large increase in modern employment space, and in the order of £4.45 million in S106 and CIL contributions towards infrastructure and open space improvements in the area.

On balance, it is considered that the proposed development is consistent with the aims of the relevant policies of the adopted the Ealing Core Strategy (2012), The London Plan (2021), Relevant Supplementary Planning Guidance, the National Planning Policy Framework (2021), the Ealing Development Management Development Plan Document (2013), the Development Sites DPD (2013) and the Southall Opportunity Planning Framework (2014). As such, it is recommended for conditional approval subject to S106, S38 and S278 legal agreements.

**Recommendation:**

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

**Heads of Terms**

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

<b>Contribution Heading</b>	<b>Proposed Contributions</b>
Education infrastructure	£631,758
Healthcare provision	£566,569
Offsite amenity space	£35,840

Off-site provision of children’s playspace	£105,141
Cycle infrastructure improvements	£110,000
Footway Improvements	£ 15,000
CPZ Review	£ 15,000
Bus stop improvements	£ 20,000
Hanger Lane underpass improvements	£30,000
Accident remedial scheme to Ealing Road	£18,750
Accident remedial scheme nearby residential roads	£37,100
Provision of food growing space/allotments	£29,342
Sports provision in local area	£318,000
Air quality monitoring	£83,000
Travel Plan Monitoring	£ 6,000
Replacement tree planting	£ 60,000
Renewable & Low Carbon Energy Monitoring	£17,545
Carbon offsetting contribution	£544,350
Apprentice and Placement Scheme	£ 37,500
<b>Total Contributions</b>	<b>£2,680,895</b>

- Affordable Housing provision of 36% of habitable rooms to comprise 36 affordable social rented (London Affordable Rent) and 76 shared ownership units;
- An early stage review and a late stage review of affordable housing provision;
- Participation in an Apprentice and Placement Scheme. The Apprentice and Placement Scheme shall provide opportunities across the development, including the construction, design and post construction management of the development. Details of the Apprentice and Placement Scheme including the number of placements details shall be agreed with the Council;
- Restriction of Parking Permits - all the units shall be precluded from obtaining a parking permit and visitor parking vouchers to park within the surrounding Controlled Parking Zones and future CPZs in the area;
- The Developer Covenants that where prior to Occupation of Development the assessment carried out as required by the Energy Assessment Condition shows that the Carbon Dioxide Emission Target cannot be met on site there shall be no Occupation of Development unless and until such time as the Carbon Dioxide Off Setting Sum of £544,350 has been paid to the Council.
- The Developer also Covenants to pay an additional ‘Additional Carbon Offset Contribution’ to mitigate any shortfall in the carbon reduction achieved by the proposed “Clean/Green” heat pump and PV equipment.
- the development hereby approved shall not be commenced before completion of the industrial development approved on the adjoining West World site (Ref: 216832FUL).
- Provision of free 2 year car club membership to all residents of the development;



- Implementation of the Travel Plan;
- All contributions to be index linked;
- Payment of the Council's reasonable Legal and other professional costs in preparing and completing the agreement.

**AND**

- the satisfactory completion of S38 and S278 agreements for highway works outside the application site including to the footway on West Gate outside the development being constructed to Council adoption standards and works to a traffic island outside the site entrance.

**AND**

That the grant of planning permission be subject to the conditions listed in Appendix 1.

**Site Description:**

The application site comprises 0.78 ha and lies on the southern edge of the 'Westgate Triangle', a designated Strategic Industrial Location (SIL) to the west of Hanger Lane Underground Station and immediately north of the A40 Western Avenue.

The site is bounded to the south by a railway line and the A40, to the east by West Gate, and to the north by large office buildings occupied by River Island and West World, and by a private car park. To the west is an area of overgrown public open space adjacent to the River Brent owned by Ealing Council. Part of the HS2 rail line runs below the site.

The site currently contains 8 industrial units on its western part with a former office building in the eastern part that has been converted into 10 flats under permitted development rights. The industrial units have a mix of B1, B8 and Sui Generis occupiers. There are currently 27 parking spaces on the site.

The site has no designation in the Local Development Plan other than being part of a Strategic Industrial Location (SIL) and within an area of park deficiency. A Site of Importance to Nature Conservation (SINC) runs along the railway line some 100m south of the site. To the west of the site adjacent to the River Brent is an area of Public Open Space and a Site of Importance for Nature Conservation (SINC).



**Site Location within Westgate Triangle**

It is not within a Conservation Area or Archaeological Priority Area and neither contains or adjoins any listed buildings. However, parts of the site can be seen from the Brentham Garden Estate, Brunswick and Hanger Hill (Haymills) Estate Conservation Areas on the opposite side of the A40 to the south. It is also not within an area with a high risk of flooding.

The Public Transport Accessibility Level for the site is a moderate 3, and it lies within 650m of Hanger Lane Underground Station (Central Line) and near various bus routes through the Hanger Lane Gyratory system. The site is not within a Controlled Parking Zone (CPZ) but several CPZs lie nearby.

Vehicle access to the site is via a private road which enters off West Gate to the east and runs along the northern boundary before terminating at a turning head to the west. This road is subject to rights of way which allow access into the private car park and the open space to the west. The private road, turning head, private car park and some of the Ealing open space land are to be acquired by HS2 under compulsory purchase powers by June 2021. This land is to provide a ventilation shaft, access and storage areas for the construction of the HS2 railway line, which is due to run beneath the site.

The HS2 ventilation shaft is due to be constructed between 2021-25 after which the temporary use of the Ealing land for outdoor parking, storage and welfare facilities will cease and be returned to landscaping. Access will however still be required to the ventilation shaft for maintenance purposes, so the applicant is in discussions with HS2 to relocate the access road to the southern part of the application site and then north along its western boundary to maintain access to the HS2 ventilation shaft site both during and after implementation of the development proposed by this application.

Although the wider Westgate Triangle is designated as SIL, it mainly contains office, retail trade and residential uses, the latter by permitted development conversions from offices. The Westgate Triangle area contains several tall buildings including the adjacent 10 storey West World office block. Further east beside the Hanger Lane Gyratory is the former 10 storey West Gate office block which is being converted to flats and extended with an 8 storey affordable housing block beside the railway line. To

the north of this is the 5 storey AGB (Kantar) House office block that has consent for conversion to residential use. Within the Hanger Lane Gyratory, there is planning permission for a part 7, part 9 and part 13-storey building comprising ground floor commercial uses with 650 student apartments above.

In terms of local facilities, the open space and nature reserve adjacent to the River Brent is 100m to the west. There are several convenience shops around Hanger Lane Underground Station while to the north along the A4005 is the Fox and Goose Public House and a McDonalds restaurant.

### **The Proposal**

This application seeks to demolish the 8 industrial units and 10 flats on the site and redevelop it to provide a mixed-use development of between 7 and 13 storeys above a podium level. This would involve:

- car parking, refuse and cycle storage and plant on the basement level;
- modern light industrial units on the ground level;
- high quality, flexible office space on the first floor;
- residential units on the second to twelfth floors.

Key elements of the scheme include:

- 5 residential blocks of 9 to 13 storeys, with linking blocks between them, set above a 2 storey podium containing industrial and office space;
- 4,097 sq m of light industrial floorspace, a 772 sq m increase on current provision;
- 2,539 sq m of office space;
- 854 sq m of shared residential amenity space including a gym and cinema;
- 153 sq m of cafe space at the entrance of the development;
- 326 flats including 112 affordable units;
- 92 car parking spaces at basement and surface level.

On the northern edge of the site, a new, landscaped pedestrian street is proposed to provide a green link to the Public Open space and River Brent to the west, and Hanger Lane public transport to the east.

The existing access road would be relocated to the southern side of the site beside the railway line and with access from the south-east corner. This new road would accommodate industrial traffic and service vehicles for the proposed development as well as the adjoining HS2 site.

### **Relevant Planning History**

While there have been various planning applications associated with the industrial and office uses on the site, most of these are not considered relevant to the proposed mixed industrial, office and residential development. However, conversion to residential use of the office building in the eastern part of the site (Unit 9) was allowed under prior approval in 2014 (Ref: PAN/2014/2624).

In addition, in 2016, an appeal was dismissed following a refusal for adding three floors above Unit 9 to create 15 flats. This appeal was refused on the grounds of potential noise and disturbance from the neighbouring land uses, the impact of introducing residential uses on the on-going viability of the wider SIL, and lack of affordable housing contribution. This refusal was before West Gate House and AGB House were permitted to convert to residential and add 66 more flats above and to the side.

It is also important to note that there is a current application on the West World site adjoining to the north-east for demolition of the existing office building and erection of industrial/warehouse unit with ancillary office space and associated parking and landscaping (Ref: 216832FUL). This would increase the quantum of industrial floorspace within this part of the Westgate Triangle SIL.

**Environmental Impact Assessment**

Following a request by the applicant, on 4 January 2021 the Council issued an EIA Screening Opinion to confirm that the proposed development was not one requiring an Environmental Impact Assessment. This reflected that the site comprises previously developed land and is not located within any sensitive environmental or conservation area and does not contain or adjoin any listed buildings. The site size was below the EIA criteria of 5 ha, and the development proposed much less than 10,000 sq m of new commercial floorspace or 1,000 new dwellings. It also did not appear likely to result in significant cumulative impacts with other developments nearby and its potential impacts could be adequately assessed by appropriate technical reports submitted with a planning application.

**Consultation:**

**Public Consultation – Summary**

<p>Neighbour Notification</p>	<p>Departure Site notices were posted with a consultation period 31/03/2021 – 12/05/2021. A total of 230 objections were received from individual residents along with 9 representations supporting the proposal. The main objection points raised were:</p> <ul style="list-style-type: none"> <li>• industrial site not suitable for residential use and does not comply with the London Plan;</li> <li>• overdevelopment in area with high pollution levels;</li> <li>• inadequate infrastructure, shops and amenity space on the site;</li> <li>• insufficient outdoor amenity space;</li> <li>• poor access to local schools which are already oversubscribed;</li> <li>• excessive building heights in a highly populated area;</li> <li>• there are better ways to create high-density residential housing;</li> <li>• will tower over adjoining low rise Perivale, Pitshanger, and Brunswick areas;</li> <li>• inadequate parking provision leading to local traffic congestion;</li> <li>• will increase traffic on already congested Hanger Lane gyratory;</li> <li>• cycle provision will not be used as area dangerous for cyclists;</li> <li>• adverse visual impact on long views and on nearby conservation areas;</li> <li>• will worsen overcrowding on nearby underground station;</li> <li>• environmentally unfriendly, not carbon neutral, overdevelopment increasing pollution;</li> <li>• noise and pollution to the flats will be excessive;</li> <li>• safety concerns for future users walking to and from the site;</li> <li>• will substantially overlook rear gardens, reducing privacy;</li> <li>• lack of adequate pre-consultation with residents;</li> <li>• poor quality of life for proposed flat residents due to noise and air pollution;</li> <li>• would dramatically alter the skyline of this whole area;</li> <li>• will alter the skyline and damage views from Hanger Hill;</li> </ul>
-------------------------------	--

	<ul style="list-style-type: none"> <li>• will block views of Horsenden and Harrow-on-the Hill from Brunswick Road;</li> <li>• would block open views from Brunswick Conservation Area particularly those looking down Clarendon Road.</li> </ul>
External Consultation	
Hanger Hill Councillors	No response during consultation period. Cllr Zissimos has indicated she will submit a representation prior to the committee date.
Ealing Civic Society	<p>Objects for these reasons:</p> <ul style="list-style-type: none"> <li>• planned height of tallest building would exceed neighbouring Westworld/River Island sites;</li> <li>• potential impact of development on views from the nearby conservation areas (particularly Brunswick);</li> <li>• need to balance potential harm from the planned development on the conservation areas against its likely overall benefits.</li> </ul>
Hanger Hill Conservation Area	No response.
Brentham Society	Objects as application provides insufficient information to assess impact on the Brentham conservation area.
Brunswick Conservation Area Advisory Panel	<p>Objects on basis of:</p> <ul style="list-style-type: none"> <li>• lack of consultation at the pre-planning stage;</li> <li>• adverse impacts on conservation area;</li> <li>• majority of flats will not be family homes contrary to London Plan;</li> <li>• little amenity recreational space provided within site, except at height;</li> <li>• materials and architecture do not relate to heritage areas to the south;</li> <li>• development far too high and bulky and has no architectural reference to the interwar houses of the Brunswick conservation area.</li> </ul>
HS2	A technical assessment is being undertaken and initial findings identify a number of issues between the proposed development and HS2 assets noise and vibration effects, ground borne sound and vibration, rail systems/operations and maintenance, security, design, logistics, health and safety, utilities, fire strategy, amendment to Schedule 17 approval and access rights. HS2 is working with the applicant to address areas of concern but if the local planning authority is minded to approve the application in its current form, contrary to the advice of HS2 Ltd, then the application should inform the Department for Transport, which may issue a Direction restricting grant of permission.
Historic England Archaeology	No objection or request for conditions.
Hanwell and Canals Conservation AAP	No response

<p>Birkdale Area Residents Association</p>	<p>Objects on grounds of:</p> <ul style="list-style-type: none"> <li>• lack of adequate consultation on the proposals;</li> <li>• too high buildings out of character with surrounding area;</li> <li>• strain on community resources e.g. schools and healthcare;</li> <li>• poor noise conditions and air quality for flat residents;</li> <li>• insufficient parking and strain on traffic on Hanger Lane roundabout;</li> <li>• inadequate affordable housing;</li> <li>• too many non-family size dwellings;</li> <li>• adverse impacts on adjoining conservation areas;</li> <li>• inadequate amenity space and recreation provision.</li> </ul>
<p>Highways England</p>	<p>No response</p>
<p>Environment Agency</p>	<p>No comment.</p>
<p>Thames Water Utilities</p>	<ul style="list-style-type: none"> <li>• no objection on surface water drainage;</li> <li>• requires condition on foul water drainage;</li> <li>• existing water network infrastructure inadequate for needs of this development and require condition requiring no occupation before necessary water network upgrades are completed;</li> <li>• requires condition to prevent construction within 5m of the water main</li> <li>• requires condition to prevent any piling until a piling method statement has been approved</li> <li>• no construction permitted within 3m of water mains</li> <li>• requires various informatives to be applied</li> </ul>
<p>Network Rail Infrastructure</p>	<p>No objection in principle but since proposal adjoins Network Rail land and infrastructure various asset protection comments are made to ensure the development does not adversely impact safety, operation and integrity of the operational railway; these seek conditions or informatives relating to fencing, ground levels, ground disturbance, foundations, drainage, plant, scaffolding, cranes, drainage, site layout, piling, earthworks, and lighting.</p>
<p>London Borough of Brent</p>	<p>Objects on the grounds that:</p> <p>- the proposed development has failed to appropriately consider the existing waste located north west of the application site and would therefore be contrary to policy D13 of the London Plan and policy WLWP2 of the West London Waste Plan 2015.</p> <p>- the amount of industrial floorspace to be provided is not considered to be satisfactory amount given the identified need for such space in West London and so contrary to Policies E4 and E7 of the London Plan.</p>
<p>NHS Property Services</p>	<p>No objection but require S106 contribution towards healthcare facilities in area.</p>

Design Out Crime	Requested condition that the development must achieve Secured by Design accreditation but sees no reason why this proposed development would not achieve this.
London Fire & Emergency	No response
Transport for London	<p>The following work is required before the proposal can be supported:</p> <ul style="list-style-type: none"> <li>• provide further details of proposed new pedestrian / cycle link</li> <li>• address serious concerns on pedestrian safety</li> <li>• submit suitable ATZ assessment from which the Council can secure contributions for pedestrian / cycle infrastructure improvements</li> <li>• provide further details to show access arrangement is safe for all modes</li> <li>• clarify proposed cycle parking numbers</li> <li>• provide supporting facilities for commercial cycle parking provision</li> <li>• justify mode share assumptions and calculations for trip generation</li> <li>• split out rail / underground trip generation by station, mode, line and direction</li> <li>• provide suitable contributions for public transport improvements.</li> </ul>
Greater London Authority	<ul style="list-style-type: none"> <li>• residential-led mixed use development on SIL could be acceptable subject to further work on the masterplan and greater certainty provided on the proposed industrial intensification;</li> <li>• the proposed housing mix does not raise strategic concerns, but Ealing Council should confirm if the proposed mix would acceptably respond to local needs.</li> <li>• affordable housing offer of 36% (split 34% LAR and 66% Shared Ownership) must follow the Viability Tested Route as the threshold is 50% due to the loss of industrial capacity;</li> <li>• the application site is not identified as suitable for tall buildings in the development plan and, as such, the application does not comply with London Plan Policy D9(B3). GLA officers will consider the material considerations in favour of the proposed tall buildings at this site, along with the wider public benefits of the scheme and relevant development plan policies, in the balance against this issue on non-compliance at the Mayor’s decision-making stage;</li> </ul>

