

Planning Committee: 17/08/2022

Briefing Notes

ITEM 01 - East Acton Arcade, 93 Old Oak Common Lane, Acton, London, W3 7DJ (220178FUL)

Amended Recommendation

The Committee Report for this application notes that the financial contributions for highways and transport improvements will be detailed within the Briefing Note. The agreed contribution levels are detailed below:

- Financial contribution of £30,000 to accident remediation and link improvements, to implement a road safety zone on Old Oak Common Lane between the A40 and Brassie Avenue, including improving pedestrian crossing facilities and junction improvements
- Financial contribution of £20,000 to traffic calming and pedestrian crossing facilities
- Financial contribution of £10,000 to cycle infrastructure, for the Old Oak Common/North Acton Transport integration project
- Financial contribution of £15,000 to cycle infrastructure, for improvements within 500m of the site
- Financial contribution of £25,000 to footway improvements, aiding in replacing the footways on the west side of Old Oak Common Lane
- Financial contribution of £20,000 to review and address parking stress in the immediate area
- Financial contribution of £3,000 for travel plan monitoring

As such, the total contribution secured for transport infrastructure and improvements would be £123,000.

Amendment to Condition 9

The wording of condition 9 has been altered to ensure the use of areas beyond the building by staff are monitored to ensure neighbouring residents are protected from undue amenity impacts. The revised condition is proposed as follows:

9 Deliveries, Servicing and Hotel Operations

Prior to the first use of the hereby approved development, a delivery, servicing and hotel operations management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall cover the following:

- A) The number of service trips (deliveries and collections) per day the development will generate;
- B) How deliveries will be scheduled to avoid several vehicles arriving at the site simultaneously, with due regard adjoining commercial and residential uses;
- C) Measures to reduce the number of delivery and collection vehicle trips to the site (trip consolidation);
- D) Measures to control the use of the servicing area and spaces beyond the hotel building by staff and deliveries personnel, in order to minimise potential amenity impacts on adjoining residences and businesses
- E) Monitoring and review of operations.

The delivery, servicing and hotel operations plan shall be implemented on the first occupation of the development hereby approved and the site shall be managed in accordance with the approved plan for the life of the development.

Reason: To ensure that the development can be adequately serviced and in the interests of pedestrian, cyclist and highway safety, the local transport network, and adjoining residential amenity, in accordance with policies D3, D5, T3, T4 and T7 of the London Plan (2021) and the NPPF (2021).

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Representations

TfL comments received, stating in summary:

- Given the scale of the development and change in pattern of active travel, an Active Travel Zone (ATZ) Assessment would have been requested, to focus on links to public transport destinations and road safety
- The constraints of servicing on site are noted, but off-street servicing should be maximised on site to relieve pressure to on-street loading bays, with a more robust solution to accommodate taxi movements, all of which would be addressed through the Delivery and Servicing Plan
- The existing trip generation figures are challenged, as the exemplar for the takeaway is based on a single site in suburban West Midlands, and a leisure centre, which are not realistic comparators, and in the absence of which a site survey should be undertaken
- Nevertheless, the high volume of trips from the take-away would likely be skewed to short and evening/nighttime trips, which are different from the profile of trips generated through a hotel use
- Hotel trips are likely to have a more even profile than the predominantly off-peak evening and night uses currently on site
- As such, in the absence of an ATZ, there is strong justification for contributions towards active travel, including safety improvements focused on crossings, junctions and public transport facilities
- This is justified because notwithstanding the concerns about current estimated trip generation, the nature of future trips for hotel guests and staff will likely be very different from the current trip profile

Officer's response – Since the above comments were received, s106 contributions securing financial payments to active travel and road safety improvements were agreed. While it is acknowledged that an ATZ assessment would have been requested by TfL, the submitted travel plan indicates the 2 key objectives for transportation to and from the development as 1) promoting walking and cycling primarily and 2) promoting the public of public transport and shared car services over private single occupant vehicles. Travel Plan monitoring contributions have been secured, as well as an obligation within the Legal Agreement to adhere to the submitted Travel Plan. Additionally, a Delivery, Servicing and Hotel Operations Management Plan have been secured through pre-commencement condition.

Notes/additional information

Additional details entitled 'Summary of Proposals' from Kanda Consulting:

The Kanda Consulting document appended to this Briefing Note references on page 7 a number of commercial landlord & tenant arrangements.

