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Ref : 216991FULR3

Address: Land South of Park Avenue, Southall, Middlesex, UB1 3AD

Ward: Southall Green

Proposal: Demolition of existing buildings and the erection of 5 blocks of between 5 and 25 storeys to provide affordable and market Class C3 dwellings and flexible Classes E and F2 floorspace, public realm, landscaping, amenity/play space, alterations to vehicle and pedestrian access, car and cycle parking and refuse storage, associated works including roof level plant. Phased Development.

Drawing Numbers/ Plans/Reports: See Appendix, Condition 2

Type of Application: Full Application (Regulation 3 Application by Paragon Asra Housing involving land owned by London Borough of Ealing).

Application Received: 10/12/2021
Amended: 22/06/2022

Report by: Gregory Gray

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

Executive Summary:

The site is located on the south side of Southall Town Centre and is part of the wider Southall Opportunity Area. The scheme is laid out and designed to represent a phase of a comprehensive redevelopment of land designated by Ealing Development Sites DPD Allocation SOU4 – Southall Crossrail Station, with the inclusion of housing on Milan Road, which lies outside SOU4.

The application, as amended on 22nd June 2022 and reconsulted upon, is for the demolition and mixed-use redevelopment (phased) to provide 5 blocks ranging from 5 to 25 storeys, comprising 516 flats (Use Class C3) of which at least 233, equivalent to 50% by habitable room, are affordable (LAR and Intermediate Shared Ownership tenures), 283 market flats, 1,239sqm (GIA) of flexible commercial and/or community floorspace (Use Classes E and F2), DDA car parking, servicing, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements. Discussions are ongoing with the NHS CCG to take the major part of the community/commercial space in Block A as a healthcare facility that would complement and add to the new provision in the Green Quarter.

The application is by Paragon Asra Housing (PAH). The application site is 1.24ha, the larger part of which is owned by London Borough of Ealing (LBE) and comprises a large (former Station) yard and car park with small, mainly motor vehicle, undertakings, with the remainder comprised of 23 affordable dwellings on Milan Road, owned by PAH. Network Rail retains a right of way to access the Crossrail lines on the south side. The Merrick Road foot and cycle bridge has its northern landing point at the boundary between the Gurdwara and LBE site. On the other (eastern) flank to the application site is Southall Sidings, also part of the SOU4 Allocation, granted permission for 460 flats in a mix of 4-16 storey blocks, in January 2022.

By way of background, between 2014 and 2020 Cabinet received Reports concerning the future of the Southall Gateway, its regeneration in conjunction with the adjacent (west side) Gurdwara Sri Guru Singh Sabha (the Gurdwara) and its contribution towards the delivery of a mixed development to include new homes in the Borough. This application forms part of that vision with the Gurdwara coming forward in due course but still faithful to the wider comprehensive development objectives for the Allocation.

The application has been prepared with due regard to the future development of adjacent sites, working on a collaborative basis with the Gurdwara and to respect the design and layout of the approved Southall Sidings scheme. With this in mind, the applicant continues to liaise with adjacent landowners to provide suitable and combined sites access. The Bethany Church has also been invited to engage in discussions about its future relationship to the site.

In accordance with development plan objectives, the application offers significant potential for regeneration development uplift, in conjunction with the Milan Road social housing, in accordance with London Plan Policies H1 and D3.

Space for commercial/community uses fits well with local and strategic policies for SOU4 and Gateway SPD objectives to help deliver mixed uses appropriate to the Town Centre around the Crossrail Station are strongly supported. The incorporation of a CCG healthcare facility if it transpires, will contribute to the mixed-use objectives of the Allocation and will be a welcome addition to the locality.

The scheme will regenerate generally open, rundown and under-utilised storage land along with the Milan Road housing to provide a successful mix of integrated, managed town centre uses to:

1. Comprehensive and more efficient development of site capacity,
2. Create a significant number of new homes in a range of tenures of which at least 50% affordable, in this sustainable location. Existing residents at Milan Road will have the right to return to a new home,
3. Deliver new homes, jobs, commercial and community space,
4. Create new and new types of jobs replacing those lost from existing site users, in commercial and community undertakings,
5. Make best use of Council assets by optimising opportunities for new uses consistent with national and local policy to optimise capacity for new homes and
6. Significant areas of new public realm around the new blocks, the landing of the Merrick Road foot/cycle bridge and in conjunction with the Gurdwara site in due course to support Place Making objectives.

The site is part of a key location In the Southall Framework Plan as part of the priority Strategic Area for Regeneration: *'where new homes can be focused but where development should help to address any locally-specific deprivation issues and help to overcome inequality rather than simply providing new homes.'* The site is also within an Area of Intensification supporting comprehensive mixed-use densification of new Crossrail stations, community-led estate regeneration, public realm investment or residential infill development.

DPD Allocation SOU4 identifies the site as being suitable for a tall building. The Milan Road housing lies outside of but adjacent to, the Allocation. However, London Plan Policy D9 and Core Strategy Policy 1.2 support tall buildings in in appropriate Town Centre locations like this, within the Southall Opportunity Area, where tall buildings are an integral part of the emerging townscape typologies. Therefore, the site overall is compliant with the locational requirements of policy and the proposals are tested therefore through the development management policies of the London Plan and Core Strategy, including the Council's Tall Buildings LPPG and the Ealing Character Study.

DM DPD Policies 7.4 and 7B relate to local character and design amenity and require, amongst other things, that development should complement scale and detailing, show high quality architecture, make a positive visual impact, through external treatments, materials and must not impair the visual amenity of surrounding uses. The application scheme satisfactorily complies with the criteria-based impact assessments set out in the development plan as a whole.

Securing outstanding design quality and materiality are vital to achieving a successful scheme in Policy and Urban Design terms. Careful account has been taken of the impacts of the development in terms of bulk, mass, scale, design quality and external appearance of the new buildings, the incorporation of tall buildings/towers and the ability of the scheme to satisfy these criteria whilst securing the qualities identified and supported by the GLA and DRP, appropriate to its setting and in accordance with London Plan Policy D4 and local and national policy guidance, including in the National Design Guide (NDG). In conclusion a strong high quality design case is made for this development.

Due regard in this context is given to whether the scale gives rise to significant harmful or adverse impact on the character of the area and residential amenity. None has been found. Landscaping, traffic and transport, flood risk, ecology and other environmental effects including noise and air quality, wind and microclimate, the energy strategy, residential amenity, safety and privacy and wider visual impacts have been considered.

Substantial new tree and amenity planting is proposed that increases the BNG and UGF of the site in accordance with Policy. Impacts on retained and replaced TPO trees, particularly those fronting Park Avenue, has been assessed in terms of their amenity value, health, contribution to the achievement of a high-quality development and resilience to development. The proposal strikes a satisfactory balance with tree protection, management and amenity and biodiversity enhancements.

Residential car parking is exclusively Blue Badge all with EVCPs. 3 spaces would provided for the CCG if it progresses. Cycle and vehicle parking and servicing is to satisfactory standards in this location and taking account of current traffic safety conditions. The public realm contributes towards the delivery of safe access to the Merrick Road foot and cycle bridge after it is opened. A re-located vehicular access will be formed to Park Avenue that will retain the Network Rail vehicle access. A new Zebra-crossing is proposed to Park Avenue. The precise location will require further investigation to ensure conformity with the adjacent Gurdwara redevelopment.