	<ul style="list-style-type: none"> <li>• the proposals should minimise and mitigate conflicts between residential/industrial uses and vehicle/pedestrian movement, particularly to the north-east corner of the site;</li> <li>• the applicant is encouraged to review the dense massing and to ensure the amenity space gets as much sunlight as possible;</li> <li>• should ensure that the design of residential development mitigates and minimises nuisances generated by the existing and proposed uses and activities on the SIL;</li> <li>• other design issues should also be addressed, including reducing the density of the development and improving the quality of the residential units, as well as the quality and usability of the industrial floorspace;</li> <li>• the proposals would cause less than substantial harm to two neighbouring conservation areas; such impacts will be weighed against public benefits of the scheme at the decision-making stage;</li> <li>• additional information to be provided on industrial yard space and elevations;</li> <li>• concerns raised on safety of users walking to/from the site; further work required on Healthy Streets, ATZ and Vision Zero, trip generation and impacts; more details needed on cycle parking and supporting facilities; appropriate conditions and planning agreements to be secured;</li> <li>• issues on energy, whole life-cycle carbon assessment, urban greening, air quality and circular economy also require resolution.</li> </ul> <p><i>Planning Officer comment: These initial comments in May 2021 have been largely addressed by revisions and further information provided, as set out in relevant sections of this report.</i></p>
HSE	No comments received to date.
Crossrail Limited	No comment
West Twyford Residents Association	<p>Objects on grounds of:</p> <ul style="list-style-type: none"> <li>• lack of adequate consultation on the proposals;</li> <li>• inadequate affordable housing;</li> <li>• flat sizes are not generous;</li> <li>• adverse impacts on adjoining conservation areas;</li> <li>• may affect emergency vehicle access to railway and HS2;</li> <li>• industrial uses would not provide good residential environment;</li> <li>• potential for revised applications for extra floors and more flats;</li> </ul>



Internal Consultation:	
Pollution-Technical (noise)	No objection on noise grounds subject to range of conditions and informatives being applied.
Pollution-Technical (air quality)	No objection on air quality grounds but requests conditions on ventilation of habitable rooms, submission of Air Quality and Dust Management Plan and on non-road mobile machinery. S106 contribution towards air quality monitoring also sought.
Flood Risk Officer	No response.
Strategic Planning	No response.
Waste and Street Services	No response.
Environmental Services (Contaminated land)	No objection but various land contamination investigation conditions requested.
Landscape	<ul style="list-style-type: none"> <li>• no ecology report submitted despite site directly adjacent to a SINC and proposing to remove 91 trees;</li> <li>• Urban Greening Factor meets GLA recommendations but Biodiversity net gain figures should also be provided;</li> <li>• minimise use of unsustainable, low biodiversity value synthetic turf by limiting it to the dedicated under 5s play areas with living grass used wherever possible in the wider courtyard gardens;</li> <li>• clarification required on treatment proposed for each roof area with brown roofs to be avoided;</li> <li>• concern that the developer proposes to remove all existing trees including large mature trees and TPO trees; most new trees are to be on roof terraces and small ornamental species and will not provide suitable replacement for the existing, well-established strip of trees along the site’s southern boundary;</li> <li>• various conditions requested including: boundary treatment, hard and soft landscaping and landscape design, trees and nature conservation details, details of a Landscape Management Plan for a minimum period of 5 years, details of children’s play area including safety surfacing and equipment, details of green roof construction and maintenance schedule, details of sustainable urban drainage systems, nature conservation related conditions following submission of an ecology survey;</li> <li>• S106 contribution sought to offset shortfall of residential private and communal outdoor amenity space and to be used to develop natural park at Westgate Gardens adjacent to site;</li> </ul>

	<ul style="list-style-type: none"> <li>• S106 contribution sought for shortfall of 770 sq m of children’s playspace to be provided off site; this would be used at proposed West Gate Gardens natural park and other local Ealing parks including Hanger Hill Park and Pitshanger Park;</li> <li>• S106 contribution required for provision of food growing space;</li> <li>• a development of this size should be providing 4,800sqm of dedicated sport and exercise space;</li> </ul>
<p>Tree Officer</p>	<p>Concerned about the loss of habitat as well as the number of trees but no objection subject to conditions and a S106 contribution towards tree planting on the site to mitigate loss of amenity.</p>
<p>CCTV Systems Manager</p>	<p>No response</p>
<p>Transport Services / Highways Manager</p>	<p>No objection on transport or parking grounds subject to the following being secured via a S106 agreement:</p> <ul style="list-style-type: none"> <li>• separate Travel Plans for the residential element and industrial/commercial element with funding for cycle and road safety education training to all scheme residents.</li> <li>• financial contributions of £3,000 each for monitoring the travel plans;</li> <li>• residents to be denied parking permits in any new controlled parking zone near or in the proposed development;</li> <li>• potential to provide car club bays accessible by the public within the application site to be explored;</li> <li>• free 3-year car club membership provided to all residents of the development;</li> <li>• financial contribution towards improved bus services around Hanger Lane Gyratory;</li> <li>• financial contribution towards accident remedial scheme on Hanger Lane Gyratory;</li> <li>• financial contribution to improve pedestrian and cycle infrastructure around the road network near the application site;</li> <li>• road safety audit to be carried out for site access arrangements and any measures proposed near the development with any mitigation measures recommended to be funded by applicant.</li> </ul> <p>S38 and S278 agreements to be required for highway works outside the application site including to footway on West Gate outside the development constructed to Council adoption standards.</p> <p>The following should also be required via planning conditions:</p> <ul style="list-style-type: none"> <li>• detailed demolition and construction method statement;</li> <li>• Service and Parking Management Plan;</li> <li>• electric vehicle charging points to TfL standards.</li> </ul>

<p>Housing</p>	<ul style="list-style-type: none"> <li>• does not support the affordable tenure mix and requests London Living Rent units are provided as part of the intermediate offer;</li> <li>• shared ownership units should be affordable to a range of incomes and not all pitched at the top of the shared ownership eligible income;</li> <li>• both early and late stage review mechanisms are requested as the scheme does not currently provide the Council’s required tenure mix;</li> <li>• the provision of both 2 and 3 bedroom, affordable family sized homes is supported.</li> </ul>
<p>Leisure Services</p>	<p>No dedicated space for outdoor or indoor sport and/or physical activity shown within the development so requests S106 contribution towards improving the indoor and outdoor sports infrastructure in the local area.</p>
<p>Education Services</p>	<p>No objection subject to a contribution of £631,746 towards education infrastructure at Vicar’s Green Primary School with a reserve of Montpelier Primary School or other local primary phase provision and at secondary phase to Elthorne Park High School with a reserve of Ellen Wilkinson High School or other secondary phase provision.</p>
<p>Economic Regeneration</p>	<p>No objection; request 17 apprenticeship places and financial contribution of £50,000 towards apprenticeship/job placement scheme; would also expect the developer to work with the Council’s job brokerage service to support recruitment for the Café vacancies.</p>
<p>Energy officer</p>	<p>Energy strategy is not in-line with London Plan policy SI2 and applicant should revise energy strategy to show the maximum deployment of Photo Voltaic panels across all available roof space. No objection subject to conditions requiring details of CO2 saving measures, overheating and cooling measures, post construction energy equipment monitoring, and sustainable design and construction. S106 contributions also required towards post construction energy monitoring and carbon offsetting.</p>

As part of the consultation process, the applicants held three on-line public consultation events in November 2020 to allow residents and businesses to view and comment on the proposals and ask questions of the development team. Publicity for the event involved a mail-out to 947 properties in the streets immediately surrounding the site. This invited people to view and comment on the proposals online via a dedicated website and/or to view and participate in any of three on-line presentations and question and answer sessions. A further meeting was held with invitations sent to local amenity/conservation groups.

**Relevant Planning Policies:**

The policies relevant to this application are listed in Appendix 1.

**Reasoned Justification:**

**Main Issues**

The main issues in assessing this proposal are the principle of residential development within a SIL, the quantum of development, the design and impact on the character and appearance of the area, the scale of the proposed buildings and their relationship with surrounding properties, the adequacy of the replacement industrial space, the impact on adjacent uses, the quality of internal living environment for residents, the transport impact of the development, sustainability and potential operational aspects. Other issues to be considered include housing mix and affordable housing, crime prevention, accessibility, refuse and recycling storage, drainage and the Community Infrastructure Levy.



**Westgate Triangle Existing Uses and Consented Changes**

### Principle of Development

Increasing the current housing stock is an important strategic objective for the London Borough of Ealing. Policy H1 of The London Plan (2021) aims to optimise the potential for housing delivery on all suitable and available brownfield sites especially in areas with PTAL levels of between 3-6 or within 800m of a station, and on industrial sites that have been identified as being suitable for co-location. This is supported by London Plan policy D3 which aims to make the best use of land by following a design led approach that optimises the capacity of sites.

Section 11 of the National Planning Policy Framework ('Making Effective Use of Land') encourages as much use as possible of previously developed land and vacant buildings as well as optimising the use of land to meet as much of the identified need for housing as possible.

The site is part of a Strategic Industrial Location (SIL). Policies E4 and E5 of the London Plan (2021) support provision of a range of industrial and storage and distribution uses in SILs. Paragraph 6.4.6 supports the intensification of floorspace capacity where possible. Policy E5 part D requires proposals within or adjoining SILs not to compromise the integrity or effectiveness of these locations to accommodate industrial-type activities and their ability to operate on a 24-hour basis.

However, Policy E7 Part B requires development plans to be proactive and consider whether certain logistics, industrial and related functions in selected parts of SILs could be intensified and/or consolidated to support delivery of residential and other uses. This approach must be part of a plan-led process of SIL intensification or part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. In addition, the design of any residential element should ensure appropriate mitigation in terms of noise, air quality, safety and conflicts with other uses.

In this context, the applicant has developed the Westgate Triangle Intensification Study and Masterplan document for the Westgate Triangle area in consultation with the GLA, Ealing Council and the adjoining landowners. This identifies those parts of the Triangle where industrial intensification and/or co-location could occur to increase industrial land and floor space capacity. The applicant also argues that there are site specific, material planning considerations that would justify mixed-use development on this site.

The Westgate Triangle currently contains four large office blocks, trade counter / retail and self-storage units, some smaller industrial units and a single large industrial unit fronted by offices. Traditionally, Westgate Triangle was an office location benefitting from the A40 and Hanger Lane tube into London and had a limited industrial role. However, several of the blocks have permission for conversion to flats and the current floorspace mix in the Westgate Triangle is 41% offices, 33% residential, 10% retail, 8% industrial, 3% storage and 3% hotel.

As shown above, adjacent to the application site within the Westgate Triangle are the 10 storey West World office block, the former 10 storey West Gate office block which is being converted to flats and the 5 storey AGB (Kantar) House office block with approval for conversion to residential use. A large Selco warehouse lies to the east and the River Island office/distribution building just to the north.

Although the study found that most sites within the triangle have either been or are due to be redeveloped or are unlikely to come forward for redevelopment in the short to medium term due to the existing occupier profile or lease periods, the Westworld site and the Manhattan Business Park site were identified as appropriate for intensification and co-location respectively. There may also be some medium-term potential for the Selco site to come forward as a co-location scheme subject to an increase in employment floorspace on the site and throughout the wider triangle.

The study demonstrates that the Westworld site has the capacity to generate in the region of 8,281 sq m of new industrial floorspace (without mezzanines) and 23,121 sq m (with mezzanines) while the Manhattan Business Park site could provide an increase of 772 sq m of industrial space from the co-location proposals. Taken together, this masterplan would result in approximately 9,053 sq m (without mezzanines) and 23,893 sq m (with mezzanines) of industrial floorspace across the Westgate Triangle, a 240% increase over the existing position.

The study also concludes that the market for industrial units from small to large (10,000 sq m) is presently very strong, particularly with high bay access and parking / servicing and that all options considered would be desirable in market terms. However, high eaves heights and HGVs may present some conflicts with adjoining residential uses. Deliverability of industrial intensification is most likely at the Westworld site where an ageing office stock and large car park presents a low existing use value. There is less certainty at other sites, notably Kantar House, Chelsea House and Halfords / Wickes. The latter presents a good opportunity to deliver a number of smaller units however it is ambitious to consider that both retail outlets would become unviable. It would be possible to deliver one in isolation, which would be an opportunity to bring forward some intensification.

The viability of industrial stacking is judged to be weak in this location because rents would not be at the highest end and existing use values are reasonably high. Furthermore, the stacking of industrial units remains a relatively untested market concept, particularly for general industrial and distribution.

In light of the above, this Intensification/Masterplan document demonstrates that a range of different typologies, scenarios, and wider redevelopment options have been considered but are undeliverable in the short term on all but the Westworld site due to various individual site constraints, fragmented ownerships, and underlying viability issues.

London Plan policies indicate that co-location should be discouraged in Strategic Industrial Locations due to potential for residential uses to prejudice the future development potential of other parts of the SIL. However, the NPPF states that local planning authorities can make decisions that depart from an up-to-date development plan if material considerations indicate otherwise. In the context of the above intensification and masterplan study, the applicants argue that there are material planning considerations that would justify a mixed-use development on this site, as set out below:

- the character of this SIL is unlike any other in the borough in that it is mostly occupied by offices, residential and retail trade uses with very little industrial use; the only sites where industrial use currently occurs is a small amount of warehousing on the Chelsea House site and on the application site itself, with the former to remain and the latter to be re-provided and intensified as part of this proposal; there would therefore be an increase in industrial provision;
- the Westgate Triangle SIL is not one where traditional heavy industrial uses have located in the past; these tend to locate in other nearby SILs including the Park Royal Industrial Estate to the east, the Perivale and Greenford strategic industrial estates to the west, and the Alperton Locally Significant Industrial Site to the north west;
- the south eastern part of this SIL is already undergoing substantial change with the conversion and extension of Westgate House from office to residential together with a new affordable housing block to the side and the proposed residential conversion of Kantar House; together, these two developments will deliver in the region of 600 residential units, further reinforcing the mixed-use character of this SIL with its limited industrial uses;

- the application site lies on the southern edge of the SIL against the railway line and A40 to the south and the new HS2 ventilation shaft and Ealing open space to the west; as such, it only borders the rest of the SIL on two sides with the properties to the north (Chelsea House and West World) mostly in office use and those to the east in retail trade use (Selco), all of which are compatible with the mixed-use development now proposed;
- the application site itself is already in mixed use, with 8 industrial units and 10 flats and this mix has operated without complaint since the residential use was introduced onto the site in 2015;
- discussions with owners of the two sites to the north – Chelsea House and Westworld - and the Selco site to the east, indicate these sites are likely to remain in their current use or be redeveloped for light industrial, retail trade or other mixed uses rather than come forward as lower value, heavy industrial uses that would be incompatible with the existing or consented residential uses already in the SIL or the mixed-use development proposed on the application site; the current Westworld planning application is evidence of this;
- the proposal would result in a 23% increase (772 sq m) in the amount of industrial floorspace on the site, thereby intensifying the existing industrial use; the proposal would also deliver modern, high quality and more flexible office space to replace some of the older and less flexible space already lost within the wider Westgate triangle as a result of conversions from office to residential;
- the Economic and Industrial Land Assessment accompanying the application indicates there is strong demand for the type and size of light industrial floorspace proposed as part of the scheme and that, although co-location is a relatively new concept, there is evidence of other successful co-location schemes in other parts of London and Ealing; moreover, given the site's excellent proximity to the A40 and North Circular and the clear separation of the light industrial servicing from the residential and office entrances, lettability is unlikely to be an issue, particularly given some of the existing occupiers and other businesses the applicant has an association with have indicated a willingness to let the new space; these include the Imperial College Blood Bank currently located in Unit 1 and Twickenham Studios, who have indicated a willingness to relocate some of their production studios and other operations to the site;
- given the limited size of the site following the acquisition of the turning head in the north-west corner by HS2, and the constrained footprint and servicing arrangements owing to the existing rights of access for HS2 and the wider public into the Ealing open space land to the west, the site is unlikely to be redeveloped for a more intensive industrial use; therefore, without redevelopment the existing use will remain, and the development potential for the airspace above will be lost, including its ability to deliver other planning benefits such as increased housing, including affordable housing, and infrastructure improvements, such as improved access to better quality public open space;
- the provision of housing on the application site would not prejudice the future development potential of other sites in the SIL given that some are in residential use or adjoin such uses; other existing site are already in uses compatible with residential use and unlikely to be redeveloped for any incompatible uses since these would result in lower land values and conflict with the residential uses already implemented or consented within the SIL, including the existing residential on the application site;
- if and when those other sites were to come forward for redevelopment, their development potential would not be impacted given the mitigation measures included within the proposed scheme and the ability of those sites to be designed and laid out in a way that responds to their

surroundings, including the constraints already imposed by the existing and consented residential schemes already within the SIL at West Gate House, AGB House and Manhattan Business Park;

- to demonstrate the practicality and deliverability of the above arguments, the accompanying 'Westgate Triangle Intensification Study and Masterplan' document indicates how the redevelopment of the application site together with the adjacent West World site could provide some 7,772 sq m of additional industrial floorspace, a 220% increase over the existing position;
- the technical reports accompanying the application demonstrate that the proposed residential use could co-exist alongside the existing uses and any likely future uses on the adjoining sites having regard to the relevant agent of change principles;
- the proposal would not set an undesirable precedent for mixed-use redevelopment on other SIL sites within the borough or elsewhere in London given the very site-specific circumstances that relate to this site.