A landlord and Tenant agreement exists between the relevant parties. However, these agreements do not form part of the material planning considerations for the purpose of planning decision-making. Any financial offer of compensation made by the applicant to the leaseholder is strictly between those parties and no assumed restrictions or commitment to the use of those monies can be applied.

Notwithstanding the above, the remaining pages of the Summary document are accepted to form material considerations to the planning decision making process.

Cllr Katherine Crawford's comment received:

Councillor Katherine Crawford as submitted comments outlining incorrect information within the Committee Report, with the aim of providing a clearer understanding of the snooker provision on site and what will be lost if the club is lost. In summary:

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- The suggestion in the report that the loss of the on-site snooker facility can be re-provided locally and regionally is disputed, while the report does not adequately detail what is offered on site
- London Snooker currently provides 12 full size snooker tables, 7 SAM K-Steel American pool tables, 2 English pool tables and an on-site cue shop. No other LBE facility offers a level of service or membership fee which is comparable
- Additionally, the club offers coaching which goes beyond what is offered at other 147 clubs

Officer's Response: Pages 14 to 17 of the Committee Report assess the acceptability of loss of the Snooker Hall, while the applicant submitted a Snooker Needs Assessment, issued by Avison Young, in accordance with Sport England's technical guidance and methodologies for assessing indoor sport facilities. As such, the assessment has been carried out by qualified professionals, with reference to the relevant policy guidance and technical advice.

Page 14 of the Committee Report states that the Snooker Hall provides 21 playing tables, while page 16 describes the 18 tables available at Tenpin Acton, and the 75 snooker tables and 111 pool tables available between the Gunnersbury Triangle Club, Chiswick Memorial Club, Brentham Club, Kilburn Snooker Club and Hurricane Room Colindale. While not all these facilities are located with LBE, they do represent sub-regional provision which presents adequate surplus for the loss at East Acton Arcade. All other considerations on types of tables and services provided do not form part of material planning consideration.

- The 147 clubs and their facilities identified in the report are taken from the Snooker Needs Assessment (SNA) submitted, which is not fit for purpose, as it is based on data from November 2021, and appears to be done through a desktop study, and is not data-based
- The SNA categorises snooker as a sport in decline, though ignores that the World Snooker Championship attracted the highest number of tv viewers in 20 years, and that WPBSA and EPSB data shows a growth in participation of players between 12 and 30 years of age
- The inclusion of Riley's Sports Bar in the SNA does not give adequate weight to the extent to which the business is struggling

Officer's Response: The Needs assessment submitted was prepared to accompany the planning applications submission. Any assessment of need and demand must be made within the context of this knowledge on the current status of snooker requirements, these considerations do not have material weight on the acceptability on the loss of the snooker facility.

- The committee report references the market's ability to react to changes in local provision, but does not assess the benefit of the facility as a local community asset, which is again excluded from the Council's sport strategy
- It is lamentable that the applicant has gone back on their word to re-provide the facility within the development, while the Council has also not recommended a s106 contribution in respect to sporting provision to compensate for the loss of the facility. This element in particular should be reviewed

Officer's Response: In terms of legislative land use, Snooker Halls are a commercial use, under Class E(d), and not a protected community sporting facility, under Class F. As such, there is no policy obligation to re-provide an equivalent facility, in terms of location, service or membership price.

The applicant has advised that there were informal discussion regarding re-provision of the Snooker Hall, during February 2021, though this was subject to commercial viability and could not be pursued. Consultation letters were sent to tenants and immediate neighbours detailing the proposals prior to the formal application process, initiated by the applicant, on 27.10.2021, 05.11.2021 and 26.11.2021.

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- The reports estimates of travel times between venues by foot and local transport are incorrect, and likely based on desk-top study, which provides an inaccurate analysis of the accessibility of alternative facilities, and should be corrected

Officer's response – The estimates in the report are to provide context though are not material to the resulting recommendation.

Additional objections received:

Since the Committee Report was submitted, 13 additional objections to the proposed development have been received. This has changed the count of objections from 84 to 97. The newly received objections will be summarised and responded to sequentially below.