Overall, the development achieves a high-quality, mixed-use regeneration of this site, in conjunction with meeting strategic and local regeneration and spatial objectives. It would deliver a high quality and modern new residential accommodation with a mix of unit sizes - over half for families - that comply with adopted standards, in an appropriate mix of tenures. Community and commercial uses and significant areas of new public realm will positively contribute to Place Making objectives. The development looks outwards to the surrounding area and merges well in terms of permeability, accessibility and cohesiveness.

The application represents an optimisation of the opportunity provided by this previously developed, brownfield, land, balancing policy, amenity and site constraints, whilst maximising the potential for additional mixed affordable and market housing. Affordable housing meets the Council Policy requirement for 50% on site as well as a tenure mix, meaning it can be 'Fast Tracked'. In light of the Borough's current 5-year housing land supply situation, the NPPF 'tilted balance' is applied to assessment of the planning merits of the scheme.

Having careful consideration to all the material planning considerations, including that contained in the NPPF and NPPG, National Design Guide (NDG), GLA and LBE development

plans and taking policy as a whole and in applying the Planning Balance, the conclusion is that this would be a sustainable development in accordance with Framework criteria, to which Framework para.11 states that planning decisions should apply a presumption in favour.

The Development Plan emphasises the importance of any new building responding to the setting of adjacent Conservation Areas and other statutory heritage assets. The proposed development takes these into account and responds appropriately in respect of massing and layout. In accordance with the legal tests and planning practice, heritage assets have been identified and the harm has been assessed and is considered to be less than substantial. In accordance with the 's66 duty' considerable weight must still be attributed to the harm.

In weighing the balance, significant weight is given to the regeneration benefits from contribution 516 dwellings (233 affordable) will make to the supply of housing in this highly sustainable location along with commercial/community space and employment potential. Weight is given to the employment benefits during the period of construction and investment in local services and facilities, the new public realm and improved public accessibility via the Merrick Road bridge. These are significant public benefits in favour of the scheme.

Collectively, the public benefits are considered to have sufficient weight to outbalance the less than substantial harm to the significance of heritage assets. It is considered to tip the NPPF para.202 balance in favour of a grant of permission for this positively beneficial regeneration development in accordance with the development plan to all other material considerations.

Transport, heritage, environment, energy, Mayoral CIL and s106 matters and requirements are assessed. The GLA supports this mixed redevelopment. Member and Community representations are reviewed and addressed. Objections raised however are not considered sufficient to outweigh the recommendation for approval.

In conclusion, the application will positively assist in delivering the regeneration development objectives of the Plan and Allocation. It positively contributes to requirements to ensure a significant increase in the number of new homes, especially affordable homes without compromising the delivery of the remainder of the Allocation, particularly the Gurdwara site.

Therefore, on its merits and in weighing the impacts and benefits in consideration of the Planning Balance, the tilted-balance and taking account of the performance of the application scheme against the provisions of the development plan as a whole, it is recommended that planning permission be Granted, with conditions and subject to prior completion of a s106 agreement and following Stage 2 referral to the Mayor of London.

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

A. Non-Financial obligations:

1. At least 50% by habitable rooms of flats as affordable housing in the form of 123 LAR and 110 Intermediate units held in perpetuity as set out in Mayor of London guidance,
2. Affordable dwellings will be prioritised by LBE for people living and/or working in the Borough,
3. Preclude occupation or letting of any dwelling for a period of less than 90 days as a holiday letting or for a use other than a person's primary place of residence,
4. New residents Car Club 5-Year Membership Credits,
5. Liaise with LBE Transport to provide 2 Car Club spaces and as appropriate 2 Parking Permits for NHS staff parking, on a road or roads adjacent to the site,
6. Employment Officer nomination, developer to produce Local Employment and Training plan, participation in an Apprentice and Placement Scheme, schools engagement, 26

construction phase apprenticeships, access to local labour opportunities to be advertised through LBE job brokerage service, penalties if apprenticeships are not created,

7. Restoration of roads and footways damaged by construction,
8. Restriction of Parking Permits - precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs, nor in public car parking spaces, in the area,
9. Provision of a new pedestrian Zebra-crossing to Park Avenue or a financial contribution of £20,000 thereto,
10. Agreement for works in the highway under ss38 and 278 of the Highways Act in accordance with a specification to be agreed with the Council,
11. Monitoring, maintenance of renewable and low carbon equipment,
12. Agreement to secure the long-term provision, maintenance and management of the defined areas of public realm within the site,
13. If an agreement, or significant progress towards an agreement, is not reached with the NHS CCG regarding provision of on-site healthcare facility within 12 months of the grant of planning permission, then a financial contribution of £200,000 shall be paid towards maintenance and enhancement of healthcare provision within 1km of the site,
14. Early-stage financial viability review mechanism,
15. Late-stage financial viability review mechanism,
16. Financial contributions to be index-linked, with staged payments at first residential occupation and 50% occupancy on a pro rata basis according to the relevant number of dwellings and any non-residential floorspace comprised in each phase of development,
17. Payment of the Council's reasonable legal and other professional costs incurred in preparing and monitoring the s106 agreement.

B. Financial Obligations:

- A. Carbon off-set: £551,980 phased payments as stages come forward
- B. Post construction Energy Monitoring and Equipment: £13,168 (inclusive of VAT) phased payments as stages come forward,
- C. Air Quality monitoring: £45,000 phased payments as stages come forward,
- D. CPZ Review and Parking Stress Measures: £5000,
- E. High Street Link and footway improvements: £15,000,
- F. South Road and The Green Link and footway improvements: £15,000,
- G. Traffic calming/ pedestrian crossings improvements: £18,000,
- H. Cycle Infrastructure improvements: £15,000,
- I. Bus stop improvements: £22,600,
- J. Merrick Road Crossrail pedestrian bridge steps and lift 25,000,
- K. Travel Plan Monitoring: £5000,
- L. Regeneration: £15,000 towards town centre improvements, management and economic renewal schemes,
- M. Contribution of £21,000 towards apprenticeships and training in the area in conjunction with Item 5 above,
- N. Child Play, Amenity space, green infrastructure, allotments and amenity infrastructure and towards CAVAT value of trees to be felled £300,000 phased payments as stages come forward directed to improve amenity space and allotments in the local area including at Southall Manor House Grounds, Southall Recreation Ground, Spencer Street play area and Bixley Fields open space,
- O. Leisure/Sport England: £70,000 phased payments as stages come forward directed to additional sports hall and swimming pool space either new build projects or extensions to existing facilities as well as single gender sports facilities in the Southall area,
- P. Education: £400,000 phased payments as stages come forward directed to Hambrough Primary School with a reserve of Beaconsfield Primary School or other local primary phase

provision, at primary phase. And Villiers High School with a reserve of Elthorne Park High School or other secondary phase provision, at secondary phase.

xvii) TfL contribution: £243,252 phased payments as stages come forward directed towards bus network improvements.

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

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

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

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

1. Background to the Application

In 2014, the adopted Southall Opportunity Area Planning Framework identified for Development a site SOU4 from the sites DPD (adopted December 2013) known as 'Southall Gateway'. Prior to this the Council had carried out detailed discussions with the local Gurdwara (the Gurdwara Sri Singh Sabha) about a comprehensive scheme to redevelop the land next to the station and re-provide a new religious and community facility on land to the east of the former and proposed new pedestrian footbridge.