An Economic and Industrial Land Assessment accompanies the application. This concludes that there are reasonable prospects for delivering and letting high quality small industrial units within an industrial co-location scheme. This is because it is a proven industrial location, there is low industrial vacancy in the A4 corridor, there are a number of small business centres in the A40 corridor with more sensitive users that are suited to collocation and once potential occupiers are assured that the constraints of collocation with residential uses are limited, these units should let.

The GLA Stage 1 report made clear that residential-led mixed use development on this SIL site could be acceptable subject to further work on the masterplan and greater certainty being provided on the deliverability of the proposed industrial intensification. Since then, the masterplan has been updated to address comments in the Stage 1 report. These additions reflect discussions with other landowners and occupiers in the SIL on their development intentions, testing of different development typologies and alternative scenarios, viability assessment, deliverability, and provision of relevant case studies.

In addition, in December 2021 an application was submitted by its owners to redevelop the West World site for an 8,258 sq m industrial/warehouse unit (Class E(g)(iii), B2 or B8 use) with ancillary office space and associated car, HGV and cycle parking, fencing, gates and landscaping (Ref: 216832FUL). This was approved in July 2022 subject to completion of a S106 Agreement. The timescales for implementation of this new industrial space are understood to involve starting construction within 9 months of permission and with a construction period of approximately 12 months. To ensure that this new industrial space is completed prior to any development commencing on the Manhattan Business Park site, a S106 obligation has been agreed to secure this and this should meet the GLA's objectives.

Allowing for some contingency, the Manhattan Business Park would effectively be prevented from starting on-site for approximately 2 years. The applicant has agreed to this subject to the time frame for any permission being 3 years from completion of the Westworld development.

On this basis, the proposal would be acceptable in land use terms and is considered consistent with the National Planning Policy Framework; policies S1, E4, E5 and E7 of the London Plan (2021); policies 1.1 (a) (b) (e), 1.2 (b), 2.1 (a) (c), 2.10 of the adopted Ealing Core Strategy (2012); and policy 3.4 of the Ealing Development Management DPD (2013).



**Housing Land Supply**

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

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

The Council is currently compiling the evidence needed to confirm its position regarding the level of deliverable supply, and once completed this will be documented in an update to the latest AMR (October 2021). For reasons outside the Council's control the completion of this exercise has been delayed awaiting the migration of missing pipeline data into the GLA's Planning London Datahub. The GLA's London Development Database (a 'live' system monitoring planning permissions and completions) was replaced in 2020 by the Planning London Datahub. During this transition between databases, there was a gap in coverage where neither database was operational and this prevented permission data being captured for a significant period, which has given rise to the incomplete pipeline. This incomplete pipeline poses a significant barrier to establishing future levels of deliverable supply. Typically, most of the supply identified through a five year land supply is expected to be derived from the pipeline of permissions.

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

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

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

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

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

**Density**

The London Plan (2021) no longer provides specific residential density guidelines for new development. Policy D3 seeks to make the best use of land by following a design-led approach that optimises the capacity of sites. It promotes higher density developments in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. It

notes that in areas currently without high density buildings incremental densification is encouraged to achieve a change in densities in the most appropriate way.

Policy 1.2(h) of the Ealing Development Strategy supports high density development in areas of good public transport, where a high-quality design approach is followed and a suitable housing mix is provided.

With 326 units and 739 habitable rooms on a site of 0.78 ha, the residential density of the proposed development would be relatively high but it is considered that this level would be appropriate in this location close to public transport. On this basis, the density of the proposed development is considered to respond to the urban context and general aspirations to increase density in London s reflected in Policy D3. As such, the proposed intensification of the site is considered acceptable, subject to other planning considerations being met.

**Mix of Residential Units**

London Plan Policy H10 indicates that schemes should generally consist of a range of unit sizes having regard to factors including local evidence of need, the 2017 London Strategic Housing Market Assessment, the requirement to deliver mixed and inclusive neighbourhoods and the need to deliver a range of unit types at different price points across London.

The proposed 326 residential units would have predominantly smaller one bedroom units but with 49% comprising larger, family-sized 2 and 3 bedroom units, as indicated below.

<b>Quantum of Proposed Residential Provision</b>	
<b>Studio units</b>	3 (1%)
<b>1 bedroom /2 person</b>	141 (43%)
<b>2 bedrooms/3 person</b>	22 ( 7%)
<b>2 bedrooms/4 person</b>	126 (39%)
<b>3 bedrooms/5 person</b>	11 (3%)
<b>3 bedrooms/6 person</b>	23 (7%)
<b>Total</b>	326 (100%)

This is considered an acceptable mix of unit sizes for this location adjoining industrial premises and a major road.

**Affordable Housing**

Policy H4 of the London Plan (2021) sets a strategic target of 50% of all homes to be genuinely affordable. Unless justified through detailed viability evidence, Policy H5 requires a minimum of 50% affordable housing on SIL sites appropriate for residential uses in accordance with Policy E7 where the scheme would result in a net loss of industrial capacity. The Ealing Core Strategy sets a borough-wide strategic target of 50% affordable housing.

In addition, policy H6 of the London Plan (2021) seeks to secure 30% of the total affordable housing as low cost rented units (London Affordable Rent or Social Rent), at least 30% as intermediate (London Living Rent and London shared ownership) and the remaining 40% determined by the local planning authority as low cost rented homes or intermediate products based on identified need.

A viability appraisal accompanies the application and indicates that, due to exceptional construction costs from building over the HS2 railway tunnels, the scheme can only deliver 36% affordable housing

by habitable room, equivalent to 112 units. This would comprise 34% London Affordable Rent (LAR) and 66% Shared Ownership (SO) units. The 36 LAR units would be on the lower floors of the westernmost block (Block E) and comprise 6 x 1 bedroom, 25 x 2 bedroom and 5 x 3 bedroom flats. The 76 SO units would be located on the upper floors of Block E and the lower floors of Block D and comprise 2 x studio units, 31 x 1 bedroom, 32 x 2 bedroom and 11 x 3 bedroom flats. This mix accords with Policy H6 of the London Plan (2021).

Housing Type	Studio	1 bed flat	2 bed flat	3 bed flat	Total
LAR	0	6	25	5	36 (34%)
Shared Ownership	2	31	32	11	76 (66%)
<b>Total</b>	<b>2</b>	<b>37</b>	<b>57</b>	<b>16</b>	<b>112 (100%)</b>

**Breakdown by Units**

Housing Type	Studio	1 bed flat	2 bed flat	3 bed flat	Total
LAR rooms	0	12	75	20	107 (12.3%)
Shared Ownership rooms	2	62	96	44	204 (23.6%)
Total affordable rooms	2	74	171	64	311 (36%)
<b>All Habitable Rooms</b>	<b>3</b>	<b>282</b>	<b>444</b>	<b>136</b>	<b>865 (100%)</b>

**Breakdown by Habitable Rooms**

In terms of habitable rooms, 311 out of 865 habitable rooms would be affordable equating to approximately 36% of the total. Just over 12% of these habitable rooms would be in affordable rented flats.

A viability report provided by the applicant indicated that the proposed development could not deliver more than the proposed amount of affordable housing and that the proposed provision would be in excess of that which is financially viable. An independent assessment of the viability of the development was then carried out for the Council by financial advisers Gerald Eve. This concluded that the scheme currently proposes the maximum level of affordable housing that can be viably justified and indicated that the deliverability of the scheme needed further consideration.

The Council’s Housing section notes that Ealing seek a 60%/40% split between affordable/social rent and intermediate units. However, this scheme is offering 32% London Affordable Rent (LAR) and 68% intermediate on a unit basis and 34% LAR and 66% intermediate on a habitable room basis. As such, the Housing section do not support the tenure mix offered and requested a number of London Living Rent units as part of the intermediate offer as this tenure is considered to be ‘genuinely affordable’. With respect to shared ownership units, these should be affordable to a range of incomes and not all be pitched at the top end of the shared ownership eligible income. Both early and late stage review mechanisms are requested as the scheme does not currently provide the Council’s required tenure mix. However, the provision of both 2 and 3 bedroom, affordable family sized homes within the scheme is supported.

Following this, a further independent financial viability assessment was undertaken to reflect a more detailed build cost appraisal. This also concluded the submitted scheme is providing the maximum reasonable level of affordable housing that it can afford. On this basis, the affordable housing provision is considered acceptable, taking account of the exceptional development costs of the site which limits its viability.

**Design, Character and Scale**

Policy D3 of the London Plan 2021 indicates housing developments should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. This is reinforced by policies 7.4 and 7B of the Ealing Development Management DPD (2013) require new buildings to consider the most important elements of the urban context in order to create a positive relationship with surrounding buildings and the public realm.

Policy 7.7 of the Ealing DPD indicates that tall buildings should normally be located on specified sites within Acton, Ealing and Southall town centres and identified development sites, and offer an outstanding quality of design.

The scheme proposes two U-shaped buildings ranging from 7 to 11 storeys above the 2 storey podium level and a taller 13 storey plus podium building at the entrance into the site. These buildings would be of comparable scale to the 10 storey West World office building to the north and the 10 storey West Gate House and the 13 storey Hanger Lane Gyrotory developments to the east.

When viewed from the south, the buildings would appear as a series of 5 finger blocks with linking elements between them with the scale and mass broken by variations in height both in a north/south and east/west direction. Between the blocks would be a series of south facing courtyards, screened from the A40 and railway noise by landscaping and other screening devices along the southern edge.

London Plan Policy D9 indicates that tall buildings should only be developed in locations identified as suitable in development plans, and subject to various criteria. Policy 7.7 of the Ealing DPD indicates that tall buildings should normally be located on specified sites within Acton, Ealing and Southall town centres and identified development sites, and offer an outstanding quality of design.



**Elevation to A40**

The proposed development of up to 13 storeys including the podium level can be considered as tall buildings and the site is not identified in the Ealing Development Plan as appropriate for tall buildings. It is also not in the Central Activity Zone, an opportunity area, an area of intensification or a town centre. The scheme has therefore been assessed against the Policy D9 design criteria, the most relevant to this proposal being:

- a) **avoid harm to the significance of heritage assets and their setting:** the proposed building is not in a conservation area and would not lie close to any heritage assets and the submitted Heritage Assessment indicates the proposals will result in less than substantial harm to the Brunswick, and Brentham Garden Estate conservation areas south of the A40 and 3 others, including Hanger Hill (Haymills Estate) will not be adversely affected as a result of their separation distance from the site and the extent of intervening built form.
- b) **in long-range views ensure careful design of the top of the building, contribute positively to the existing and emerging skyline and not adversely affect local or strategic views:** the tops of the buildings are well designed and would provide a varied skyline profile; they should adversely affect any local or strategic views to an unacceptable extent; the visual impact of the proposal has been assessed from various agreed long, middle and close-range views and would not be out of keeping in the existing townscape containing 10 to 13 storey buildings;
- c) **in mid-range views from the surrounding neighbourhood make a positive contribution to the local townscape in terms of legibility, proportions and materiality;** the Townscape and Visual Impact Assessment indicates that although the buildings would be prominent in a number of views they would complement, respect and fit in with the existing and emerging scale and pattern of development in the area and not be uncharacteristic when viewed within this wider townscape;
- d) **individually or as a group, to reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding:** the development would be located beside an existing 10 storey building and other approved buildings of up to 9 storeys immediately to the north; they would reinforce an established group of higher buildings and their role as a local landmark; the proposals would aid legibility and wayfinding by providing a new pedestrian street along the northern boundary to improve access to the public open space and River Brent to the west; this route would be marked by a tall building at the eastern end of the site, anchored by a café at the corner and activated by a series of residential entrance along the northern façade.
- e) **architectural quality and materials to be of an exemplary standard:** the architectural quality and materials of the buildings are considered to be of a high standard and they would make a positive contribution to the local townscape, which currently contains many industrial and commercial buildings;
- f) **the base of the building to have a direct relationship with the street, maintaining its pedestrian scale, character and vitality:** the base of the buildings, with various commercial and community uses accessible to the public and fronting a pedestrian route, would have a direct relationship with the street; this would include a café at the corner and a series of residential entrances along the northern façade.
- g) **not cause adverse reflected glare and minimise light pollution from internal and external lighting:** there is no indication that the buildings would cause reflected glare, light pollution or other adverse environmental effects; the materials would have a 60/40 ratio of solid to glazing to minimise glare;
- h) **noise, wind, daylight, sunlight penetration and temperature conditions around the building should not compromise enjoyment of open spaces around the building:** the various technical reports accompanying the application do not indicate any adverse impacts from these factors.

The Policy also notes that proposals for tall buildings should positively contribute to the character of the area. At present, this is an area of mixed character with industrial, commercial and residential buildings of varied heights and styles and generally not a particularly high design quality. The proposed

buildings will alter the character of the existing skyline but their high quality design together with the spacing between each development will ensure they make a positive contribution to the somewhat dated character and appearance of the wider area, and potentially raise design standards of future development.

The proposals have also been considered in the context of the recently published Ealing Housing Design Guidance (January 2022) which sets out various guidelines for developments including tall buildings. Many of these mirror the criteria in London Plan Policy D9. While the evolution and submission of the application pre-dated this Guidance, the proposals accord with a number of the Guidance principles, including being a larger site where significant development benefits can be demonstrated, providing varied heights across the skyline, providing an active street frontage, and being subject to visual impact testing and 3D modeling of nearby, mid-range and long distance views. New, publicly accessible landscaped areas are also provided to enhance outdoor amenity and permeability through the site improved.

On this basis, the proposed tall building is considered to accord to an acceptable degree with the London Plan Policy D9 and Ealing design guidance criteria.

Following concerns raised by the GLA, the applicants have considered the use of different materials to distinguish the various blocks and prevent them being viewed as a single mass in long views. Illustrative plans have been submitted to demonstrate the effects of this and this issue will be considered further since a condition requiring approval of materials is applied.

In light of the above considerations, the proposed scheme would be acceptable in visual and design terms, and would not appear out of place in the area given other relatively high buildings existing or approved nearby. This proposal is therefore consistent with the objectives of section 12 of the National Planning Policy Framework, policies D3 and D9 of the London Plan (2021), and policy 7.B of the Ealing Development Management DPD.

### **Heritage Impacts**

As noted above, the site is not within a Conservation Area and neither contains or adjoins any listed buildings.

The nearest conservation areas are the Brunswick Conservation Area some 160m to the south, the Brentham Garden Estate conservation area some 470m to the south west; and the Hanger Hill (Haymills) Estate conservation area some 510m to the south east. There are no Listed Buildings in the immediate vicinity, the nearest being the Grade II Listed Brentham Clubhouse 750m to the south west and the Grade II Listed Church of St Barnabas 850m to the south west.

The NPPF (paragraph 194) notes that any harm to, or loss of, the significance of a designated heritage asset from development within its setting should require clear and convincing justification. Paragraph 196 indicates that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 197 makes clear that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

London Plan Policy HC1 makes clear that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Ealing Development Management DPD Policy 7C states that harm to any heritage asset should be avoided and that proposals that seek to cause harm should be exceptional in relation to the significance of the asset, and be clearly and convincingly justified in line with national policy.

In this context, parts of the proposed development would be visible from the Brentham Garden Estate and Brunswick conservation areas south of the A40. A Heritage Assessment accompanies the application. This notes that the height of the proposed development would make it widely visible, including from within some nearby conservation areas. No significant views or vistas of the proposed development were identified from the Hanger Hill (Haymills) Estate conservation area, which lies over 500m away to the south east and it would not be affected.

The key views from within the Brunswick Conservation Area are from Clarendon Road where the existing West World building is visible and in views from south of Clarendon Road, the proposed development would appear prominent. Properties along Sandall Road would also have a direct view, over gables and rooftops, of the proposed development due to their elevated position and orientation. This is assessed as having a major adverse impact on visual amenity. However, the applicants also note that views from these properties would be oblique and filtered by intervening vegetation, and also restricted by the close proximity of neighbouring properties. They also note that the visual impact will be reduced by the planned redevelopment of the prominent West World building.

From within Brentham Garden Estate conservation area, views of the proposal would be restricted by dwellings along the roads, vegetation within front and rear gardens and street trees. However, a viewpoint from within Brentham Meadows is close to the north-eastern boundary of this conservation area. In this view, the proposed development would be prominent and the separate blocks would be seen as a cluster of buildings. However, the development would be framed well between the existing trees within the hedgerow and form a new attractive feature on the skyline. In heritage terms, the green spaces within the conservation area are a key element of its special character and appearance, and the proposals would erode the parkland character of these areas, due to greater visibility of modern buildings on their edge. However, the Heritage Statement considered this to result in less than substantial harm to the significance of the Conservation Area.