The first objection was received on 10.08.2022, from the leaseholder of London Snooker, who originally made one objection, but has sought to add clarity. They stated in summary

- They were not notified by the applicant regarding the original planning permission
- The Snooker Needs Assessment misrepresents the sport, and attempts to show dwindling interest
- Recent snooker tournaments have had high viewership, while London Snooker members come from a range of ages
- There are no equivalent clubs in the area, and those referenced in the report are not within a reasonable distance and are of a poor quality
- Professional snooker and pool players provide training and tournaments at London Snooker
- Snooker provides an outlet for those who might be less into team or high exertion sport with many skills associated with it: eye hand coordination, focus, planning, precision control, mathematics, spatial awareness and communication.
- London Snooker provides important occupational therapy for the students at the TCES Special School next door
- London Snooker provides a safe community space for vulnerable young men, while providing positive role models through older members

The second objection was received on 11.08.2022 from MP Dr. Rupa Huq. It stated in summary:

- The proposed development should be refused as it does not proposed how to relocate thriving businesses currently on site
- The loss of the snooker hall and opticians would be detrimental to surrounding users and residents

The third and fourth objections were received on 12.08.2022. They stated in summary:

- The proposed development would negatively impact the existing business, community and historic place
- There is no demand for a hotel in East Acton
- The proposed development is inappropriate within the local context, while being destructive to the local business and community

The fifth objection was received in two parts on 13.08.2022 from a professional snooker player. It stated in summary:

- The loss of London Snooker would result in the loss of an essential service and community provision, with no equivalent provision in the immediate area

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- The current club has a diverse range of members, with valuable community provisions and coaching, and this provision cannot be expanded if the club closes
- Snooker is expanding all over the world, and the loss of clubs in London and the UK will damage the resurgence of the sport

The sixth, seventh and eighth objections were received on 16.08.2022. They stated in summary:

- There is no need for a hotel in East Acton, considering the numerous hotels nearby with parking facilities
- The thriving businesses on site are important to the community, while the demolition of the historic building would be harmful to Ealing and the street scene

The remaining objections were received on 17.08.2022. They stated in summary:

- The proposed development would remove the history of Acton, and a thriving business
- The replacement hotel is not needed and does not have a good design

It should also be noted Cllr Hitesh Tailor and Cllr Steve Donnelly submitted comments expressing support for the comments submitted above by MP Dr Rupa Huq.

Officer's response: Many of the points raised in the additional objections received have been addressed in the Committee Report.

Clarification sought by Ealing Civic Society:

The Ealing Civic Society has raised that their original objection was not completely summarised in the Committee Report. To rectify this, a full summary is found below:

- The loss of the East Acton Arcade is regrettable, which in its original state, would have been worthy of consideration for a local listing
- The current façade could be restored to its original form
- A partial history of the existing building is identified but a full history is not known, therefore, if the Council is minded to approve, detailed historical research on the original building should be required via condition, to be recorded in the Ealing Archives
- The loss of daylight to no. 1 and no. 3 Brassie Avenue, due to the increased height and massing of the proposed building, is unacceptable

Officer's response – Points on the historic merits of the original building have been addressed in the Committee Report, as has a balanced planning assessment of amenity impacts on no. 1 and no. 3 Brassie Avenue. The need for a condition assessing the history of the building was disputed by the applicant, and deemed not necessary in the planning authority's assessment, considering the building is not locally listed nor does it have any other designated heritage value, and there is subsequently no policy requirement for a similar condition.

Appendix 1 – Submission by agent regarding proposal submission

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OLD OAK
COMMON LANE

Summary of Proposals
August 2022



020 3900 3676



[93oldoakcommonlane@
kandaconsulting.co.uk](mailto:93oldoakcommonlane@kandaconsulting.co.uk)



INTRODUCTION

Officer Recommendation: *That the committee **GRANT** planning permission with conditions and the completion of a section 106 legal agreement.*

KAZ Hotel Group is bringing forward plans to redevelop the site at 93 Old Oak Common Lane to provide a high-quality sustainable hotel that delivers new amenities for the community and local socio-economic and environmental benefits including:

- the replacement of a building at the end of its life with a much more sustainable building that contributes positively to the character of the area,*
- contribution towards identified demand for hotel accommodation in the Borough,*
- increased employment opportunities,*
- significantly increased expenditure in the local community*
- section 106 payments towards local highways improvements, a commitment to local training and skills, and contributions to local air quality improvements and public open space improvements*

KAZ Hotel Group are keen to assist on a relocation strategy for the existing snooker hall, ensuring that current tenants are assisted in finding sustainable alternative locations.