In June 2014 Cabinet authorised officers to proceed with land assembly at Southall Gateway with a view to enabling a comprehensive scheme to go ahead involving:

- Relocation of the Sikh Gurdwara to the east of the footbridge
- Mixed use development on the remainder of the site with commercial along South Road
- New public space and the facilitation of a wider pavement along South Road and a new left turning lane from Park Avenue onto South Road.

In February 2015 Cabinet received a Report concerning the Southall Big Plan, which included the land comprised in the application site, known as the Southall Gateway:

'This report provides an update on progress and seeks delegated authority to assemble the land north of the Southall Crossrail station by way of a CPO if necessary, as part of the Southall Big Plan. The land is currently in multiple third party ownerships and is identified for a comprehensive regeneration scheme within the published Southall OAPF. Further authority is sought to draft and consult on more detailed planning guidance for the site in advance of any CPO being made.'

Cabinet authorised the exercise of CPO powers to support the acquisition of sites if necessary.

In September 2017, Cabinet received an update on progress with the Southall Gateway site:

'A joint approach with the Gurdwara

2.13 The Council has been working closely with the Gurdwara for the past two and a half years to find a scheme that delivers the objectives of the SPD, is viable and is deliverable and also reflects the Gurdwara's aspirations. The original idea was that the temple would be relocated to the east of the footbridge to allow for continuity of provision and free up the land along South Road for commercial uses. This would be supported by a 'land swap' between the Council and the Gurdwara. The Gurdwara has aspirations to build a replacement temple building which is significantly larger and provides more facilities than its existing premises. As a result, the overall viability of the scheme is under pressure. Consequently, the Gurdwara considers that it would

like to provide a replacement building in, or closer to, its current location but has stated that it would be willing to make a financial contribution towards the costs, should these exceed any profit due to the Gurdwara from the overall scheme.'

'2.14 Ealing officers have been working with the Gurdwara's team of advisers to develop such a solution, although to date no credible proposal has been made. Ealing officers will continue to work closely with the Gurdwara's team to develop both options (the original 'land swap' / CPO option' and the option of a replacement Gurdwara on its existing site) prior to the conclusion of the marketing and CPO processes. However, the default option of relocating the Gurdwara must remain as the backstop position to meet the deadlines for land assembly under the terms of our contracts with the GLA.'

In December 2018, Cabinet received a further Report on progress and the way forward for the Southall Gateway: *'...to inform members of progress in bringing forward land assembly in Southall Gateway, including progress on discussions with the Gurdwara Sri Guru Singh Sabha, Southall and to seek consent to next steps needed to move the project forward in particular to seek a development partner for Ealing Council's land.'*

The Report continued:

'2.3 ... the land is now secured into two separate ownerships, with the land to the west of the public right of way (the old footbridge, due to be replaced with a new foot and cycle bridge) in the ownership of the Gurdwara, and the land to the east of that point in the ownership of Ealing Council...'

'2.4 The Southall Gateway Supplementary Planning Document ('SPD') requires the delivery of a new fit-for-purpose place of worship and improved public realm and connectivity across the site, as well as new commercial frontage along South Road and associated new housing development. Council officers believe the SPD can be delivered comprehensively through the two separate land parcels being brought forward in parallel and will continue to work with the Gurdwara team, through pre-application and planning, to ensure that the shared objectives as set out in the SPD are met...'

Significantly, with regard to the future layout of development, the Gurdwara decided that it wished to redevelop on its current site, rather than moving to the Council land adjoining as contemplated by the Gateway SPD:

'2.5 Therefore, the Council's own land, rather than acting as a relocation site for the new temple, will now play a subsidiary role, and will primarily contribute to the new housing objectives and improvements to the public realm, particularly the landing point associated with the new foot and cycle bridge. As public land, in accordance with the draft London Plan and in line with Ealing Council's own policy priorities, the site will be expected to deliver 50% genuinely affordable housing.'

'2.6 To meet its own aspirations for the delivery of 2,500 new genuinely affordable homes by 2022 and to meet the conditions in the legal agreements with the GLA relating to funding, it is imperative that Ealing Council commences build-out of 3 new homes on its land in Southall Gateway at the earliest opportunity. Therefore, this report aims to seek authority to procure a development partner to bring forward the site on a conditional basis, that 50% of the new homes should be affordable...'

Finally, in December 2020, Cabinet received an update on proposals that noted:

'...in early 2019, PA Housing (PAH) told the Council it now wished to review the site as part of its development programme and would be interested in working with the Council to maximise their site's potential. PAH was aware that there was due to be considerable development to the east of its site, at the TfL / Grainger site on which a planning application was approved in September 2020. As a result, residents may have to put up with a lot of disruption and may wish to relocate away from the immediate area. That would not be possible for PAH to arrange

unless as part of a redevelopment scheme (which would also give residents the option to return to a new home on site if that is what they preferred)...

'2.10...Overall, officers consider that certainty of delivering outputs soon is desirable partly to benefit those families now waiting for a new affordable home and partly to meet the Council's existing contractual obligations to the GLA in respect of the land purchase delivering outputs. Therefore, officers are now recommending that the scheme be delivered by PAH acting alone rather than by PAH and Broadway Living acting together.'

The proposed new housing scheme

'2.11 The feasibility stage of the work has now concluded and officers have assessed that there is a scheme which could be delivered which would optimise the development potential of the two sites together.'

Figure 1 – plan of the Park Avenue housing sites



'2.12 Overall the scheme proposed at present is expected to deliver 531 residential units. This model scheme is subject to planning and the design assumptions set out below are indicative. In addition to the homes, the combined site would Blue land – PA estate Yellow land – LBE owned land Red line – site boundary 5 bring forward commercial spaces and public realm benefits. The combined scheme has been reviewed by the Planning Services at LBE and has received significant feedback and guidance accordingly.'

Cabinet resolved, in accordance with the Recommendations to:

'1.1 Note the current position with regard to the proposed redevelopment of the Southall Gateway (Park Avenue) Site (known as 'the Site) and proposed disposal to with PA Housing for the purpose of redevelopment for housing, primarily affordable housing.

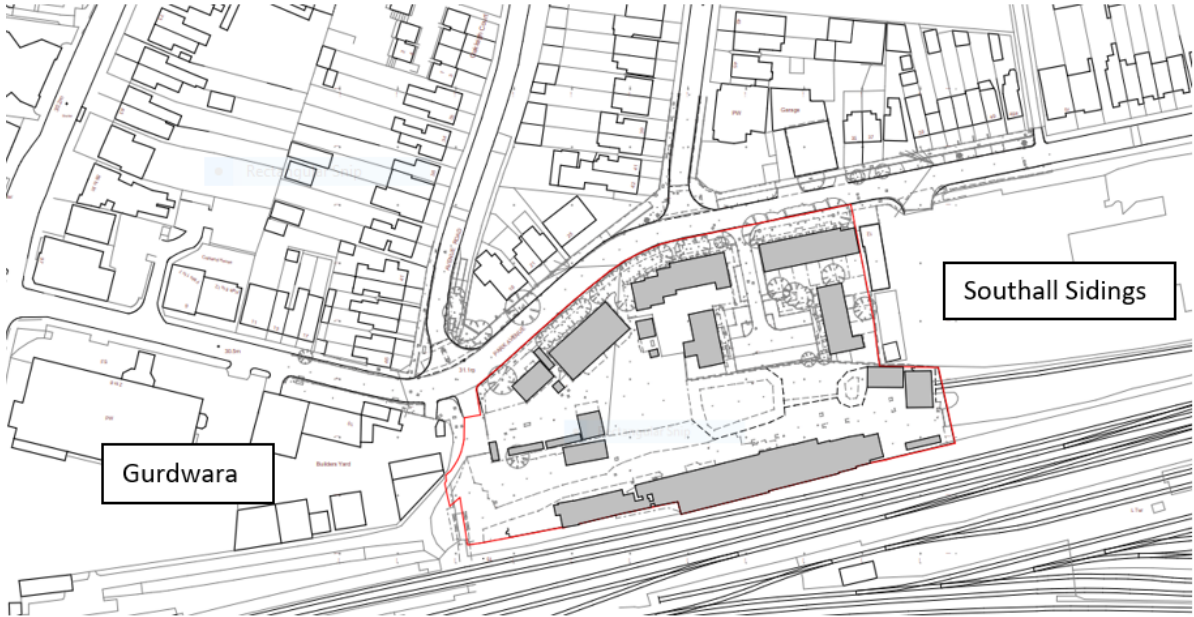
'1.2 Agree to dispose of the Site as set out in section 2 below paragraphs 2.10- 2.18 and shown on the plan in Figure 1...'