**View from Clarendon Road within Brunswick Conservation Area looking south**

On this basis, the proposed development is considered to have significant impacts on a few views from nearby conservation areas but, on balance, to result in less than substantial harm to the Brunswick and Brentham Garden Estate conservation areas overall. The Heritage Assessment argues that these conservation areas derive their significance from their legibility and cohesiveness as high quality suburban residential estates of the first half of the 20th Century. It concludes the proposed development will not alter the legibility or cohesiveness of the historic suburban character of either conservation area, nor erode the intrinsic architectural or historic interest that underpins their special character and appearance. From reviewing the Heritage Assessment, planning officers broadly accept its conclusions.

As required by the NPPF, any harm to a heritage asset should be weighed against the public benefits of the proposal. In this case, any harm to nearby conservation areas would appear limited and the public benefits that would arise from the proposal would be:

- making more intensive use of industrial land to provide 316 additional flats;
- provision of 112 affordable housing units;
- provision of an increased amount of modern industrial space within a SIL;
- provision of modern office space;
- creation of up to 237 additional local jobs;
- provision of well designed buildings that are considered to enhance the design quality in the area;
- improvements to neglected public open space within an area of open space deficiency;
- improved pedestrian access through the application site to the public open space and River Brent;
- provision of a new café in an employment area with a lack of such services;
- replacement of low quality and environmentally inefficient buildings with high quality and highly efficient development which contributes to climate change objectives;
- highway improvements near the site, including traffic calming measures and a new pedestrian crossing at the site entrance;
- S106 contributions of some £2.7m to fund a range of infrastructure improvements and services in the local area.

On balance, the proposed development, and the benefits associated with it, are considered to outweigh any limited impacts on nearby heritage assets. Consequently, it is considered that the development complies with Paragraph 196 of the NPPF, London Plan policy HC1 and Ealing Development Management Plan Policy 7C and is therefore acceptable in heritage terms.

### **Townscape and Visual Impact**

The proposed buildings range between 7 and 13-storeys above podium and would be seen from several view points around the site. A Townscape and Visual Impact Assessment accompanies the application to assess the impact of the proposal on the surrounding townscape.

The assessment notes the site lies within a well-developed urban area surrounded by low and high-rise buildings comprising mostly office, commercial and residential uses. It is not within a conservation area or close to any listed buildings and is separated from residential areas to the south by an elevated section of railway and verge planting along the A40 dual carriageway. The site is also positioned alongside the 10 storey Westworld building while other nearby sites are undergoing substantial change with the construction of a 10 storey building at Westgate House, a 13 storey building within the Hanger Lane Gyratory and a 27 storey development within the Old Oak Common Opportunity Area further to the east. It notes the proposed development would be of similar scale.



The report goes on to assess the visual impact of the proposal from seven key viewpoints around the site including the Hanger Lane Gyratory, Hanger Hill Park, Clarendon Road (within the Brunswick Conservation Area), Brentham Meadows public open space, the A40, Quill Street near its junction with the North Circular, and Horsenden Park near Sudbury Gold Club. Impacts on nearby conservation areas have already been considered above.

It considers that, although the proposal would be visible from a number of view points, it would be seen in the context of the existing and emerging buildings in the area which are of similar scale and character. It would also be separated from the most sensitive residential properties to the south by the railway line and A40 and the existing and proposed landscaping in between. It would also be of high-quality design comprising three inter-linked blocks of varying heights and design with setback and cut away sections to the north and south to minimise its mass and provide visual interest. The report concludes that, although the buildings would be prominent in a number of views, they would complement, respect and fit in with the existing and emerging scale and pattern of development in the area and not be uncharacteristic when viewed within this wider townscape.

The assessment acknowledges the proposed development would be generally visible from along the busy A40 / Western Avenue. However, views of the base and podium level would be filtered by the dense vegetation between the railway line and the dual carriageway and railway lines, adjacent tree belt and the A40 / Western Avenue dual carriageway provide a substantial buffer between the proposed development and areas to the south. It considers the development proposal would become an additional skyline feature and would be seen alongside adjacent high-rise buildings including the emerging student housing scheme on the Hanger Lane Gyratory. It concludes that the development would provide an attractive new element on the approach along the A40 into Ealing and considers this to be a moderate to major beneficial impact.



***View from Hanger Lane Roundabout looking west***

Overall, the proposed development would comprise high rise buildings adjacent to a railway line and major traffic corridor. These buildings would be compatible with the surrounding scale of development and are considered not out of keeping with the existing townscape.

**Materials**

All the blocks are proposed to have a light coloured, glass reinforced, concrete frame with patterned decorative polyester powder coated metal infills and windows. The colour of the metal panels would vary between the U-shaped courtyard blocks and the taller element to accentuate this element on the most prominent corner of the site. The decorative metal panels are proposed to be in polyester powder

coated metal. The design proposes an approximate solid to glass wall ratio of 60/40 to provide good levels of daylight and sunlight while preventing overheating.

The proposed materials are considered acceptable in principle. However, a condition is applied to require approval of specific colours/materials.

### **Impacts on Amenity**

The proposed scheme needs to be assessed in terms of any impacts on the amenity of both nearby residential properties and future occupiers within the development itself, by ensuring good levels of daylight/sunlight, visual outlook and privacy, as required by Policy 7B of the Ealing Development Management Development Plan Document (2013) and London Plan (2021) Policy D6.

Immediately to the north is the 10 storey Chelsea House office development occupied by River Island. This would be separated from the northern elevation of the proposed development by between 20-25m. There would be views towards these offices from some upper floor windows and balconies of the proposed development, some direct and some oblique. However, the separation distance should be adequate to prevent unacceptable overlooking or overbearing effects on either the offices or the proposed flats.

To the north-east of the site is the 10 storey West World office building, which would be some 30m away from the nearest windows in the proposed development. This separation distance should be adequate to prevent unacceptable overlooking or overbearing effects.

To the south, across the A40, are 2 storey semi-detached dwellings on Greystone Park Terrace. These would face windows and balconies in the proposed development, but the separation distance would be some 50-60m and views would be partly screened by hedgerows and trees along the A40. No unacceptable impacts on light or overlooking should therefore arise to these properties.

To the east is a large Selco building materials retail warehouse. This would be some 70m from the nearest residential block and separated from it by a large surface car park. Beyond this is the 10 storey Westgate House former office building being converted to flats along with a new 8 storey affordable housing block adjacent to the railway line. This residential development would be 150m from the application site and partly screened by the Selco warehouse. No unacceptable impacts on light, overlooking or overbearing effects should therefore arise.

To the north of the Selco building is the 5 storey AGB (Kantar) House office block that has consent to be converted to residential use. This would be separated from the proposed development by more than 90m and by the West World building. Again, no adverse impacts on residential amenity appear likely here.

Some 100m to the west is Council owned open space adjoining the River Brent which forms part of a SINC. Beyond this, but well over 100m away, are large industrial buildings. No adverse impacts on amenity appear likely here.

Within the development itself, there would be a separation distance of 15 -16m between windows in facing blocks, which would probably be adequate. Some facing projecting balconies in different blocks would be separated by only 13m but most of these balconies would be set at an angle to each other, reducing the perception of overlooking.

In light of these considerations, no unacceptable overlooking or overbearing effects on nearby dwellings or other occupiers should arise.

In terms of impacts on daylight, sunlight or overshadowing, Policy D6 of the London Plan (2021) requires that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating and minimising overshadowing. This is reflected by Policy 7B of the Ealing Development Management DPD. A Daylight/Sunlight Assessment accompanies the application. This assessed impacts on daylight to the closest neighbouring residential properties with windows overlooking the proposed development:

- 18-23 Greystone Park Terrace;
- 1A Lynwood Road;
- 13-15 Greystone Park Terrace.

These properties are over 50m south of the application site and the assessment found no noticeable reductions in daylight or sunlight would arise to them as a result of the proposed development

Several objections have been received from residential occupiers on the grounds of overlooking of gardens but these are from dwellings in Lynwood Road and Greystone Park Terrace, which are at least 50-60m from the site and separated from it by the A40 and the railway line. There have been no objections on the grounds of loss of light or overbearing effects.

In light of the above considerations, on balance, the proposed development would be acceptable in amenity terms and would not have unacceptable impacts on the living conditions of neighbouring residents. It would provide acceptable levels of residential amenity to future residents of the site, in accord with London Plan Policy D6 and Ealing Development Management DPD Policy 7B.

**Quality of Residential Accommodation**

Policy D6 of the London Plan (2021) and the DCLG ‘Technical Housing Standards (March 2015) set out the minimum gross internal floor space required for different sizes/occupancy levels of residential units. For the 326 residential units proposed, the table below sets out the range of floor areas provided per unit and compares these with the minimum size requirement.

<b>Type/Size of Units</b>	<b>Accommodation Sizes</b>	<b>Minimum Size Required</b>
Studios (3 units)	44.0 m <sup>2</sup> – 45.0 m <sup>2</sup>	39 m <sup>2</sup>
1B/ 2 persons (141 units)	50.2 m <sup>2</sup> - 66.3 m <sup>2</sup>	50 m <sup>2</sup>
2B/ 3 persons (22 units)	67.0 m <sup>2</sup> – 70.0 m <sup>2</sup>	61 m <sup>2</sup>
2B/ 4 persons (126 units)	70.0 m <sup>2</sup> – 84.0 m <sup>2</sup>	70 m <sup>2</sup>
3B/ 5 persons (11 units)	87.0 m <sup>2</sup> – 93.0 m <sup>2</sup>	86 m <sup>2</sup>
3B/ 6 persons (23 units)	85.0 m <sup>2</sup> – 109.0 m <sup>2</sup>	95 m <sup>2</sup>

This shows that all the proposed residential units would meet the minimum spatial requirements in terms of floor area. Based on a sample of units, all proposed bedroom sizes would also meet relevant standards. Each of the five proposed blocks would be served by two lifts and a separate stair core with 6-7 flats served by each core.

Policy D6 of the London Plan (2021) indicates that developments should minimise the number of single aspect dwellings, particularly single aspect dwellings facing north, or those containing three or more bedrooms. It seeks residential units to provide dual aspect living accommodation that would ensure better daylight, a choice of views and natural cross ventilation for future occupiers. In this context, 71%

of the flats would be dual aspect, including all of the 3 bedroom units, and none of the single aspect units would be north facing. This is considered acceptable given the constraints of the site.

A Daylight Sunlight Assessment accompanies the application assessing the quality of daylight and sunlight to be experienced by future residents of the proposed development. This assessed the lowest 5 floors as a worst-case scenario and, if the upper floors were included, a higher level of compliance would be expected. On that basis, the Assessment estimates that 93% of living/kitchen/dining rooms and 85% of bedrooms in the development would exceed the BRE guidance criteria for daylight.

It acknowledges that some 37 bedrooms and 10 living/kitchen/dining rooms would fall below the BRE target levels. However, 25 of these bedrooms achieved within 0.3% of the target, which is considered a minor transgression given that the BRE guidance states that bedrooms have a lower requirement for daylight. In addition, the 10 living/kitchen/dining rooms falling below the BRE target all achieved within 0.3% of the BRE target, which is considered a minor transgression. These rooms would also be located beneath or behind balconies. The assessment notes that these balconies obstruct daylight and sunlight and the amenity benefits gained from the balconies can offset any reduced level of daylight.

In terms of sunlight, the assessment found that on the lowest floors, 31% of main living areas would fully comply with the BRE guidance, a compliance rate said to be typical for a multi-block scheme in an urban location such as this and this rate would increase if the upper floors are included within the assessment. The lower levels of sunlight below the BRE target levels are indicated to arise to windows located beneath external balconies and the east-western orientation, both of which constrain the amount of sunlight.

On balance, it is considered the proposed residential units would offer an adequate standard of living conditions. Therefore, the proposal would comply with policies 7B and 7D of Ealing's Development Management DPD, and London Plan Policy D6.

### **Accessible Units**

Policy D7 of the London Plan requires at least 10% of all new dwellings to be designed to meet Building Regulation Requirement Part M4(3) for 'wheelchair user dwellings' while all other dwellings should meet Building Requirement Part M4(2) 'accessible and adaptable dwellings'.

There are 326 flats within the development and 43 (or 13%) of these would be suitable for wheelchair users (comprising 20 x 1 bedroom, 20 x 2 bedroom and 3 x 3 bedroom units) while all the other units would be wheelchair accessible. The proposal therefore exceeds the requirement of Policy D7.

### **Outdoor Amenity Space**

In terms of private amenity space, London Plan (2021) Policy D6 and Policy 7D of the adopted Ealing Development Management DPD (2013) requires all new residential development to have good quality private outdoor space, in accordance with minimum required levels. The policy requires a minimum of 5 sq m per 1 – 2 person unit and 1 sq m in addition for each additional occupant. Policy 7D also requires a minimum of 15 sq m of communal outdoor space per residential unit.

Private amenity space would be provided for the great majority of the units in the form of balconies. These private amenity spaces would be between 5 sq m and 21 sq m in area. The table below compares proposed provision with the minimum requirement by type of unit.

Unit Type/Size	No. of units	Minimum Required	Private Amenity Space provision
Studio	3	5 sq m	5 -10 sq m
1B/ 2 persons	141	5 sq m	5 - 11 sq m
2B/ 3 persons	22	6 sq m	6 - 7 sq m
2B/ 4 persons	126	7 sq m	7 - 10 sq m
3B/ 5 persons	11	8 sq m	6 - 10 sq m
3B/ 6 persons	23	9 sq m	7 - 21 sq m

Following revisions, all the private amenity areas proposed would meet or exceed the minimum requirement. The private amenity space provision is therefore considered acceptable.

On most floors balconies would be projecting with a few recessed balconies on the upper floors. On the north and south elevation, balconies would be fully enclosed winter gardens to prevent high noise levels and pollution from the A40 to the south and potential future noise from intensified industrial activities to the north. However, these balconies would have openable side windows to provide cross ventilation when required. Balconies located on the corners of the south and north elevations would also be enclosed.

The main communal landscaped areas would be:

- **Courtyard Gardens:** the upper ground and first floor podium communal courtyard gardens would a variety of outdoor spaces including seating areas, grass lawns, informal play areas and private garden terraces;
- **Roof Terraces:** each residential block would have its own south facing communal roof terrace at 8<sup>th</sup>, 9<sup>th</sup> or 10<sup>th</sup> floor level with blocks B/C and D/E sharing additional roof terraces above their linking infill elements; these terraces would include a series of smaller, intimate areas as well as larger, flexible social spaces.
- **Pedestrian Route:** a new pedestrian footpath is proposed along the northern side of the site; this would be landscaped with planters, trees and benches to the north and around reception areas while ground floor planters at street level outside the main reception and cafe area would provide privacy and screening from vehicular traffic.

Looking at the scheme as a whole, based on local and London Plan planning guidelines, a development of 326 flats would require 4,890 sq m of amenity space, based on a benchmark of 15 sq m per flat. In comparison, some 4,579 sq m of residential amenity space is proposed consisting of:

- private amenity space in the form of balconies (2,276 sq m);
- communal roof terraces and podium garden areas on the roof of all blocks (2,303 sq m)

As the site lies in an area of park deficiency, a S106 contribution of £42,667 is sought to offset this shortfall of residential private and communal outdoor amenity space on the site and this would be used to develop a nature park at Westgate Gardens adjacent to the western boundary of the site.

In addition, 432 sq m of shared outdoor amenity space would be provided for the office areas and this exceeds the requirement for this type of space.

A Daylight/ Sunlight Assessment examined the extent of any overshadowing of communal amenity spaces within the development. This considered courtyards on the ground, first and eighth floors,

ground floor shade gardens to the north of the development and the roof top areas on the ninth and tenth floors. It found that 11 of the 15 amenity areas would fully comply with BRE guidance.

The remaining 4 spaces are two courtyard spaces on the ground and first floors and the shade gardens to the north. However, the two courtyard areas on the first floor are small secondary amenity spaces in immediate proximity to other courtyard spaces which achieve fully compliant levels of sun. Because the buildings are largely oriented to the south, this does not allow for sun to reach the shade gardens on the north side and these spaces would provide an alternative for residents, giving access to both well-lit and sheltered areas within the proposed development.

Overall, the assessment estimated 60% of amenity space would achieve at least 2 hours of direct sunlight in March, exceeding BRE recommended levels.

A S106 financial contribution has been agreed towards open space improvements to West Gate Gardens to the west of the site and/or at other locations within walking distance of it. On balance, with the above contributions, the current proposals for amenity space are considered acceptable.

### **Children's Playspace**

London Plan Policy S4 requires development proposals to provide play and informal recreation space based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and Policy S4 expect a minimum of 10 sq m per child to be provided in new developments.