PROJECT TEAM

KAZ Hotel Group *Applicant, a family run London based hospitality company passionate about delivering comfortable, cosy, and affordable accommodation in London with a customer orientated forefront. We have appointed a world-class project team to help deliver a sustainable, new building that will enhance Old Oak Common Lane while respecting the sensitivity of our neighbours.*

Manolo & White *Architect*

Urban Landscape Partnership *Landscape Strategy*

Kanda Consulting *Community Engagement*

Avison Young *Planning/ Leisure Needs Assessment/ DLSL/ Phase 1 Ground Investigation*



Manalo & White



**AVISON
YOUNG**

SOCIO-ECONOMIC BENEFITS FOR THE LONDON BOROUGH OF EALING

A new hotel will be a major positive addition and improvement to the local area. The proposed development will provide a variety of socio-economic benefits including:



Much increased employment opportunities including construction jobs and c.45 FTE jobs within the hotel once operational. The provision of training and skills opportunities for local schools and colleges.



Contribution towards demand for hotel accommodation in the Borough of Ealing within a sequentially preferential location.



An increase in trade, valued at an additional c.£590,000, to the local high street, assisting in the clawback of trade to East Acton.



Section 106 benefits and contributions totalling c.£330,000 towards the highway network, public realm improvements and enhancement of local open spaces.

ENVIRONMENTAL BENEFITS FOR THE LONDON BOROUGH OF EALING

KAZ Hotel Group's plans for 93 Old Oak Common Lane have been brought forward with sustainability and environmental benefits for the local area at the forefront of our thinking. By replacing an old building at the end of its lifespan with a new sustainable development, the following benefits are created:



An enhancement of the street scene replacing an inefficient building at the end of its lifespan with a new development including significant improvements to the public realm including a café and workspace available to the local community.



A new sustainable and air quality neutral development providing a model for development through an environmentally friendly approach to improving and optimising the site.



Introducing a modal shift in vehicle movement and an increase in use of public transport. Significant financial contribution towards highway schemes, such as cycle improvement and pedestrian enhancements.



Increased biodiversity, reduction of air pollutants, minimisation of water and energy use and the promotion of sustainable management practices.

A ROBUST DESIGN STRATEGY AND HERITAGE STATEMENT

The existing building on site dates from the 1930s but has been significantly altered from its original state and, as such, it does not have any significant historic or architectural merit.

Significant discussions on massing, design development and justification of the uses have been held with the Case Officer prior to submission - improving the quality of the final scheme. The design team took on board comments relating to scale, mass and materiality and the proposed building will comprise high-quality materials that will be carefully selected to reflect existing materials and features in the high street.

The scheme represents an improvement of the street scene and local character with more positive and active frontage and public realm improvements.



Proposed façade and the front of the building

OUR COMMITMENT TO A RELOCATION STRATEGY

We are keen to assist with developing a bespoke relocation strategy for the existing snooker hall which ensures the current tenants/operators are assisted in finding a sustainable alternative location in the borough.

*In addition to a **£50,000** compensation payment due to the tenant of the snooker hall at the end of their lease in June 2023, in order to assist in costs associated with relocation, the Applicant is committed to securing an additional bi-lateral agreement outside the planning process with the snooker hall operator that will provide direct financial assistance (up to **£15,000**) towards costs associated with relocation, which could include but are not limited to:*

- Engagement with local agents, business associations and business groups to identify and secure new Class E premises*
- Relocation costs (i.e. moving costs)*
- Interim storage costs between tenancies (if needed)*
- Internal fit out of future premises*
- Legal costs associated with securing new lease agreement*
- Lease rate subsidies*

The Applicant is also committed to extending occupancy of the snooker hall for up to 12 months beyond June 2023 at current lease rates.

PUBLIC CONSULTATION

November 2021

- *Introductory letter detailing information about the proposals sent out to 78 near neighbours*
- *Email sent to political and community stakeholders inviting them to a meeting to discuss the proposals*
- *A postal exhibition and feedback form sent to 1,450 local addresses, with option to provide feedback online*

December 2021

- *Briefing with Cllr Shital Manro (ward councillor for North Greenford and Cabinet Member for Good Growth)*
- *Meeting with representatives from the Ealing Civic Society community group*

Ongoing

- *Discussions with Officers on the massing, design development and justification of the uses prior to the submission*
- *Subsequent discussions and feedback from the community has shaped materials, but also the potential for a relocation strategy for the existing occupiers of the snooker hall*

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