The application scheme as set out below has been designed and guided by the above Cabinet Resolutions.

2.Site and Surrounding Area

The application site is located within the Southall Opportunity Area, Southall Major Town Centre, identified as the Southall Gateway site within the 2017 Strategic Housing Land Availability Assessment and allocated as party of the ‘Southall Crossrail Station’ SOU4 in the Development Sites DPD.

It is 1.24ha, with around 1900sqm GEA of industrial/commercial buildings and open yards (owned by LBE) and residential comprised of the 23 houses, also around 1900sqm GEA, on Milan Road (owned by the applicant), the locations of which are shown below, in the context of the red line application site below:



The site is about 80m south of Southall Park. Villiers High School is on the west side of the Park. It is bounded on its north side by Park Avenue, opposite the junctions with Avenue Road and Villiers Road, on the east side by the Bethany Church of God and day nursery, a former TfL yard Southall RAILSIDES SINC has permission granted in January 2022 for 460 flats in a range of 4-16 storey blocks.

Opposite the site, on the Villiers Road junction, is the Guru Granth Gurdwara. North of the site and beyond Park Avenue is a low-rise residential estate of mainly suburban family housing that terminates opposite the entrance to Milan Road with an MOT, tyre fitting and carwash premises. On the southern boundary of the site is the railway line which connects Southall Station to Hayes and Harlington to the west and Hanwell to the east.

On the west side is the Gurdwara Sri Singh Sabha (the Gurdwara), which forms part of the SOU4 allocation. In the south west corner of the site is the north side of the Merrick Road foot and cycle bridge which joins with Park Avenue, crossing over the Crossrail railway lines it straddles the boundary with the Gurdwara. In the same location lies the Let’s Go Southall Community Cycle Hub, running daily cycle rides and proving workshop facilities. The north eastern portion, is Milan Road housing comprising 23, 2- and 3-bed houses, as illustrated in the two photographs below, viewed from Park Avenue. All the houses are affordable and owned by the applicant:



As already noted, the other part, which runs parallel to the railway line and wraps the applicant's plot on its western edge is owned by LB Ealing and comprises a storage yard use with buildings in generally poor backing onto the railway line and parking by Balfour Beatty. Challenger Vehicles occupy the north-west corner facing Park Avenue in motor vehicle repairs and other uses.

With regard to on-site parking, other than the 25 spaces for the houses on Milan Road, parking for the adjoining commercial and storage uses has to be estimated in the absence of marked out spaces. The applicant estimates there is space for between 70 and 89 vehicles, giving a total of up to 114 vehicles across the whole of the application site.

That part of the site, adjoining the Gurdwara also provides vehicular access to the Network Rail land behind the site:



Below are photographs taken from the applicant’s documentation of the site and buildings, the first with the new Merrick Road bridge in blue, behind them:



Image 2: View west towards existing storage units and the new footbridge from within the Balfour Beatty site. The site office is on the right hand side of the frame.



Image 3: View towards the former goods shed along the southern site boundary, within Balfour Beatty site



Image 4: View towards spoil heaps and Milan Road from within the Balfour Beatty site

The site has a PTAL of 4. Southall Crossrail Station is approximately 350m to the south west of the site, which serves TfL Rail and Great Western Railway and the recently opened Elizabeth Line. The site is served by 10 bus routes; the nearest bus stop is Southall Post Office. As part of Crossrail, a new station will be constructed, set back from South Road. Further to the west is the Southall Gas Works site, which has permission for 3750 dwellings. To the south of the railway lines is a large area being redeveloped in accordance with Development Sites DPD (2013) as SOU6 'Southall East' comprising The Arches, The Limes, Middlesex Business Centre and Charles House.

Two belts of trees fronting Park Avenue are in two TPOs, one of which obscures housing on Milan Road. The application site is not in a Conservation Area. To the west is the nearest visible heritage asset -the former sewage works water tower - Grade II listed. There are no statutory designated sites for nature conservation within 2km of the site.

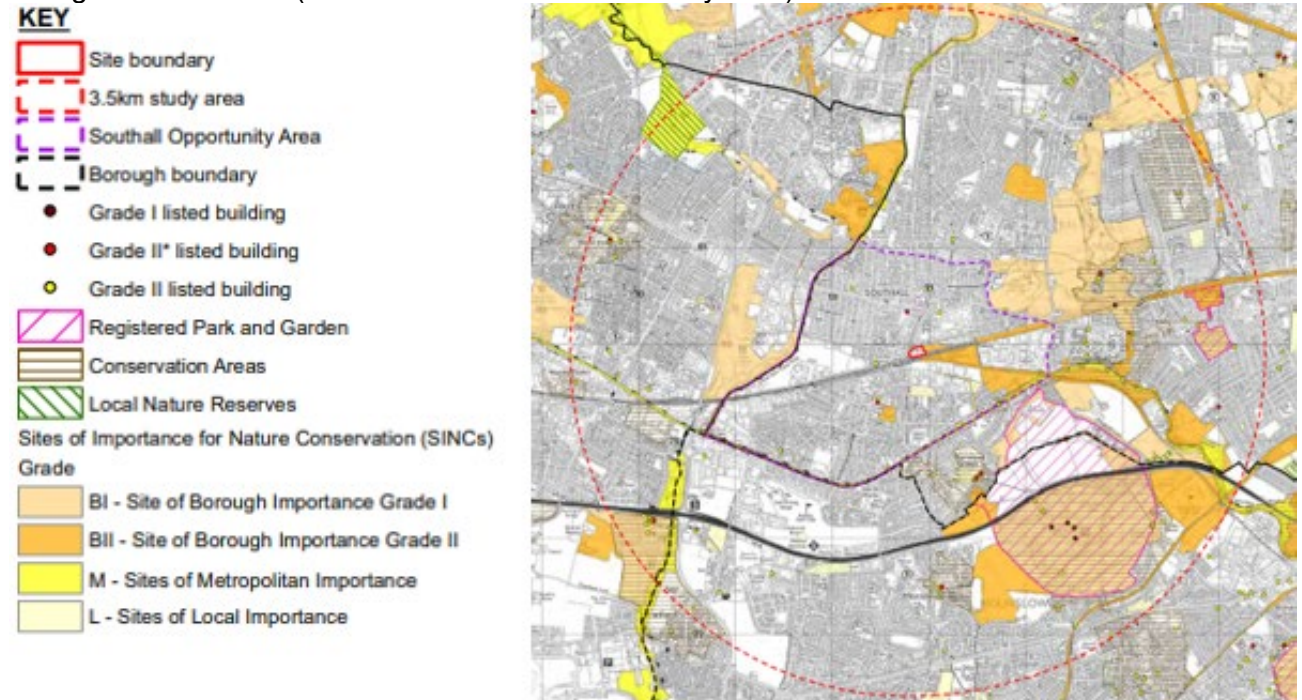
The site is located in Flood Zone 1 Low Probability i.e. a less than 1 in 1,000 annual probability of river flooding. In addition, the site is in a Critical Drainage Area. A Critical Drainage Area (CDA) is an area that has been notified as such to the local planning authority by the Environment Agency (EA). In these locations there is a need for surface water to be managed to a higher standard than normal to ensure any new development will contribute to a reduction in flooding risks in line with NPPF. The applicant has produced a Flood Risk Assessment. These standards are determined by the EA but are still required to be considered in accordance with the provisions of the development plan.