For the proposed 326 flats, this would require 1,384 sq m based on:

- 630 sq m for Under 5s
- 470 sq m for under 11s
- 284 sq m for over 12s

The proposed roof gardens would accommodate 525 sq m of dedicated doorstep playspace for children aged 0–4. A further 320 sq m of incidental play space for the older aged groups is included with the communal amenity spaces throughout the roof garden network. The rest of the play space provision for over 6s would be provided within the new West Gate Gardens on the Council owned open space to the west and funded through S106 contributions.

However, this provision is below the requirement because shared communal spaces on terraces for all residents cannot be counted as children's play spaces as they are not solely for use by children. On this basis, a S106 contribution has been agreed to compensate for the shortfall of 540 sq m of children's playspace. This would be used to improve provision at the proposed West Gate Gardens natural park and other local Ealing parks including Hanger Hill Park and Pitshanger Park.

A condition is sought requiring details to be submitted of children's play areas and equipment. Subject to the S106 contribution and this condition, the proposal can be considered to provide acceptable children's play space for the scheme.

### **Landscape**

The access road and pedestrian entrance is proposed to be a shared surface, utilising Home Zone principles encouraging pedestrian and cycle use and with no parking spaces on it. This would lead to clearly defined entrances for each residential core, a shared cycle store and the shared amenity and play space at the core of the development.

The landscape strategy involves active ground floor frontages surrounded by an integrated landscape masterplan incorporating natural child play zones, pathways, retained trees, screen planting, rain gardens and a variety of amenity spaces. An Urban Greening assessment has also been carried out in accordance with Policy G5 of the London Plan. This indicates the proposal would achieve the required Urban Greening score of 0.4.

The Council's Landscape officers have raised a number of concerns with regard to the landscape proposals.

- clarification required on treatment proposed for each roof area, with brown roofs to be avoided;
- the scheme should minimise use of unsustainable, low biodiversity value synthetic turf by limiting it to the dedicated under 5s play areas, with living grass used wherever possible in the wider courtyard gardens;
- the development should be providing 382 sq m of allotments or dedicated community gardens for food growing and, as this is not fully provided, a S106 contribution has been agreed to improve local allotments.

In response the applicants have confirmed that green / blue roofs with biodiverse seeding are proposed and this is indicated in the Landscape Statement, which had incorrectly annotated these as 'brown roofs'.

The applicants also confirm that artificial grass is proposed within small gardens where grass is likely to be highly trafficked and therefore damaged. They note that the required Urban Greening score of 0.4 would be achieved without wholesale use of natural grass and the ecology report also concludes that the biodiversity new gain of the submitted design is adequate.

It is also noted that some allotment space is to be incorporated within the larger community gardens. These include three planters of 3.25 x 1.5m within a 55 sq m area of community garden 1, and two planters of 3.25 x 1.5m within a 40 sq m area of community garden 2. This totals 24.4 sq m. On this basis, the S106 contribution can be reduced to £13,331.

Conditions have been applied requiring details of: boundary treatment, hard and soft landscaping and landscape design, trees and nature conservation details, a Landscape Management Plan for a minimum period of 5 years, children's play area including safety surfacing and equipment, green roof construction and maintenance schedule, sustainable urban drainage systems, as well as various other nature conservation related conditions following submission of an ecology survey.

### **Ecology**

London Plan Policy G6 aims to protect Sites of Importance for Nature Conservation (SINCs). Policy 5.4 of the Ealing Development Strategy aims to protect and promote the network of Nature Conservation sites. Policy 5.10 of the Ealing Development Management Development Plan Document (2013) requires proposals to replace existing trees and plantings on the basis of no net loss of amenity and Policy 5.11 strongly encourages green roofs.

While the site mainly contains hardstanding, roads, commercial, industrial and residential buildings with some hard and soft landscaping, there are some semi-mature trees along site boundaries. Sites of Importance to Nature Conservation (SINC) run along the railway line 100m south of the site and to the west of the site alongside the River Brent. The proposals would create various habitats on the site including amenity grassland, a biodiverse roof, a green wall, hedgerow and shrubs.

The Council's Landscape officers have raised a number of concerns on ecological issues:

- an ecology survey is required since the site directly adjoins a SINC and proposes to remove 91 trees;
- Biodiversity net gain figures should be provided.

In response, a Preliminary Ecological Appraisal has been submitted and various recommendations are made in relation to protection of habitats, invasive species, new lighting and provision of an Ecological Mitigation Strategy in order to ensure compliance with wildlife legislation and relevant planning policy.

The applicants have also submitted a Biodiversity Net Gain assessment. This indicates that the proposed development will result a >10% increase of baseline habitat value. However, the proposals would result in a loss of -0.40 units of Medium Distinctiveness Habitat and compensation for this loss is required to ensure that the development can achieve an overall net gain for biodiversity.

The Biodiversity report also notes that opportunities to provide further habitat creation/enhancement within the site to secure a net gain are not feasible on site due to the type, layout and end use of the development and an offsite compensation solution is required. The proposal will also result in a 10% net gain in hedgerow value which compensates for all hedgerow loss. However, this net gain cannot be used to counterbalance the net losses in habitat.

It therefore recommends a Habitat Enhancement and Management Plan (HEMP) be produced for all habitats and hedgerow features proposed within the site. This Plan should set out appropriate works and management measures to achieve and maintain the intended type and condition of each habitat /hedgerow feature, cover a minimum period of 30 years and include provisions for monitoring, review, reporting and contingency throughout. A planning condition is applied to require this Plan.

A dusk emergence bat survey was undertaken in August 2021. Given that no bats emerged from any of the buildings and only a small amount of bat activity was recorded on site during the surveys, it concluded that there are no bat roosts present in the buildings on site and the proposed works are not expected to impact roosting bats. However, the following recommendations were made:

- further bat surveys be carried on existing buildings if development has not started with 12 months;
- any new lighting should be carefully designed to minimise light spill on the adjacent railway line. And potential disturbance and fragmentation impacts on sensitive receptors, such as bat species.
- bat boxes should be installed to provide roosting habitat for bats and planting of species which attract night flying insects is encouraged.

With the various recommended measures secured by planning conditions, the proposals would be acceptable in ecology terms.

### **Trees**

An Arboricultural Assessment accompanies the application. This notes that the site contains a number of small trees, none of these subject to a Tree Preservation Order, and 8 trees are proposed to be removed. It also notes that the canopies of retained trees are located sufficiently far from proposed building works not to be impacted by construction activity.



The Council's Landscape section raised a concern that the developer proposes to remove all existing trees including large mature trees and TPO trees and that most new trees are to be on roof terraces and small ornamental species and will not adequately replace well established strip of trees along the site's southern boundary.

However, planting of 91 new trees is proposed and the Council's Tree officer indicates that the agreed S106 contribution towards new tree planting in the Ealing open space land to the west would be sufficient to mitigate loss of amenity.

### **Highways**

Policy T6.1 of the London Plan (2021) requires new residential development not to exceed the maximum parking standards set out in Table 10.3. All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. Policy T6 indicates that car-free development should be the starting point for all development proposals in places well-connected by public transport. The site is not located in a Controlled Parking Zone (CPZ).

Based on London Plan parking standards, the maximum provision for the development would be 41 light industrial spaces, 25 office spaces, 3 café spaces and 245 residential spaces. However, significantly fewer spaces are proposed. For the light-industrial units, 24 spaces at grade are proposed (including 6 disabled), equating to 4-5 spaces per unit). For the office space, given the site's accessible location, only 3 disabled spaces are proposed, all within the basement and accessible to the upper floors by lift. For the café, no parking is proposed on the basis that its employees would travel to work by public transport, cycling or other means.

For the flats, 65 spaces are proposed for 326 units at a ratio of 0.2 space per unit, similar to the recently consented scheme at Westgate House. Ten spaces, 3% of the total spaces, would be disabled spaces at the outset, with scope for a further 23 spaces (7%), to be converted should the need arise in the future.

In terms of access, the current service vehicle route on the north side of the site will be converted into a traffic free pedestrian / cycle route to provide access to the residential and office land uses. It will also provide a 'green' link to the west of the site to connect to the public open space land that is to be made into a nature park. A new service vehicle route on the south side of the development will provide access to basement level residential and office parking, and ground level industrial parking areas as well as service vehicle access to the light industrial units and for all site refuse servicing. A 'loading only' bay will also be provided at ground level here for residential and office deliveries.

TfL required further information and various mitigation measures before the proposal could be supported including details of the proposed new pedestrian / cycle link, proposed cycle parking numbers, supporting facilities for commercial cycle parking provision, how the access arrangement would be safe for all modes, how concerns on pedestrian safety would be addressed, justification for mode share assumptions and trip generation estimates, a breakdown of rail / underground trip generation and an Active Traffic Zone assessment. Contributions were also sought for public transport improvements. Following discussions, TfL have confirmed that the issues raised in the Stage 1 report could be resolved through planning conditions and obligations, including:

- details of landscaping, to ensure that the width of the link is adequate as a shared path for pedestrians and cyclists;
- the introduction of a new pedestrian crossing in West Gate;
- features to improve safety at the vehicular access;

- a financial contribution to improve lighting along the route to Hanger Lane station and other parts of key routes from the site;
- if applicable, a S278 agreement to secure additional highway improvements on the periphery of the site; this involves provision of a traffic island near the site entrance.

Ealing Transport Services consider the development would increase vehicular, pedestrian and cycling trips on the Hanger Lane Gyratory system. It is also likely to increase congestion during the morning peak period. Various mitigation measures are needed to reduce the risk of accidents, especially to vulnerable road users such as pedestrians and cyclists on the adjacent road network and junctions. A significant number of additional bus trips will be generated by the development adding to pressures on capacity. Green travel plan measures should be designed to achieve an increased modal shift from car to sustainable transport such as walking, cycling and public transport. The following measures and financial contributions are sought via a S106 Agreement to mitigate these impacts:

- parking permits to be denied in any new controlled parking zones near the proposed development;
- free 2 year car club membership to be provided to all the residents of the development;
- the potential to be explored for providing car club bays on the application site which are accessible by the public;
- financial contributions to improve pedestrian and cycle infrastructure near the application site and introduce accident remedial measures around the Hanger Lane Gyratory; these would include footway improvements, Hanger Lane underpass improvements, an accident remedial scheme on Ealing Road, traffic calming measures on adjacent residential roads, proposed cycle quiet way between Hanger Lane Gyratory and Ealing Broadway, a CPZ review, and traffic congestion modelling.
- a financial contribution to improve the bus stops around Hanger Lane Gyratory and towards an accident remedial scheme on the Hanger Lane Gyratory;
- separate travel plans are required for the residential and industrial developments and secured by a S106 agreement; these travel plans should include cycle and road safety education training to all residents of this development and contributions are required for monitoring of the plans;
- a S278 agreement will be required for any works on the existing adopted highway;
- a S38 agreement will be required if the proposed footway on West Gate outside the development site is to be constructed to Council adoption standards and dedicated as highway;
- submission of a road safety audit for the access arrangements for the development and any measures proposed nearby with all mitigation measures recommended by this audit to be funded by the applicant;

Conditions are also required to secure submission of a demolition and construction method statement , a Servicing and Parking Management Plan and provision of electric charging points to TfL parking standards.

The applicants have confirmed that a car club space will be provided within the site or in close proximity to it. This would be in addition to new car club vehicles being provided as part of the Westgate House and Kantar site developments and other local existing car club spaces. A S106

financial contribution is proposed towards the provision of a dedicated car club space on West Gate (if deemed necessary by the car club provider) together with 2 years free membership and £50 free driving credits for each new dwelling.

In terms of cycle parking, Table T5 of the London Plan (2021) requires cycle parking at least in accordance with minimum standards set out in Table 10.2. This requires 1 space per 1 person/1 bedroom dwelling, 1.5 spaces per 2 person/1 bedroom dwelling and 2 spaces for all other dwellings. Requirements for the industrial and commercial space are based on floorspace. Overall, the proposed development would require 517 cycle spaces for the flats, 16 plus 4 visitor spaces for the industrial units, 17 plus 5 visitor spaces for the offices and 1 space plus 4 visitor spaces for the café. For the flats, 579 resident spaces would be provided in the basement with a further 13 visitor spaces in the public realm area to the north.

The light industrial units would have 17 employee spaces (3-4 spaces per unit) plus 4 visitor spaces outside the units. For the offices, 18 employee spaces would be provided in the basement with a further 5 spaces in the public realm area to the north. For the café, 1 employee space would be provided as part of the office cycle store with 4 visitor spaces within the public realm to the north.

This would result in a total of 642 cycle spaces on the site. This level of provision would exceed the minimum London Plan Cycle Parking standards and is therefore considered acceptable.

Planning conditions have been applied to require a construction and demolition management plan, a Servicing and Parking Management Plan and provision of electric vehicle charging points to TfL standards.

Taking account of the recommended conditions, S106, S38 and S278 obligations, the proposal would be acceptable in terms of transport and highways. It would therefore be consistent with section 9 of the National Planning Policy Framework, and policies T5, T6, T6.1 of The London Plan 2021.

### **Environmental Pollution**

With regard to noise, the main sources affecting the proposed development would be road traffic from the A40 and noise from the adjoining railway line.

A Noise and Vibration Assessment accompanies this application. It indicates that, to mitigate this noise, all flats would be double glazed and mechanically heated and cooled so that there would be no need to open windows for ventilation. In addition, fully enclosed balconies are proposed on the south and north elevations to create quieter, screened environments. The balconies on the east and west elevations of all blocks would also have solid glass balustrades to mitigate noise. This, together with the proposed glazing and fabric insulation standards and the use of mechanical ventilation for heating and cooling, is indicated to ensure acceptable living conditions for future occupiers of the development.

The report also concludes that, given the proposed screening to the south facing courtyards and upper level terraces, these spaces would also achieve acceptable noise levels. The potential for noise from the ground floor industrial units and associated servicing and yard areas was also assessed and appropriate slab and façade insulation standards are recommended as well as operational measures to prevent unacceptable noise impacts on the offices and residential units above.

While there is potential for increased noise from the HS2 site to the west and from intensified industrial use on sites to the north, internal and external noise environments within the development are assessed as remaining acceptable with the glazing and façade insulation measures proposed.

Regulatory Services have reviewed the submitted Noise Assessment and no objections are raised on noise grounds subject to a range of noise related conditions being applied, including details of insulation between flats and to the building envelope, details of insulation between flats and commercial units, details of noise levels from plant and mitigation measures proposed, details of building vibration levels from railway and road traffic and effective mitigation measures, provision of anti-vibration mounts to machinery and anti-vibration isolators to mechanical gates/shutters, installation of an effective kitchen extract system and odour control system, self-closing devices to external doors to the commercial kitchen and industrial uses, and approval of a demolition method statement/ construction management plan.

With regard to air quality, the submitted Air Quality Assessment concludes that the main effects on local air quality during construction would be dust but a range of mitigation measures to minimise or prevent dust emissions would be implemented and, with these, the local effects would be not significant. In terms of operational impacts, the assessment concludes that emissions from road traffic associated with the proposed development would not be significant for Nitrogen Dioxide and PM10 and PM2.5 particulates.

The Assessment also concludes that air quality levels within the development will be acceptable even without mitigation. Despite this, the development would incorporate air quality mitigation measures including enclosed winter gardens on the northern and southern elevations facing the adjoining industrial sites and the A40, and mechanical heating and cooling systems within the apartments to minimise the need to open windows and doors for heating and cooling.

Regulatory Services have not objected to the proposals but seek conditions requiring details of a filtered fresh air ventilation system to flats, for submission of an Air Quality and Dust Management Plan and on standards for any non-road mobile machinery to be used. In addition, a S106 contribution towards air quality improvement/monitoring measures of £100,490 is sought.

The site is located 105 m south east of the Veolia Waste Transfer Station on Marsh Lane, Alperton, and Brent Council objected on the grounds that the proposed development has failed to appropriately consider the impacts of this nearby waste facility. In response, the applicant has submitted an Odour Risk Statement to assess whether the proposed development would be adversely affected by odour emissions from that site. This indicates that the prevailing wind direction would need to be from the north-west for the development to be downwind of the waste transfer station. However, wind from that direction occurs only a small proportion of the time so that for more than 99% of the year no significant odour effects are likely to be experienced at the site.

The Odour Statement also notes that the waste transfer facility is regulated by the Environment Agency under an environmental permit which requires any odour from the waste facility to be mitigated at the site boundary. Given the limited frequency of the proposed development being downwind of the odour source and the mitigation measures already in place via the environmental permit, the odour effects on the proposed development are assessed as negligible. However, to further mitigate any odour impacts, the report recommends tree planting along the western boundary of the site and/or within the public open space to the west. Tree planting is therefore proposed on the north-west corner of the application site and within the Ealing public open space, the latter secured by a S106 contribution.

In relation to contaminated land, the site contains various industrial uses with some potential for contamination. Regulatory Services have no objections to the proposals but request conditions be applied to require site investigation, remediation and verification as necessary. These have been applied.

### Energy/Sustainability

The provision of sustainable development is a key principle of the National Planning Policy Framework (2021), which requires the planning process to support the transition to a low carbon future. Policy SI2 of the London Plan (2021) requires submission of an energy demand and sustainability assessment, along with the adoption of sustainable design and construction measures and demonstration of how heating and cooling systems have been selected in accordance with the Mayor's energy hierarchy. In particular, policy SI2 requires the domestic element to meet zero carbon and the non-domestic element to meet the 35% CO<sub>2</sub> emissions reduction target beyond Building Regulations Part L 2013. For the domestic element, a minimum 35% reduction in regulated CO<sub>2</sub> emissions above Building Regulations 2013 is expected to be achieved on-site. Any shortfall will be met through a S106 carbon offset contribution.

Policy SI2 in the London Plan (2021) 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.

London Plan policy SI3 recognises that combined heat and power (CHP) may have negative effects on London's air quality and that electric air-source-heat-pumps are a better carbon reduction option than gas fired CHP. In addition, section 10.2 of the GLA (2020) 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.

An Energy and Sustainability Statement has been submitted to demonstrate compliance with London Plan and Ealing Local Plan energy and sustainability policies. The Council's Energy & Sustainability Officer has reviewed the application. This notes that the size and type of development is not suitable for CHP and there is no available "Clean" district heat network (DHN), but the energy plant room will be future-proofed for connection to any future low-temperature DHN. The scheme proposes a site-wide ambient, low-temperature (air-to-water) Air Source Heat Pump distribution loop with individual dwelling water-source heat pumps (WSHP) to provide heating and cooling, and domestic hot water.

The Energy Strategy was noted not to fully accord with London Plan policy SI2 since it does not provide maximum deployment of Photo Voltaic panels across all available roof space. However, the applicant has confirmed no more roof space is available for these panels as it is taken up by plant, is shaded, or needed for maintenance access. Although there may appear to be potential to introduce further panels to the amenity areas via pergola type structures, these would be visually intrusive, involve daylight and wind issues, and impact on viability. In any event, the energy strategy achieves all the policy requirements without the need for additional Photo Voltaic panels.

With these "Lean" efficiency measures and "Green" renewable energy measures, the overall site-wide CO<sub>2</sub> emissions will be cut by at least 53.68%. There would be a shortfall of 219 tonnes of CO<sub>2</sub> (over 30 years) in the zero-carbon requirement for the residential element which will be mitigated through an "offset" S106 payment at £95 per tonne to the Council and equates to £538,650. This figure may be amended prior to the completion of the Legal Agreement.

In order to confirm full compliance with the relevant London Mayor's and Ealing energy policies, the developer is also required to pay the index linked total sum of £17,545 indexed as a contribution towards the provision (by Energence Ltd) of post-construction energy equipment monitoring, comprising:

- a) £8,245 for the automated energy monitoring web-platform and associated officer/consultant time, and

b) £9,300 for the cost of the energy monitoring equipment and data processing (4 years).

Subject to these S106 requirements and energy related various conditions, the development would comply with national, regional and local policies in terms of sustainability.

**Economic Benefits and Job Training/Placement**

The existing site contains 3,325 sq m of what was formerly referred to as B1(a-c), B8 and Sui Generis floorspace and this supports approximately 48 full-time employees (FTE). The proposal includes 4,097 sq m of light industrial and storage and distribution space (now E(g) and B8 uses), 2,539 sq m of office floorspace (now E(g)(i) and 153 sq m of café floorspace (now E(b)).

Based on the London Employment Sites Database report, typical employment densities for each use have been applied by the applicant to estimate potential job generation:

- Offices 188
- Light industrial/storage distribution 88
- Café 9

On this basis, the proposal would generate some 285 local jobs, an increase of 237 on the current situation. It would also improve the quality of industrial space on the site and provide high quality, flexible office units that could help diversify job opportunities in the area.

London Plan Policy E11 requires that development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate.

In this context, the Council's Regeneration section request that the developer produce a Local Employment and Training plan, which will set out commitments for both the construction phase of the development and end user opportunities. These would include 17 apprenticeship places and a financial contribution of £50,000 towards an apprenticeship/job placement scheme and the developer would be expected to work with the Council's job brokerage service to support recruitment for the Café vacancies. These commitments would be secured via the S106 Agreement.

**Crime Prevention**

Explanatory text for London Plan Policy D3 indicates that measures to design out crime should be integral to development proposals and be considered early in the design process. Policy D11(c) emphasises that development should include measures to design out crime.

The Metropolitan Police Design Out Crime team has assessed the proposed development and requested a condition that the development must achieve Secured by Design accreditation, but sees no reason why this should not be achieved. This condition has been applied.

**Accessibility**

Policy D7 of the London Plan (2021) requires at least 10% of all new dwellings to meet the Building Regulation Requirement Part M4(3) 'wheelchair user dwellings' while all other dwellings should meet Building Requirement Part M4(2) 'accessible and adaptable dwellings'.

There are 326 flats within the development and 43 (13%) of these would be suitable for wheelchair users (comprising 20 x 1 bedroom, 20 x 2 bedrooms and 3 x 3 bedrooms) while all other units would be wheelchair accessible. As such, the proposal exceeds the minimum requirement of Policy D7.

**Refuse & Recycling Storage**

Policy SI 7 of the London Plan (2021) requires the design of developments to include adequate, flexible, and easily accessible storage space and collection systems. The London Housing Supplementary Planning Guidance 2016 (standard 2.3.18) requires refuse stores to be accessible to all residents. Based on the Ealing Waste Guidelines, the total storage capacity required for the 326 flats proposed would be approximately 32,000L for refuse and 32,000L for recycling.

The amount of refuse provision proposed is 26 x 1100 litre Eurobins for refuse and 51 x 1100 litre Eurobins for recycling to be provided at basement level. This overall level of provision appears adequate in total capacity and a condition is applied to ensure it meets Council standards.

It is proposed that refuse from the flats would be managed and located at basement level with a holding store on ground floor for collection. Residents would take their refuse/recycling to dedicated refuse stores for each core in the basement. Management staff would transfer the refuse from the basement to the refuse holding area at ground floor via dedicated lifts where it will be collected by the Council.

Residential refuse collection vehicles would enter the site from West Gate, proceed to the western end of the site where vehicles will turn before driving east to stop adjacent to the ground floor refuse holding room from where residential bins will be emptied into the waiting refuse vehicle. Swept path analysis for these refuse vehicle movements has been provided. The transfer distance between the ground floor refuse holding room and the refuse vehicle would be in line with the 10m requirement set out in the Council's Waste Management Guidelines.

Office refuse would be located at basement level in dedicated office refuse stores adjacent to and easily accessible from the office cores and would also be transferred to the ground floor holding area by management. Light industrial refuse would be stored within each light industrial unit and left outside on the south vehicular access road on collection days.

Waste and Street Services have not commented on these proposals. To ensure that the proposed refuse arrangements are managed properly, a condition that requires the submission of a refuse management plan has been applied to secure coordinated servicing of the development, including refuse collection.

**Drainage and Flood Risk**

Policy LV 5.12 (Flood Risk Management) of the Ealing Development Management Document DPD (2013) requires all forms of development to ensure that every vulnerability to surface water, sewer and ground water flooding is fully assessed.

The site is in an area with low risk of flooding (Flood Zone 1) and in which residential development is considered appropriate by the NPPF. It is also not within a Groundwater Source Protection Zone or Groundwater Vulnerability Zone.

The submitted SUDs strategy indicates that surface water drainage would involve attenuating rainwater via a series of landscaped spaces at roof and podium level and via a blue water storage system below some of these spaces. Further underground attenuation would also be provided in tanks below the southern access road while much of the northern pedestrian route would contain impermeable paving and landscaping. As a result, the development would achieve a 98% improvement in the existing brownfield run-off rate.

In terms of foul sewerage, as there is no foul water sewer near the site and an on-site sewerage treatment plant would be impractical for a development of this scale, a pumping station is proposed to allow for a new connection into the existing foul water sewer on Hanger Lane, subject to further discussions and approval by Thames Water.

Thames Water has not objected to the scheme with regard to surface water impacts provided the developer follows the sequential approach to the disposal of surface water. However, it indicates that the existing water network infrastructure is inadequate for this development and requires conditions preventing occupation of flats before necessary water and wastewater network upgrades are completed. It also expects the developer to demonstrate measures to be undertaken to minimise groundwater discharges into the public sewer. Requested conditions have been applied with regard to piling, foul water drainage, and construction within 3m of water mains and a number of informatives added.

The Council's Environmental Services (Flood risk/drainage) officer has not commented on the proposals. However, a similar drainage related condition to other large developments in this area has been applied. This requires approval of detailed drainage designs for SUDS features and a maintenance plan for SUDS components.

On this basis, the scheme is considered acceptable in its likely impact of drainage and flooding, subject to the conditions applied.

### **Agent of Change Issues**

Policy D13 of the London Plan (2021) states that:

- the responsibility for mitigating the impacts from existing noise and other nuisance-generating activities or uses falls on the proposed new noise-sensitive development;
- development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue without unreasonable restrictions being placed on them;
- new noise and other nuisance-generating development near residential and other noise-sensitive uses should mitigate and manage noise impacts for neighbouring residents and businesses.

An Agent of Change report accompanies the application. This draws on the noise and vibration, air quality, odour, and sunlight and daylight reports submitted with the application and concludes that, given the nature of the adjacent uses and the mitigation measures proposed within the scheme, the development can be integrated successfully into the mixed-use environment of the area. Given this industrial area already contains significant residential development, there is no reason to disagree with this conclusion.

### **Impacts on HS2**

As noted above, the private road, turning head, private car park and some of the Ealing open space land adjoining the site to the west are being acquired under compulsory purchase powers to provide a ventilation shaft, access and storage areas for the construction of the HS2 railway line, which is due to run beneath the site.



The applicant agreed with HS2 to relocate the access road to the southern part of the application site and then north along its western boundary to maintain access to the HS2 ventilation shaft site both during and after implementation of the proposed development.

During the consultation process, HS2 identified a number of potential areas where the proposed development may affect HS2 assets including noise and vibration effects, ground borne sound and vibration, rail systems/operations and maintenance, security, design, logistics, health and safety, utilities, fire strategy, and amendment to Schedule 17 approval and access rights. HS2 has now withdrawn its holding objection and provided conditions, which have been applied.

### **Circular Economy**

To comply with Policy S17 of the London Plan, a Circular Economy Statement has been submitted. This sets out targets for minimising demolition waste, excavation and construction waste and for recovery of building materials. Key measures include efficient design to reduce the quantity of materials required, designing for longevity and reusability, development of a resource management plan and a waste management strategy. A condition is applied to require implementation of the development in line with the measures set out in the Statement.

### **Community Infrastructure Levy (CIL)**

The London Borough of Ealing is a Collecting Authority on behalf of the Mayor of London. Mayoral CIL is currently set at £60 per sq m, subject to the indexation in place during the calendar year that the permission becomes a chargeable development. Liability is assessed after determination and the applicant will be sent a CIL Liability Notice if appropriate.

In this case, the proposed development involves 326 residential units with 28,469 sq m of floorspace and 12,475 sq m of industrial and commercial floorspace. Following demolition of existing buildings, it would provide a net additional floor space of in the order of 37,619 sq m. However, a proportion of this would be for affordable dwellings which are exempt from CIL. This indicates a CIL payment in the order of £1.77 million subject to indexation but the actual amount will be calculated by the CIL officer.

### **Conclusion**

In assessing the overall acceptability of this scheme, it is important to consider the balance of its benefits and deficiencies.

On the one hand, the proposal involves a series of high buildings in a prominent location and in a Strategic Industrial Location. Because of exceptional development costs and resultant viability issues, only 36% affordable housing is proposed and the tenure breakdown does not meet Ealing's preferred mix. It would have some adverse impacts on a few views from nearby conservation areas although resulting in less than substantial harm to them. There would also be small shortfall of outdoor amenity space on the site although this would be offset by S106 contributions towards off-site improvements.

On the positive side, it will provide 326 flats and make a substantial contribution to meeting housing demand, including 112 affordable units. It will also provide over 4,000 sq m of modern industrial space within a Strategic Industrial Location, a large increase over current provision, as well as over 2,500 sq m of modern office space. This will create up to 237 additional local jobs. A new café will be provided in an employment area with a lack of such services. The scheme complies with London Plan criteria for tall buildings and for co-location of dwellings in industrial areas, and is not considered to have adverse impacts on nearby occupiers. The proposed design and appearance of the building is considered to be of good quality. In addition, it will contribute to developing a nature park on a neglected area of public open

space on the western boundary of the site and much improved, landscaped pedestrian access will be provided through the site to this public open space and the River Brent.

The proposed design and appearance of the building have evolved through pre-application negotiations, would be of good quality, would be in-keeping with surrounding development and would provide an adequate residential environment for occupiers.

The proposed development would provide high standards in terms of sustainable design and construction including energy efficiency measures, photo-voltaic roof panels, air source heat pumps and low emission levels. Potential impacts with regard to air quality, noise and land contamination can be adequately dealt with by the conditions proposed. Transport Services have assessed potential implications of the development for the highway network regarding car parking, traffic, junctions and pedestrian infrastructure in the locality, and consider it acceptable subject to conditions and financial contributions.

On balance, the benefits of the proposal are considered to outweigh its fairly limited deficiencies. With the range with of S106 contributions and planning obligations agreed, any potential impacts arising from the proposal will be satisfactorily mitigated. As such this proposal is recommended for conditional approval subject to conditions and S106, S38 and S278 legal agreements.

### **Fire Safety**

Policy D12 of the London Plan requires all major developments to be accompanied by a Fire Safety Statement. A Fire Safety Statement accompanies this application and sets out fire prevention measures incorporated into the design of the scheme. These include fire resistant building materials; early warning alarms and sprinkler systems, means of escape strategies for each use, and access for fire-fighting personal. It concludes that the building has been appropriately designed with respect to fire safety and that further information will be provided at building regulations stage to ensure all other relevant fire safety matters are addressed.

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

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

The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations (2010). These require minimum standards for any development, although the standards will vary between residential and commercial uses, and in relation to new build and change of use/conversions. The regulations cover a range of areas including structure and fire safety.

Any person or organisation carrying out development can appoint either the Council's Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure that the

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

Policy D12 of the London Plan requires all major developments to be accompanied by a Fire Safety Statement. The submitted Statement sets out the mitigation measures incorporated into the design of the scheme. These include fire resistant building materials; early warning alarms and sprinkler systems, means of escape strategies for each use class, and access for fire-fighting personal. It concludes that the building has been appropriately designed with respect to fire safety and that further information will be provided as a condition of consent and/or at building regulations stage to ensure all other relevant fire safety matters are addressed.

**Human Rights Act:**

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

**Public Sector Equality Duty**

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.

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

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.