In this case the site is Allocated for beneficial regeneration development in conjunction with adjacent land, in accordance with Policy SOU4. The benefits of regeneration could not be achieved on other land and accordingly a sequential analysis would not be feasible. The site is also located within the Borough-wide Air Quality Management Area (AQMA).

In terms of building heights, the Park Avenue area north of the railway line is characterised by residential properties and low-rise industrial warehouses to the east. South of the railway line the height and scale of development with permissions are significantly different with building heights up to 27 storeys (Middlesex Business Centre), 23 storeys (Malgavita Works) and 19 storeys (Former Esso Station) and a resolution to grant for the redevelopment of the Arches Business Centre up to 23 storeys. Much of the development under construction is visible from Park Avenue as well in Southall Park.

3. Heritage Assets

Conservation Areas and other assets, are shown below in relation to the application site, which is edged below in red (the isochrone is a 3500m ‘study area’):



The study area isochrone was verified on site to ensure it represents the reasonable limits of intervisibility. Impacts are considered later in the Report.

4. Biodiversity

A Preliminary Ecological Assessment has confirmed that scattered trees within the site are of ecological value; the remaining habitats are of low ecological value. The buildings that were capable of being inspected and other parts of the site have low to moderate potential to support roosting bats. Private gardens in Milan Road could not be surveyed but are judged by the applicant’s consultant to be unlikely to any habitats of significance. No reason is seen to disagree with this. Any survey/mitigation can be secured by a condition of permission.

The ecological desk study revealed no European statutory sites within 5 km of the site. The site falls within the Impact Risk Zone (IRZ) for Syon Park SSSI. Syon Park SSSI is located 5.5km south east designated for its tall wet grassland habitats and invertebrate fauna. The proposed development is not listed as a risk category with regard to this SSSI.

There are no statutory locally designated wildlife sites within 2km of the site and 26 non-statutory locally designated wildlife sites. The closest being Avenue Road, Southall Railsides, Hortus Cemetery and London’s Canals within 0.4km. The scheme is designed to address the above alongside the submitted Biodiversity Enhancement Strategy, which shows the Net Gain and significant Urban Greening uplift of the scheme.

5. Archaeology

The site lies contains no designated or non-designated archaeological assets above or below ground, nor does it lie in an Archaeological Priority Area and has low potential for significant finds or features.

6. Application Design Development

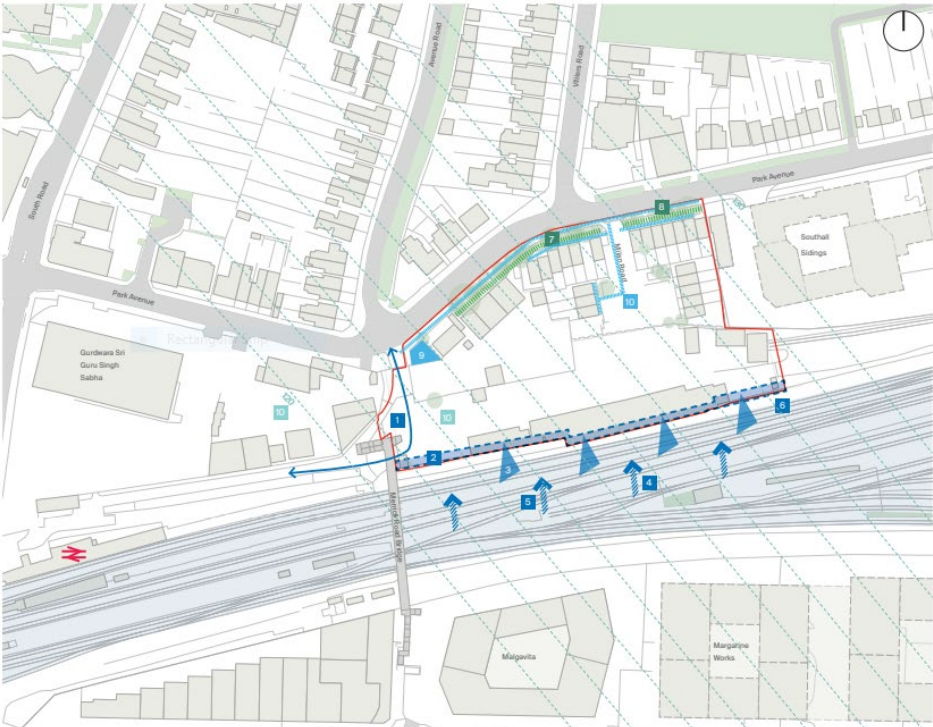
The scheme has been developed during the pre-application stage and tested in presentations to the GLA, Ealing CRP and DRP and consultation with the community, landowners, and LBE Officers. Details of the pre-submission consultation and engagement undertaken are set out below.

The applicant has prepared a Design and Access Statement (DAS) to provide a discrete rationale for the development, beginning with evaluation of site and other constraints and opportunities as set out in the DAS.

Design development was prepared with specific regard to Council Policy and guidance, including the Core Strategy, DMDPD, Site Allocation, Southall Opportunity Area Planning Framework (SOAPF) and Gateway SPD, London Plan and community and pre-application consultations. In addition, the layout and design are informed by the applicant’s TVA and DAS.