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 1: CONDITIONS**

1. Time Limit 3 years - Full Permission

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

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

2. Approved Plans and Documents

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

PL001 Rev P1 Existing Site Location Plan, PL002 Rev P1 Existing Site Plan, PL003 Rev P1 Existing Ground Floor Plan, PL004 Rev P1 Existing Ground and First Floor Plan (Unit 9), PL005 Rev P1 Existing Elevations – Unit 9, PL006 Rev P1 Existing Ground and First Floor Plans – Units 1-8, PL007 Rev P1 Existing Elevations – Units 1-8, PL101 Rev P1 Proposed Site Location Plan, PL102 Rev P3 Proposed Site Plan, PL103 Rev P3 Proposed Level OO GA Plan, PL104 Rev P2 Proposed Mezzanine Level GA Plan, PL105 Rev P2 Proposed Upper Ground Level GA Plan, PL106 Rev P1 Proposed Level 01 GA Plan, PL107 Rev P1 Proposed Level 02-07 GA plan, PL108 Rev P1 Proposed Level 08 GA Plan, PL109 Rev P1 Proposed Level 09 GA Plan, PL110 Rev P1 Proposed Level 10 GA Plan, PL111 Rev P1 Proposed Level 11 GA Plan, PL 112 Rev P1 Proposed Level 12-13 GA Plan, PL113 Rev P1 Proposed Roof Plan, PL115 Rev P2 Proposed Basement Level, PL201 Rev P2 Proposed South Elevation, PL202 Rev P2 Proposed North Elevation, PL203 Rev P2 Proposed East Elevation, PL204 Rev P2 Proposed West Elevation, PL206 Rev P2 Block A Proposed West Elevation, PL207 Rev P2 Block B Proposed East Elevation, PL208 Rev P2 Block B Proposed West Elevation, PL209 Rev P2 Block C Proposed East Elevation, PL210 Rev P2 Block C Proposed East Elevation, PL211 Rev P2 Block D Proposed East Elevation, PL212 Rev P2 Block D Proposed West Elevation, PL213 Rev P2 Block E Proposed East Elevation, PL301 Proposed Long Section Rev P1, PL302 Rev P1 Proposed Cross Section, PL120 Rev P1 Proposed Typical 1B Apartment Layouts, PL121 Rev P1 Proposed Typical 2B Apartment Layouts, PL122 Rev P1 Proposed Typical 3B Apartment layouts, PL123 Rev P1 Typical DDA Apartment Layouts, PL220 Rev P2 Proposed South Elevation Bay Study 1, PL221 Rev P1 Proposed South Elevation Bay Study 2, PL222 Rev P1 Proposed East Elevation Bay Study 3, PL223 Rev P1 Proposed North Elevation Bay Study 4, PL224 Rev P1 Proposed Courtyard East Elevation Bay Study 5, PL225 Rev P1 Proposed Courtyard South Elevation Bay Study 6, PL 226 Rev P2 Proposed North Elevation Bay Study 7, PL500 Rev P1 Proposed NIA Areas, PL501 Rev P1 Proposed GIA Areas, PL503 Rev P1 Proposed Existing GIA Areas, LD 101B Ground Floor Landscape Plan, LD 102A Upper Ground Landscape Plan, LD 103A Level 01 Landscape Plan, LD 104A Level 08 Landscape Plan, LD 105C Level 09 Landscape Plan, LD 106B Level 10 Landscape Plan, LD 107A Composite Landscape Plan, LD 108 Illustrative Masterplan, LD 301A North Elevation Planters, LD 302 Landscape Sections, Planning Statement by Maven Plan (March 2021), Revised Design & Access Statement by Squire & Partners Architects Rev A (October 2021), Residential Quality Document by Squire & Partners Architects (October 2021), Affordable Housing Statement by Squire & Partners (November 2021), Westgate Triangle Intensification Study and Masterplan Rev A by Squire & Partners (October 2021), Landscape Design Statement by GL Hearn, (December 2020), Economic and Industrial Land Assessment by Icen Projects (March 2021), Viability Appraisal by Knight Frank (March 2021), Agent of Change Assessment by Idom (March 2021), Revised Townscape and Visual Impact Assessment by Waterman (November 2021), Built Heritage Statement by RPS (November 2020), Daylight and Sunlight Report by EB7 (March 2021), Transport Assessment by Paul Mews Associates (January 2021), Framework Travel Plan by Paul Mews Associates (December 2020), Outline Construction Logistics Plan by Paul Mews Associates (December 2020); Delivery and Servicing Plan

by Paul Mews Associates (December 2020), Energy and Sustainability Statement by Buro Happold (December 2020), Circular Economy Statement by Buro Happold (July 2021), Arboricultural Report and Impact Assessment by Crown Trees (December 2020), Drainage Strategy by CSP London (November 2020), Noise and Vibration Assessment by Waterman (March 2021), Noise and Vibration Addendum by Waterman (September 2021), Air Quality Assessment by Waterman (February 2021), Air Quality Addendum by Waterman (July 2021), Odour Risk Statement by GL Hearn (February 2021), Pedestrian Level Wind Desk-Based Assessment by RWDI (November 2021), Preliminary (Contaminated Land) Risk Assessment by Waterman (December 2020), Structural Report by CSP London (December 2020), Outline Construction Method Statement by Gardiner Theobald (November 2020), Fire Strategy Statement by Elementa Consulting (October 2021), Statement of Community Involvement by Thorncliffe (December 2020), Biodiversity Net Gain Assessment by Middlemarch Environmental (October 2021), Biodiversity Mitigation and Enhancement Plan by Middlemarch Environmental (October 2021), Dusk Emergence Bat Survey by Middlemarch Environmental (October 2021), Preliminary Bat Roost Assessment by Middlemarch Environmental (July 2021), Preliminary Ecological Appraisal by Middlemarch Environmental (July 2021), Odour Modelling Assessment by Temple (July 2021).

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

### 3. Details of Materials - Building

Details of the materials and finishes to be used for all external surfaces of the building hereby approved shall be submitted to and approved in writing by the local planning authority before any part of the super structure is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The development shall be implemented only in accordance with these approved details.

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policy D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

### 4. Hard/ Soft Landscaping and Boundary Treatment

Details of hard/soft landscape works and boundary treatments for the development shall be submitted to and approved in writing by the local planning authority before any part of the super structure is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The scheme shall include comprehensive details of the full planting specifications (size, species and numbers), the positions of all planting, ground preparation for tree planting, and staking/tying methods where applicable. The development shall be implemented only in accordance with these approved details. 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 development is landscaped in the interests of the visual character and appearance of the area and amenity of prospective occupiers, and in accordance with policies G5 and G7 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2021).

5. Landscape Management Plan

Details of a Landscape Management Plan for a minimum period of 5 years from the implementation of final planting shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. The development shall be implemented only in accordance with these approved details and retained thereafter.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area and amenity of prospective occupiers, and in accordance with policies G5 and G7 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2021).

6. Play equipment

Details of design, layout and provision of play equipment within the play areas shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. The development shall be implemented only as approved and retained thereafter.

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

7. Demolition Method and Construction Management

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

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

Reason: To protect the amenity of neighbouring occupiers and to ensure adequate highway and site safety in accordance with policies 1.1(e), 1.1(j) and 2.1(c) of the Ealing Core Strategy (2012), policies S11, T4, T6 and D14 of the London Plan (2021), the National Planning Policy Framework (2021), Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006), BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise.

8. Cycle Parking

The approved cycle parking facilities shall be fully implemented in accordance with Council standards and as shown on the approved plans and made operational before the first occupation of the development, and permanently retained thereafter.

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

9. Travel Plan

A revised Green Travel Plan designed to manage the transport needs of the occupiers of the development, including measures to minimise car useage and promote alternative modes of transport, shall be submitted to and approved by the Local Planning Authority before the first occupation of the development, and the approved Green Travel Plan shall be fully implemented in compliance with the approved document.

Reason: To promote sustainable patterns of transport to safeguard the living and working conditions of local people and in the interest of highway and pedestrian safety, in accordance with section 9 of the National Planning Policy Framework, policies T2 and T4 of the London Plan (2021) and policies 1.1 (f) and 1.1(g) of the Ealing Development (Core) Strategy 2026.

10. Delivery/Serviceing Plan

A delivery and servicing plan (DSP) for the different uses of the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To protect the living conditions of neighbouring properties in accordance with policies 1.1(e) (g) and 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy 7.A of the Ealing Development Management Development Plan Document (2013), policies D6 and T4 of the London Plan (2021), and the National Planning Policy Framework (2021).

11. Piling

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 in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. To ensure the integrity of underground water and sewerage utility infrastructure is not affected, in accordance with policy 1.1 (e), 1.2 (m) and 6.1 of the Ealing Core Strategy (2012), policy SI5 of The London Plan (2021), and the National Planning Policy Framework (2021).

12. Works Near Water Main

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works have the potential to impact on local underground water utility infrastructure.

13. Water Network Upgrades

No development shall be occupied until confirmation has been provided that either:-all water network upgrades required to accommodate the additional flows 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 housing 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.

14. Wastewater Network Capacity

No development shall be occupied until confirmation has been provided that either:

- (a) capacity exists off site to serve the development, or
- (b) a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. 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, or
- (c) all wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

15. Energy and CO<sub>2</sub>

Prior to construction completion and occupation, the permitted development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO<sub>2</sub> emissions of at least 53.68% (equating to 219 tonnes of CO<sub>2</sub> per year) beyond Building Regulations Part L 2013. These CO<sub>2</sub> savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy and Sustainability Statement by Buro Happold (December 2020) including:

- i. Lean, passive design measures to achieve an annual reduction of at least 15.34% equating to at least 48 tonnes in regulated carbon dioxide (CO<sub>2</sub>) emissions over BR Part L 2013 for the



- residential development, and at least 14.74%, equating to at least 14 tonnes, over Part L 2013 for the non-residential space.
- ii. Green, renewable energy equipment including the incorporation of five photovoltaic arrays with a combined total capacity of at least XX kWp, and Air/Water Source Heat Pump(s) to achieve an annual reduction of at least 38.48%, equating to 157 tonnes, in regulated carbon dioxide (CO<sub>2</sub>) emissions over Part L 2013.
  - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.
    - a) Prior to commencement of construction, details of the specifications including manufacturers performance data sheets, design, and layout of the proposed low and zero-carbon (LZC) energy equipment, and the associated monitoring devices required to identify their performance/efficiency (COP), shall be submitted, to and approved in writing, by the Council. The development shall be implemented only in accordance with the approved details.
    - b) Prior to the installation of the renewable/low-carbon energy equipment technical details of the equipment shall be submitted to the Council for approval. The details shall include the exact 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 LZC 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 LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
    - d) Within three months of the occupation/first use of the development the relevant Energy Performance Certificate (EPC) and detailed SAP Worksheets showing clearly the TER and DER, and/or the Display Energy Certificates (DEC's), accompanying Advisory Reports and detailed BRUKL modelling output reports showing clearly the TER and BER from the 'as built stage' following completion of the development, shall be submitted to, and approved by, the Local Authority in order to confirm compliance with the energy efficiency measures detailed in the approved Energy Strategy. The development shall be carried out strictly in accordance with the approved details.

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).

#### 16. Overheating and Cooling

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE TM49 and/or TM52 guidance and detailed in the Dynamic Overheating Assessment submitted by Energy & Sustainability Statement by Buro Happold (December 2020).

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy S14 of the London Plan (2021), Ealing's Development (Core) Strategy, and the Ealing Development Management DPD.

17. Post construction energy equipment monitoring

In order to implement Ealing Council DPD policy 5.2.3 (post-construction energy monitoring), and the (emerging) London Plan policy Si2 with the “Be Seen” stage of the revised energy hierarchy, 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 CO<sub>2</sub> Condition(s).
- b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency (COP) of any renewable/low-carbon 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 (Energence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational.

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, Ealing Development (Core) Strategy 2026 (2012), Ealing Development Management DPD policy 5.2, E5.2.3, and Policy 2.5.36 (Best Practice) of the Mayor's Sustainable Design & Construction SPG.

18. Sustainable Design and Construction

Prior to completion the sustainability measures detailed in the approved Energy & Sustainability Statement prepared by Buro Happold in December 2020 and submitted in March 2021, shall be implemented and maintained. The measures shall meet the requirements of local and regional planning policies and be in line with the Mayor's Sustainable Design and Construction SPG. The development shall be constructed in line with the approved energy and sustainability measures.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with policies SI2 and SI3 of the London Plan (2021), policies LV5.2 and 7A of Ealing's Development Management DPD 2013, and policies 1.1(k) and 1.2(f) of Ealing's Development (Core) Strategy 2012 and the Mayor's Sustainable Design and Construction SPG.

19. Non-Residential BREEAM energy/CO<sub>2</sub> accreditation

- a) The non-residential element of the development shall be registered with Building Research Establishment (BRE) and achieve BREEAM Rating Very Good with a score of at least XX.XX%, and make reasonable endeavours to achieve Excellent (based on the latest BREEAM NC Technical guidance).

- b) Within 3 months of each non-residential element 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 3 months from the date of first occupation of each non-residential element of the development, 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 certificate of the development, the approved measures and technologies to achieve the BREEAM Very Good or higher 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 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., and policies LV5.2 and 7A of the Ealing Development Management DPD (2013).

20. Post construction energy equipment monitoring

In order to implement Ealing Council DPD policy 5.2.3 (post-construction energy monitoring), and London Plan (2021) policy SI2 with the "Be Seen" stage of the revised energy hierarchy, 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 CO<sub>2</sub> condition(s).
- b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency (COP) of any renewable/low-carbon 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 shall 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/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational.

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, Ealing's Development Core Strategy 2026 (2012) and Development Management DPD policy 5.2, E5.2.3, and Policy 2.5.36 (Best Practice) of the Mayor's Sustainable Design & Construction SPG.

21. Whole Life-Cycle Carbon Assessment

Prior to commencement on the site the developer shall submit a Whole Life-Cycle (WLC) Carbon Assessment that demonstrates compliance with the GLA Guidance on how to calculate and reduce whole life-cycle carbon emissions to fully capture the development's carbon impact.

Reason: To fully assess and implement measures to minimise the carbon life-cycle of the development in accordance with London Plan policy SI2(F).

22. Water Efficiency

Prior to occupation of residential units within the development, the approved dwellings shall incorporate and maintain water saving measures that will meet water efficiency standards with a maximum water use target of 105 litres of water per person per day.

Reason: To ensure the sustainable use of water, in accordance with the approved sustainability statement and policy SI5 of the London Plan (2021).

23. Security features

Prior to first occupation of the development, the development shall achieve Secured by Design accreditation.

Reason: To ensure that the adequate security features are incorporated into the development that are appropriate to the overall design of the buildings and are adequate to promote safety and security, in accordance with policy D3 of the London Plan (2021), policy 1.1(e) and 1.1(h) of the Ealing adopted Development (or Core) Strategy 2012 and policies LV7.3 and 7B of the Ealing Development Management DPD (2013).

24. Transport and/or industrial noise sources

Prior to commencement of the development, details shall be submitted for approval by the Council in writing, for the sound insulation of the building envelope, based on noise measurements and predicted noise levels provided by Waterman in their report ref. WIE17364-102-R-2.2.3 dated March 2021. Details shall include the glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) to achieve the standards of SPG10 and noise limits specified in BS8233:2014 for dwellings, offices and external amenity spaces. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

25. Separation of noise sensitive rooms in neighbouring flats

The sound insulation of the floor/ceiling /wall structures separating different types of rooms/uses, namely, kitchen/living/dining/ bathroom adjoining/above/below bedroom of separate

dwelling, should be enhanced by at least 5dB above the recommended Building Regulations value. The assessment and mitigation measures shall be based on noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'.

#### 26. Railway and Road Traffic Noise

Prior to commencement of the development, details shall be submitted to the Council for approval in writing of building vibration levels generated by railway and road traffic 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 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, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Ealing Interim guidance SPG 10 'Noise and Vibration'.

#### 27. External noise from machinery, extract/ ventilation ducting, mechanical gates, etc.

Prior to installation, 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 is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'.

#### 28. Anti-vibration mounts and silencing of machinery etc.

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

Reason: In the interests of the internal environment of the development and living conditions of future occupiers of the site and occupiers of nearby properties, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'.

29. Anti-vibration Shutters

Prior to use, shutters shall be installed with proprietary anti-vibration isolators to prevent structural or airborne vibration noise being transmitted to noise sensitive premises and the closing mechanism shall be buffered to adequately silence the operation of the shutters.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by vibration or noise, in accordance with with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'.

30. Separation of commercial/industrial noise from dwellings

Noise mitigation measures shall be installed in the separating structures between the non-residential parts of the development and dwellings in accordance with recommendations by Waterman in their report ref. WIE17364-102-R-2.2.3 dated March 2021. Where necessary, additional mitigation measures shall be implemented to contain non-residential sounds within the source premises. The assessment and mitigation measures shall be based on criteria of BS8233:2014. All mitigation measures shall be implemented prior to occupation of the development and thereafter be retained throughout its use.

Reason: In the interests of the living conditions of the occupiers of the above residential premises, in accordance with Interim Supplementary Planning Guidance 10, policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management DPD (2013), policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

31. Extraction and Odour Control system for non-domestic kitchens

An effective kitchen extract system and odour control system shall be installed, operated and maintained as such. Equipment and ducting shall be sited with anti-vibration mounts and silencers. Mitigation measures shall ensure that noise and vibration transmission to noise sensitive receivers via internal building elements and external façades will meet the Council's standards specified in the SPG10. The installation and mitigation measures shall be implemented prior to use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise, smell or steam, in accordance with Interim Supplementary Planning Guidance 10, policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management DPD (2013), policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

32. External doors and windows to non-residential uses shut

All external doors to the commercial kitchen and industrial uses shall be fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows be fixed in an open position during the emission of noise, smell, fumes or steam.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, smell, steam or other effluent, in accordance with with Interim Supplementary Planning Guidance 10, policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management DPD (2013), policy D14 and SI 1 of the London Plan (2021), and the National Planning Policy Framework (2021).

33. Fresh air ventilation to habitable rooms

Prior to the commencement of the development, details shall be submitted to and approved by the Local Planning Authority, for the installation in the dwellings of a filtered fresh air ventilation system capable of mitigating elevated concentrations of nitrogen oxides and particulate matter in the external air. The details to be submitted shall include the arrangements for continuously maintaining the operational efficiency of the system. The ventilation system as approved shall be completed prior to occupation and shall be retained permanently thereafter.

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policies policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI 1 of the London Plan (2021), and the National Planning Policy Framework (2021).

34. Air Quality and Dust Management Plan

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

Reason: To safeguard the amenities for future occupiers of the development in accordance with policy SI 1 of the London Plan (2021), policies 1.1(j) & 1.2(f) of the Ealing Development (or Core) Strategy (2012) and with policy 7.3 of the Ealing Development Management Development Plan Document (2013).