There has been a careful site and contextual analysis that included consideration of the site conditions, neighbouring impacts - in particular developing a coherent plan for successful integration with the wider residential and Town Centre area, the Gurdwara site to the west and relationship to the approved Southall Sidings to the east – impact on Northolt and the Heathrow flightpaths and impacts from and upon adjacent land uses such as the railway line, including other tall buildings, as indicated below from the DAS:

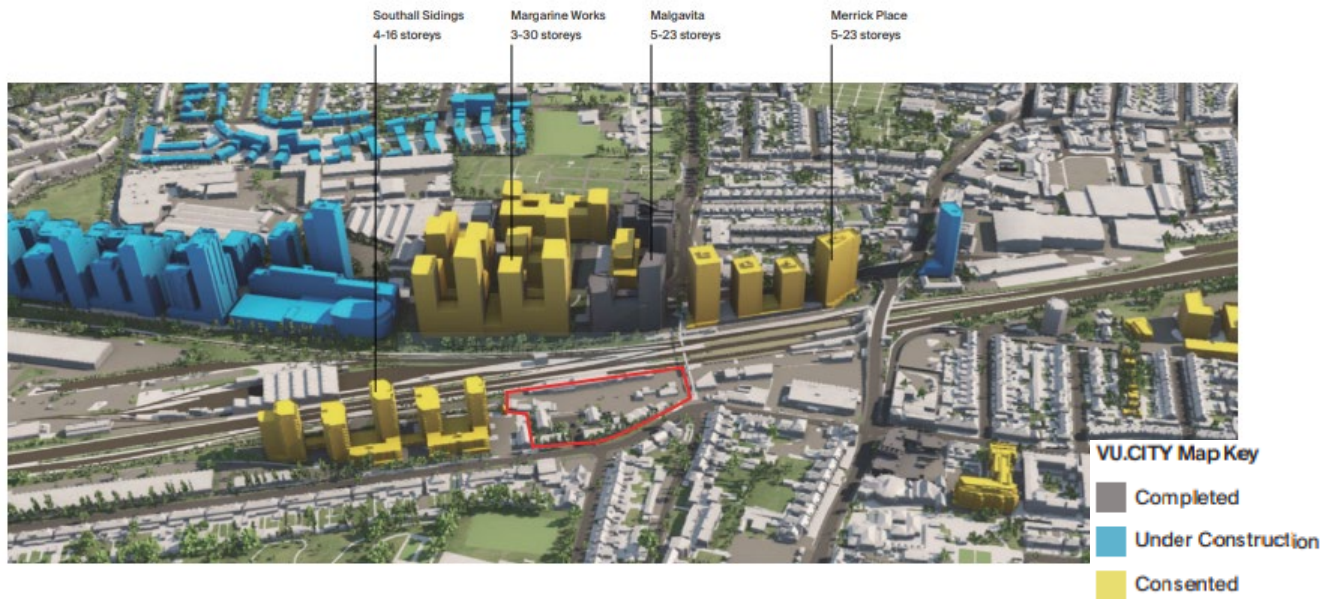
- The Site is constrained by both its natural and physical setting as well as existing services and adjacent land owners. It will be necessary to resolve these constraints through negotiation and careful design in order to deliver an engaging scheme that makes the most of its location.
- Network Rail (NR) / railway line;**
- 1 Existing easement for refuse vehicle access to NR owned land.
 - 2 No new building can be located within 3m of the site boundary line, as stipulated by NR.
 - 3 NR have stipulated that there are to be no open balconies facing directly onto the railway line
 - 4 Noise from the railway will impact the noise to homes and amenity spaces. Acoustic attenuation measures may be required to meet appropriate acoustic levels.
 - 5 Vibration from the railway line may impact the comfort of residents - vibration mitigation measures may be required.
 - 6 There will constraints on construction processes and logistics, as the Site so close to the active railway line. Continued dialogue with NR is required.
- Existing Trees;**
- 7 The density of the existing trees to the north of the Site may limit access points to the Site.
 - 8 Trees are covered by TPOs and are of varying quality ranging from category B to C. Root protection areas will also need to be considered.
- Existing Services;**
- 9 Existing electrical substation on Site may need to be relocated and/or incorporated into the design.
- Heathrow Limitations;**
- 10 The maximum height of the proposed buildings will be limited by the Conical Surface of the London Heathrow Obstacle Limitation Surfaces (shown in dashed blue lines). The overall height limitations will be in relation to AOD ground level which is approximately 32m.



The applicant has reviewed the massing options against the following criteria:

- Townscape impacts
- Site optimisation including available adjacent land in the Site Allocation
- Facilitating the phased development with the Gurdwara, including access
- Tower Heights
- Impact on heritage assets
- Daylight, Sunlight and Shadow to residential units and communal areas
- TPO trees
- Residential Amenity
- Public Realm and connectivity via the Merrick Road bridge
- Meeting affordable housing target
- Delivery of public benefits.

Consideration has also been given to the arrangement, distribution and cumulative impacts from other tall buildings developments in the area, as illustrated below:



Turning therefore to the design development, 7 layout and massing options were taken forward as illustrated below in the DAS:



Option 7 was taken forward to the pre-application stage, representing the optimal layout for the distribution of tall buildings on the application site.

Having assessed that review, the application is considered to be the optimal solution. Taking all this into account, the application scheme, with the towers as proposed is considered to achieve the appropriate planning balance on its merits and in consideration of development plan objectives and was pursued accordingly.

7.Pre application consultation

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

- Pre-Application Meeting 01 — 14 September 2021

- Online Public Consultation 01 — 2 October 2021
- Online Q&A event 01 — 2 October 2021
- Online Q&A event 02 — 4 October 2021
- Pre-Application Meeting 02 — 5 October 2021
- Online Q&A event 03 — 5 October 2021
- Drop-in public consultation event — 6 October 2021
- Meeting with Network Rail 7th October 2021
- Drop-in public consultation event — 11 October 2021
- GLA Pre-Application Meeting — 21 October 2021
- DRP Pre-Application Meeting — 26 October 2021
- Gurdwara Site Architect Meeting — 2 November 2021
- Pre-Application Transport & Energy Workshop - Tuesday 2nd November
- Secured By Design meeting- 9 November 2021
- LPA Tree Officer Workshop - 10 November 2021
- Online Public Consultation 02 — 10 November 2021
- Online Q&A event 04 — 10 November 2021
- Drop-in session — 15 November 2021
- Community Review Panel — 16 November 2021
- Online Q&A event 05 — 16 November 2021
- Community Review Panel — 16 November 2021
- Gurdwara Site Architect Meeting — 2 November 2021
- Pre-Application Meeting 03 — 24 November 2021

GLA support was given to the scheme as summarised below:

'91. The proposed optimisation of this brownfield site located within the Southall town centre and Opportunity Area for a mix of residential and commercial space is strongly supported. Early engagement from the applicant is welcomed and should continue in the lead up to the submission of any application to resolve issues in respect to affordable housing, urban design, transport and sustainable development which should be addressed prior to the submission of a formal planning application.'

Further information was required to: *'... ensure the proposed affordable housing offer responds to local need.*

A draft energy strategy is recommended to be submitted prior to submission. This should respond in full to the guidance outlined in the sustainable development section of this report. The applicant should continue to engage with TfL regarding potential transport impacts.'

With regard to layout, scale and massing the GLA noted:

'34. The proposals concentrate the highest elements of the scheme in closest proximity to the railway line along the southern boundary of the site and farthest from the low-rise residential terraces which extend north of the plot. This rationale is supported and serves to mediate the concentration of taller elements north of the railway line and the wider town centre. Generally, the scheme responds well to the surrounding context...

With regard to the principle of a tall building, it was found:

'39...this site is designated as 'Southall Crossrail Station' which it is noted the immediate station area is considered in principle an appropriate location for a tall building subject to detailed design.

'40. As outlined above the scheme would be located in an area defined as suitable for tall buildings in the Local Plan. GLA officers note that the proposals sit well within the cluster of tall buildings being proposed and built in the immediate vicinity of the site and beyond the railway line blending comfortably into the wider skyline.

'41. However, the scheme is expected to have significant daylight/sunlight impacts on the residential area to the north, which is mainly made up of 2-storeys detached/semi-detached units. Proposed buildings along Park Avenue should create an appropriate transition between the 'urban scale' of the new development and the low-rise residential properties. The applicant

should consider if some additional planting along both sides of Park Avenue might soften the change in scale. These impacts must be fully considered and mitigated as far as is practical at application stage.

'42. Having regard to the above, the principle of tall buildings could be supported at application stage, with overall acceptability subject to any visual, functional, environmental and cumulative impacts being addressed in line with London Plan Policy D9(c).'

Pre-application meetings were held with Officers between 2019 and 2021, in respect of development principles, community engagement, design, heritage, transport, massing and scale, affordable and market housing, visual impact, trees, and amenity as well as EIA scoping, followed by a formal pre-application letter in February 2020.

The applicant held two design workshops with the Gurdwara and intends to hold further ones during the planning application process and other stakeholders including Network Rail.

7.1.Engagement with Milan Road Residents

There are 23 houses (13 x 2bed and 10 x 3bed) in the Milan Road estate, 3 of which have already been vacated by households who wished to move away. All are social rent tenure. There are no residential leaseholders, freeholders or private residential tenants living within the application site.

Engagement by PAH is set out in their Regeneration Statement as follows:

'...our dedicated Home Moves Decant Co-Ordinator is working on a one-to-one basis with existing residents of Milan Road to support them.

'Although our development is below the threshold at which a formal ballot is required, we are committed to the overarching objectives set out in the Mayor's Good Practice Guide to Estate Regeneration (Mayor of London, February 2018), namely to:

- deliver safe and better-quality homes for local people;*
- increase the overall supply of new and affordable homes and*
- improve the quality of the local environment through a better public realm and provision of social infrastructure (e.g. schools, parks, or community centres)*

'We have adopted the principles of early and direct engagement, commencing engagement with our residents in April 2021 through written correspondence, "door to door" conversations and in-depth one to ones, ahead of the wider community consultation in October and November 2021.

'All PA Housing tenants living in the existing homes at Milan Road will be offered a new home with PA Housing on the same tenancy terms that they currently have. Each household's needs and preferences are different, so our approach is to provide bespoke support to individual households to identify the options that best meet their needs.

'Some households may choose to move away from their current location or move to a different type of housing (such as Independent Living accommodation), while others may prefer to move to new homes within the development. We propose to carry out the development in phases so that, wherever possible, households who wish to remain can move to their homes in the new buildings before their existing homes are required for redevelopment.

'PA Housing tenants who are displaced by the regeneration and meet the statutory criteria will be offered the statutory Home Loss payment, along with payment for carpets and curtains in their new homes. Our support extends through the whole process of moving house, including arranging accompanied viewings and arranging and paying for removals, utilities connections and postal redirection.'

7.2.Community Review Panel

The proposals were presented to the Ealing Community Review Panel (CRP) on 16th November 2021. The Panel noted concluded in summary:

'The panel feels that the scheme has been well-developed and contributes positively to the local area. The organisation and arrangement of the blocks works well and the panel notes that the scheme is relatively sympathetic to its surrounding context. The panel supports the proposal to making the taller elements lighter in tone, to lessen their visual impact, but would like to see more articulation to break up the building mass. However, it feels that the towers are too tall and will have a negative impact on the existing community. In particular, it feels that that consideration should be given to the impact on daylight, on townscape, on people's health and wellbeing, and on the sustainability of taller buildings.'

'The panel welcomes the number of affordable homes provided by the scheme, and is broadly supportive of the approach to the ground floor uses and the public realm. However, if these spaces are to be well-used and meaningful, there needs to be a better understanding of how this scheme relates to other developments coming forward in Southall, particularly given the sites proximity to the new footbridge, the transient nature of Station Square and relationship to the gurdwara. The panel is pleased with the approach to engagement with the community and surrounding landowners but would like to see how comments raised have informed the design development and the influence on the use of the ground floor spaces...'

7.3 Design Review Panel (DRP)

1st DRP

An Ealing DRP was held on 26th October 2021. The Panel was impressed with and praised the very clear ambition of the scheme generally as well as the number of affordable homes offered. In addition:

'The panel welcomes the detailed development work and demonstration of the feasibility studies testing different options and layouts. The panel feels these studies successfully demonstrate that the scale, massing and general layout are sound, however notes that further detail on the articulation and materiality of the proposals will be fundamental to assuring the quality of the scheme and townscape impact.'

'The panel feels that greater and more detailed consideration of the public realm and landscaping is required and urges the design team to develop and prioritise this area of the design. It suggests that as currently presented there is a lot taken on trust and would welcome further detail to understand the uses and users of the spaces that are envisaged. It would welcome in particular clarification on the number of vehicles using the central route to understand the potential for conflict between play, landscape and placemaking opportunities.'

'The panel questions the sustainability targets adopted, as well as wider environmental considerations in relation to the proximity to the railway, as well as issues generated by the height and density of the development. Further detail of wind, daylight and sunlight modelling should form part of the final application, as well as demonstration of the quality of the internal spaces in terms of natural ventilation, acoustics and visual amenity.'

Assessment of the vehicle usage of the central route is addressed in Section 14.5 below. In addition to being generally supportive of the proposals, the Panel raised no in principle objections to building heights or the arrangement of development across the site, in relationship to future development phases and to permeability of the site with the surrounding area. The DRP also made reference to the character of the local area and particularly the South Asian community and neighbouring Gurdwara and queried how this has informed the scheme and would welcome further detail as to how the design is specific to Southall and its community.

The applicant addressed these comments in the application submission, noting in particular the direct engagement and workshops with the Gurdwara and architectural representatives with the objective of ensure a mutually beneficial development on both sites, especially with regard to Place Making in the arrangement of the public realm, its relationship to the Merrick

Road bridge and to the aspect and orientation of new buildings in the application scheme. Design detail in the scheme reflects elements of the Martinware Pottery heritage of Southall glazed bricks to line parts of the building where people are in close proximity, such as entrances and balconies. This is designed to give a rich and tactile quality to these parts of the building, as well as a colour graphic quality to the building when seen from afar.

2nd DRP

A second, Chair-only DRP, to appraise the submitted application scheme, was held on 22nd March 2022. The Panel again complemented the positive development of the scheme and how well the design team had responded to comments from the previous DRP.

The Report states:

‘(The Panel) still feels that there are a number of issues relating to the quality of the public realm that should be developed further. Bridge Place is a fundamental element of the scheme, acting as the main arrival point to the development and principal area for public activity, and the panel feels that the character and uses of this space need further consideration. The panel also finds the cul-de-sac arrangement of the central street problematic, noting inherent issues for service vehicles turning and the resulting conflict with other uses. The relationship between the courtyard at Block C and the central street should also be reconsidered, to be more open and inclusive.

‘The overall sustainability strategy and design of the façades is well-considered. However, the panel urges the team to be more ambitious with the metrics and energy targets applied, suggesting that LETI 2030 guidance should be targeted rather than the Future Homes Standard. It has residual concerns relating to the internal layouts and quality of the new homes. Block C still has very deep floorplates and the panel feels that these units could be very dark. It also questions the balcony placement within the corner flats at Block B, noting that these appear to create awkward living spaces.’

The applicant has responded to these further comments, and those arising from consultations in amendments to the scheme, on which there has been further community and statutory consultation in June 2022. The amended scheme is that which is presented to Committee.

7.4 Community Engagement

The applicant has undertaken the following consultation events involving:

- -Political representatives,
- -Stakeholders,
- - Businesses,
- -The community.