35. Non-Road Mobile Machinery

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

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policies policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies SI1 and D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

36. Contaminated Land Site Investigation

No development approved by this planning permission shall be commenced until:

a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a Conceptual Site Model (CSM) for the site identifying all potential contaminant sources, pathways and receptors shall be produced and assessment of risk to identified receptors undertaken. The desk study will be submitted for approval in writing by the Local Planning Authority prior to any development work (except demolition and site clearance) commencing.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to future occupants of the site and to groundwater and surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

Reason: In the interests of public and environmental health.

37. Site Investigation

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

Reason: To ensure the land contamination issues are addressed in accordance with policy1.1 (j) of the adopted Local Development Framework Core Strategy (2012) and Policy 5.21 of the Ealing Development Management Development Plan (2013).

38. Remediation Scheme

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



Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework Core Strategy (2012) and Policy 5.21 of the Ealing Development Management Development Plan (2013).

39. Verification Report

Following completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority. 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 policy 1.1 (j) of the adopted Local Development Framework Core Strategy (2012) and Policy 5.21 of the Ealing Development Management Development Plan (2013).

40. External Lighting

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site, in accordance with policies 1.1 (j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D6 of the London Plan (2021), and the National Planning Policy Framework (2021).

41. No masts/satellite dishes or external equipment

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

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies D4 and D5 of the London Plan (2021), section 7 and 12 of the National Planning Policy Framework (2021).

42. Refuse Storage

The refuse and recycling storage facilities hereby approved shall be implemented and operational before the first occupation of the residential units and permanently retained thereafter.

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy SI8 of the London Plan (2021) and the National Planning Policy Framework (2021).

43. Passenger Lifts

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

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), policy D5 of The London Plan (2021), and the National Planning Policy Framework (2021).

44. Drainage Maintenance Plan

Prior to first occupation of the development details of sustainable urban drainage systems to be implemented on site including a maintenance plan for the drainage system (SUDS components) shall be submitted to and approved by the Local Planning Authority and the approved SUDS features shall be maintained and permanently retained thereafter.

Reason: To ensure that sufficient capacity is made available to cope with additional demand in the interest of environmental conditions in the locality, in accordance with policy 1.1 (e), 1.2 (m) and 6.1 of the Ealing Core Strategy (2012), policies SI12 and SI13 of The London Plan (2021), and the National Planning Policy Framework (2021).

45. Former Lifetime homes standards

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

Reason: To ensure that the development is adaptable, flexible, convenient and appropriate to the changing needs of the future occupiers, in accordance with policy D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

46. Former Adaptable wheelchair housing

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

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

47. Tree Planting and Soil Rooting Volume

A suitable scheme of proposed tree planting and pits shall be submitted to and approved by the Local Planning Authority prior to the first use of the development hereby approved.

No operations shall commence on site in connection with the development hereby approved until a suitable scheme of proposed tree planting and tree pits have been submitted to and approved by the Local Planning Authority. The scheme shall include the following comprehensive details of all trees to be planted:

- Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals.
- Locations of all proposed species.
- Comprehensive details of ground/tree pit preparation to include:
  - Plans detailing adequate soil volume provision to allow the tree to grow to maturity
  - Engineering solutions to demonstrate the tree will not interfere with structures (e.g. root barriers/deflectors) in the future
  - Staking/tying method(s).
  - Five year post planting maintenance and inspection schedule.

All tree planting must be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 28th February inclusive). The quality of all approved tree planting should be carried out to the levels detailed in British Standard 8545, Trees: from nursery to independence in the landscape - Recommendations.

Any trees which die, are removed, uprooted, significantly damaged, become diseased or malformed within five years from the completion of planting, must be replaced during the nearest planting season (1st October to 31st March inclusive) with a tree/s of the same size, species and quality as previously approved.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London's environment, air quality and adapting to and mitigating climate change in accordance with policies G4, G5 and G7 of the London Plan (2021), policy 5.10 of Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

#### 48. Tree Monitoring Plan

The development hereby approved shall be constructed in accordance with a suitable Tree Monitoring Program.

- (a) Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring program to include:

- Confirmation of who shall be the lead arboriculturalist for the development.
- Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- Details of induction procedures for all personnel in relation to Arboricultural matters.
- A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
  - Prestart meeting with an Ealing Council Tree Officer
  - Initial implementation/installation of the tree protection measures
  - Approved incursions in to construction exclusion zones
  - Final removal of the tree protection measures

- Procedures for dealing with non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.

(b) Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- Results of each site visit by the lead arboriculturist with photos attached.
- Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London's environment, air quality and adapting to and mitigating climate change in accordance with policies G4 and G5 of the London Plan (2021), policy 5.10 of Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

#### 49. Green Roofs

Details of the construction, specifications and maintenance schedule for any green roofs within the development shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. The development shall be implemented only in accordance with these approved details and retained thereafter.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area and residential amenity of prospective occupiers, and in accordance with policies G5 and G6 of the London Plan (2021), policies 1.1 (h) (g), 1.2 (f), 2.1(b) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework.

#### 50. Electric Vehicle Charging

Prior to the first occupation of the development hereby approved, infrastructure for active provision for charging electric vehicles and passive provision for the remaining spaces shall be provided to accord with London Plan (2021) standards and this infrastructure together with the associated access and internal carriageway shall be kept continuously available.

Reason: To reduce emissions of greenhouse gases and to improve local air quality in the interests of health, in accordance with policies T6, SI1 and SI2 of the London Plan (2021), policies 1.1(e), 1.1(f), 1.1(j) and 1.2(k) of Ealing's adopted Development (or Core) Strategy 2012, and the National Planning Policy Framework.

#### 51. Habitat Improvement

Prior to first occupation of the development the recommendations in Section 7 of the Preliminary Ecology Appraisal by Middlemarch (July 2020) and in Section 6 of the Preliminary Bat Roost Assessment by Middlemarch (July 2020) shall be fully implemented.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policy G6 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

52. Habitat Enhancement and Management Plan

Prior to first occupation of the development a Habitat Enhancement and Management Plan (HEMP) for all habitats and hedgerow features proposed within the site shall be submitted to and approved in writing by the local planning authority. This Plan shall set out appropriate works and management measures to achieve and maintain the intended type and condition of each habitat /hedgerow feature, shall cover a minimum period of 30 years and shall include provisions for monitoring, review, reporting and contingency.

Reason: To support ecology in accordance with Section 15 of the National Planning Policy Framework (2021), policies G6 and G7 of the London Plan (2021), policy 5.11 of the Adopted Ealing Development Management DPD (2013) and policy 5.4 of the Adopted Ealing Development (Core) Strategy 2012.

53. Car Parking Management Plan

Details of a Car Parking Management Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the development hereby approved. The development shall be operated only in accordance with these approved details permanently thereafter.

Reason: To promote sustainable patterns of transport, in accordance with Section 9 of the National Planning Policy Framework (2021) and policies T4 and T6 of the London Plan (2021).

54. Refuse Management Plan

Details of a Refuse Management Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation or use of the flats hereby approved. This Plan shall include details of access and turning for refuse collection vehicles within the site. The development shall be implemented only in accordance with these approved details and retained permanently thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policies 1.1 and 1.2 of the Adopted Development (Core) Strategy, policy 7B of the Adopted Ealing Management Development Plan Document (2013) and policy S7 of the London Plan (2021).

55. Demolition adjoining Railway Land

Any demolition works on the application site shall be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, shall be carried out in accordance with an agreed method statement approval of which has been obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site commence.

Reason: To ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway which immediately adjoins the application site.

56. Railway Fencing

If not already in place, the applicant shall provide at his expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall shall not be removed or damaged and at no point either during construction or after works

are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary shall also not be disturbed.

Reason: To ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway which immediately adjoins the application site.

57. Plant, Scaffolding & Cranes

Any scaffold which is to be constructed adjacent to the railway shall be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned such that in the event of failure it will not fall on to Network Rail land.

Reason: To ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway which immediately adjoins the application site.

58. Lighting

Any lighting associated with the development (including vehicle lights) shall be constructed such that it will not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of any lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

Reason: To ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway which immediately adjoins the application site.

59. Piling beside Network Rail Assets

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 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.

Reason: To ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway which immediately adjoins the application site.

60. Excavations beside Network Rail Assets

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures shall be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these shall be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer shall be undertaken.

Reason: To ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway which immediately adjoins the application site.

61. HS2 Design of Structures

No part of the development hereby permitted shall be commenced until detailed design and method statements for all of the ground-floor structures, foundations and basements and for any structures below ground level, including piling (temporary and permanent) have been submitted to, and approved in writing by, the local planning authority which:

- accommodate the proposed location of the HS2 underground and other structures, including any temporary works;
- accommodate ground movements arising from the construction thereof;
- mitigate the effects of sound and vibration arising from the operation of the HS2 railway within the HS2 underground and other structures;
- mitigate the effects on HS2 infrastructure of ground movements arising from the proposed development; and
- mitigate the impacts of electromagnetic transmissions arising during operation of the HS2 railway.

Reason: To safeguard the HS2 Phase One programme and to protect HS2 assets.

62. Construction near HS2

The method statements to be submitted shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the proposed HS2 infrastructure in or adjacent to the site of that development, the construction of the HS2 infrastructure is not impeded. The development shall be carried out in all respects in accordance with the approved designs and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraph 8.1.2 of this condition shall be completed, in their entirety, before any part of the proposed development building(s) hereby permitted is/are occupied.

Reason: To safeguard the HS2 Phase One programme and to protect HS2 assets.

63. Underground works near HS2

Prior to any works commencing below ground level comprised within the proposed development hereby permitted being carried out at any time when the HS2 underground construction is in progress within 100 metres of the land on which the development hereby permitted is situated, the developer shall first liaise with and obtain the written agreement of HS2 Ltd.

Reason: To ensure the proposed development does not impede the delivery of High Speed Two, an infrastructure project of national importance.

64. Construction method statements affecting HS2

No part of the development hereby permitted shall be commenced (as defined in Section 55(2) of the Town and Country Planning Act 1990) until a scheme comprising detailed design and construction method statements that ensure that the development hereby permitted does not impede, delay, harm or increase the costs of any works of High Speed Two (HS2) Limited ("HS2") or HS2's assets has been submitted to and approved in writing by the Local Planning Authority in liaison with HS2 Ltd. The scheme hereby approved shall not be implemented other than in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority in liaison with HS2 Ltd.

Reason: To safeguard the HS2 Phase One programme and to protect HS2 assets.

65. Circular Economy

The development shall be implemented to comply with the submitted Circular Economy Statement by Buro Happold (July 2021).

Reason: To ensure that the development incorporates the necessary circular economy measures in accordance with Policy SI7 of the London Plan (2021).

**Informatives**

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

National Planning Policy Framework (2021)

- 2. Achieving Sustainable Development
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 9. Promoting sustainable transport
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

The London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- HC1 Heritage conservation and growth
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions



SI 3 Energy infrastructure  
SI 7 Reducing waste and supporting the circular economy  
SI 12 Flood risk management  
SI 13 Sustainable drainage  
E1 Offices  
E2 Providing suitable business space  
E3 Affordable workspace  
E4 Land for industry, logistics and services to support London's economic function  
E5 Strategic Industrial Locations (SIL)  
E7 Industrial intensification, co-location and substitution  
T3 Transport capacity, connectivity and safeguarding  
T4 Assessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T6.1 Residential parking  
T6.2 Office parking

Supplementary Planning Guidance /Documents

Southall Opportunity Area Planning Framework (SOAPF) (2014)  
Accessible London: achieving an inclusive environment  
Mayor's Sustainable Design and Construction SPD April 2014  
The Mayor's transport strategy  
The Mayor's energy strategy and Mayor's revised Energy Statement Guidance April 2014  
The London housing strategy  
The London design guide (interim edition) (2010)  
Draft shaping neighbourhoods: Children and young people's play and informal recreation (2012)  
Planning for equality and diversity in London  
Housing - Supplementary Planning Guidance (2012)  
Housing SPG (March 2016)  
Energy Planning (March 2016)  
Children and Young People's Play and Informal Recreation SPG (September 2012)  
Crossrail Funding: Use of Planning Obligations and the Mayoral Community Infrastructure Levy SPG (March 2016)  
Affordable Housing & Viability- Supplementary Planning Guidance (2017)

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

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

Ealing Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential  
Ealing local variation to London Plan policy 3.5: Quality and design of housing development

Policy 3A: Affordable Housing  
Policy 4A: Employment Uses  
Ealing Local variation to London Plan policy 4.7: Retail and town centre development  
Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions  
5.2.3. Post-construction energy equipment monitoring.  
Ealing local variation to London Plan policy 5.10: Urban greening  
Ealing local variation to London Plan policy 5.11: Green roofs and development site environs  
Ealing local variation to London Plan policy 5.12: Flood risk management  
Ealing local variation to London Plan policy 5.21: Contaminated land  
Ealing local variation to London Plan policy 6.13: Parking  
Policy 7A : Operational amenity  
Ealing local variation to London Plan policy 7.3 : Designing out crime  
Ealing local variation to London Plan policy 7.4 Local character  
Policy 7B : Design amenity  
Policy 7C : Heritage  
Policy 7D : Open space

Adopted Supplementary Planning Documents

Sustainable Transport for New Development  
Southall Opportunity Area Planning Framework

Interim Supplementary Planning Guidance/Documents

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

Other Material Considerations

BRE Site layout planning for daylight and sunlight (2011)  
Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006)  
BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise  
DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.  
Environment Agency guidance 'Verification of Remediation of Land Contamination', Report: SC030114/R1'.  
BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.  
In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. Consideration was also given to highways, and the provision of adequate living conditions for occupiers. The proposal is considered acceptable on these grounds, and it is not considered that there are any other material considerations in this case that would warrant a refusal of the application.

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

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

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

- a) A precise sound insulation calculation under the method given at BS EN12354-3: 2000, for the various building envelopes, including the use of the worst case one hour data (octave band linear noise spectra from 63 Hz – 4k Hz) by night and day, to arrive at the minimum sound reductions necessary to meet the SPG10 internal data.
- b) Approved laboratory sound insulation test certificates for the chosen windows, including frames and seals and also for ventilators, in accordance with BS EN ISO 140-3: 1995 & BS EN ISO 10140-2:2010, to verify the minimum sound reductions calculated.
- c) The SPG10 internal and external criteria to be achieved.

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

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

5. Land contamination:

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

Environment Agency, 2008

- Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
  - All raw data should be provided in a form that can be easily audited and assessed by the Council (e.g. trial pit logs and complete laboratory analysis reports)
  - on-site monitoring for ground gases with any relevant laboratory gas analysis;
  - Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).
- b. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.
6. This permission does not grant consent for the display of external advertisements at this site which are subject to the Town & Country Planning Control of Advertisements (England) Regulations 2007, and which may need to obtain a separate advertisement consent from the local planning authority under those regulations.
7. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted for the approval of the relevant Health and Safety Enforcement Officer.
8. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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

9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team

by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

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

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

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From [www.gov.uk](http://www.gov.uk):

Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section

Use MCERTS accredited methods for testing contaminated soils at the site

- From the National Planning Practice Guidance:

Land affected by contamination

- British Standards when investigating potentially contaminated sites and groundwater:

- BS5930:2015 Code of practice for site investigations;

- BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;

- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;

- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

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

11. 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 and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

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

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

14. Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of  
BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise and  
BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Vibration.
15. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs are constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances it may be necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

16. The applicant is advised 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. This is required for aircraft safety reasons.
17. Prior to commencement of the superstructure of the development a fire statement, produced by a third party suitably qualified assessor, should be submitted to and agreed with the London Fire Brigade.
18. The developer will be liable for the cost of repairing any damage to the footway around the perimeter of the site resulting from the construction work.
19. The applicant is advised to contact Thames Water Developer Services and read its guide 'working near our assets' to ensure workings will be in line with the necessary processes that need to be followed if considering working above or near Thames Water pipes or other structures: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DBt.
20. The proposed development is located within 15 metres of Thames Waters underground assets and 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://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes](https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes). Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

22. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
23. 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://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)
22. Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

23. Applicants should refer to the published HS2 Information for Developers guidance. HS2 Ltd will provide guidance in relation to the proposed location of the HS2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are also encouraged to contact the HS2 Safeguarding Planning Manager at: [town.planning@hs2.org.uk](mailto:town.planning@hs2.org.uk) in the course of preparing detailed design and method statements.

24. DRAINAGE

The applicant is advised that soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail’s boundary or at any point which could adversely affect the stability of Network Rail’s property/infrastructure. Storm/surface water must not be discharged onto Network Rail’s property or into Network Rail’s culverts or drains. Network Rail’s drainage system(s) are not to be compromised by any work(s). 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 / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage is not to show up on Buried service checks.

25. GROUND LEVELS

The applicant is advised that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

26. FOUNDATIONS

The applicant is advised that Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail’s support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

**GROUND DISTURBANCE**

27. The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

**SITE LAYOUT**

28. The applicant is advised that all buildings should be situated at least 2 metres from the site boundary fence to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land, the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.