Beginning on 23rd September 2021 with an on-line platform, in all the applicant has sent out over 4200 letters and invitations to engage in the consultation process as well as posting site notices during the first round of consultation. Through their communications consultants, the applicant has provided the following methods for the community to comment on the proposals:

- A survey on the CommunityUK portal, which includes space to present views: <https://parkavenue.communityuk.live/shareviews>
- A freephone number, staffed during office hours
- A bespoke email address: parkavenue@yourshout.org
- Social media adverts on Facebook and Instagram between 5-16 November 2021
- A freepost address.

The web pages/links have a built-in translator, into 108 different languages.

The following were also invited to the public consultation events, in addition to being offered one-to-one meetings or further information:

- Ealing Civic Society
- Gurdwara Sri Guru Singh Sabha Southall

- Shree Ram Mandir
- Sikh Missionary Society
- Southall Central Mosque
- Southall Faith Forum (Faiths Forum for London)
- St Anselm's Catholic Church
- Dairy Meadow Primary and Nursery School
- Havelock Primary School and Nursery
- St Anselm's Catholic Primary School
- Sybil Elgar School
- Havelock Centre
- Havelock Independent Resident Organisation (HIRO)
- Havelock Steering Group
- Southall Community Alliance

The applicant has committed to continuing to maintain contact with the above as the planning application progresses.

Two rounds of public consultation took place:

1. To present the emerging proposals – on-line Q&A and drop-in sessions held on 2nd, 4th and 5th October 2021, at times chosen to encourage maximum participation. Participants that registered in advance for the sessions could submit questions before or during the events, by text, online video or by Freephone. Representatives from the applicant, the architect, and the planning consultant were present throughout the online events. 9 people attended the two drop-in sessions. 17 households attended the 3 on-line sessions.
2. To update on the finalised scheme ahead of submitting the application – comprising of a drop-in session on 15th November and two on line sessions on 10th and 16th November 2021. 15 households attended the 3 sessions.

Summarising the feedback from the sessions:

- Nearby roads will be used to park residents' cars
- What will be done about increased parking stress
- How many dwellings will be affordable
- How will existing properties be affected by daylight/sunlight
- What kind of shops will be provided
- Has the character of the area been considered
- What contributions to the local community, school places. Infrastructure
- Don't want retail. Community space more important
- Consider retail versus commercial space, very few larger supermarket chains in Southall which cause problems as many developments are car-free
- Have impacts and benefits been provided in languages other than English
- Is the church staying or not
- What is the planned footbridge capacity, bridge alone is not the solution
- Passive surveillance, consult local Police, will cctv be monitored, physical security/concierge presence
- Inflexible on building heights, ever development in Southall has near to zero residents' input, height strongly opposed
- Community and coworking space preferred, will this be open to local residents
- Impact on Gurdwara, what engagement with the organisation on the proposals
- What 'greenery, landscape destroyed, 6 years of hell for residents
- Tower blocks conflict with rest of the area
- Not confident PA Housing will manage development given the condition of Milan Road
- Why separate grocery delivery for new residents
- Query why high density is in accordance with Local Plan
- Not informed by any leaflet, only found on social media, is this part of the Southall Sidings development

- How will road and community safety improve
- Great number of people with health and mobility issues visit the Gurdwara, will divide the community, as a cyclist fails to address community safety
- Plans should fit London Plan guidelines, nearness to station is not a reason to exceed density requirements, reduce units and focus on 3 beds units,
- have views of existing residents been considered
- What if enough local feedback was against height exceeding 10 storeys would it still be viable
- Will Gurdwara and Park Avenue residents be consulted on construction and impact of development
- Over 15 storeys not in line with local character
- if OAPF new housing expectations been exceeded why is more development needed
- Will Milan Road residents be offered housing
- Will this exceed Southall Sidings heights
- Is 100% affordable possible
- Will market sale be prevented from Buy to Let.

In response to the community consultation, DRP, CRP and consultation with Officers and stakeholders the applicant made the following changes to the scheme prior to submission:

1. A reduction in the number of dwellings.
2. Amendments to the central street to allow two-way traffic for servicing and deliveries to the Proposed Development. A turning head will be provided for drop off deliveries with refuse vehicles to service the site from within the podium. The access by the Bethany Church was made for emergency access only.
3. Amendments to unit mix to include an increase in the number of 3 bed + homes within the affordable tenures and the inclusion of some larger 4 bed homes.
4. Open and flexible layout and Use Class commercial/ community use to maximise take up and use of this space by the local community. Consideration has also been given to relocation of the young adult centres, gym, nursery, affordable/ flexible workspace with ancillary facilities such as a café as part of the proposed uses.
5. Revised the colouring and choice of materials used, with lighter colouring for the taller buildings.
6. Design workshops undertaken with the Gurdwara to discuss proposals for their site and relationship with the development and how the scheme integrates with its wider context and the footbridge.
7. Reviewing the layout and mitigation measures of private and communal amenity spaces to address concerns around noise and vibration from the railway line.
8. Additional seating incorporated into landscape design to encourage interaction within the landscaped areas.

The applicant continues to keep the local community and relevant stakeholders updated during the application period. The consultation website is being updated to reflect the planning application and the consultation telephone line and email address will remain active.

This included re-notifying groups and stakeholders on the amendments to the application submitted on 22nd June 2022, set out in the applicant's post-submission SCI. In addition, the applicant has met with:

- the Bethany Church of God representatives to discuss measures to manage car parking, collaborating with the Church for the hire of the hall and advertising their services on residents' notice boards, liaison to ensure noise and dust from construction works are minimised,
- design workshops with the Gurdwara,
- discussions with the NHS to take the commercial/community space in Block A1 as a healthcare facility,
- writing to notify local residents and businesses of the submission of amended plans and reports and summarising the changes to the scheme,
- updating the website to prominently display the translation tool, including a notice in Punjabi.

In addition, the applicant is continuing to work, on a one-to-one basis, with existing Milan Road residents, with a dedicated Decant Coordinator to identify rehousing options that meet individual households needs.

The applicant’s community engagement is considered to satisfy the Council’s SCI requirements, both pre- and post- application submission including measures necessitated at that time by the Covid-19 pandemic.

8.The Proposals

The details of the proposal are:

- 1. Demolition of existing buildings including 23 dwellings on Milan Road and phased redevelopment of the site to provide a mixed-use development,
- 2. 516 flats and maisonettes (233 LAR and Intermediate/Shared Ownership (equating to 50% affordable by habitable room) and 283 market flats) of which 10% accessible,
- 3. All existing social rent housing in Milan Road to be reprovided into Block A1 in the first phase of development,
- 4. 1239sqm of flexible Commercial, office, light industrial, clinics, nurseries, healthcare and day centres (Use Class E) and Community space (Use Class F2)-1045sqm in Block A1 and 194sqm in Block B,
- 5. 5 principal blocks A1-A3, B and C, comprising residential towers of between 5 and 25 storeys (with 1 storey of plant above Blocks A1-A3), with concierge, estate office, commercial and community space on the ground and first floors,
- 6. Residential and commercial cycle and car parking and on-site refuse collection,
- 7. Residential amenity spaces on the ground floor and podiums,
- 8. New landscaping and shared public realm,
- 9. Indicative new pedestrian Zebra-crossing on Park Avenue.



8.1 LAYOUT

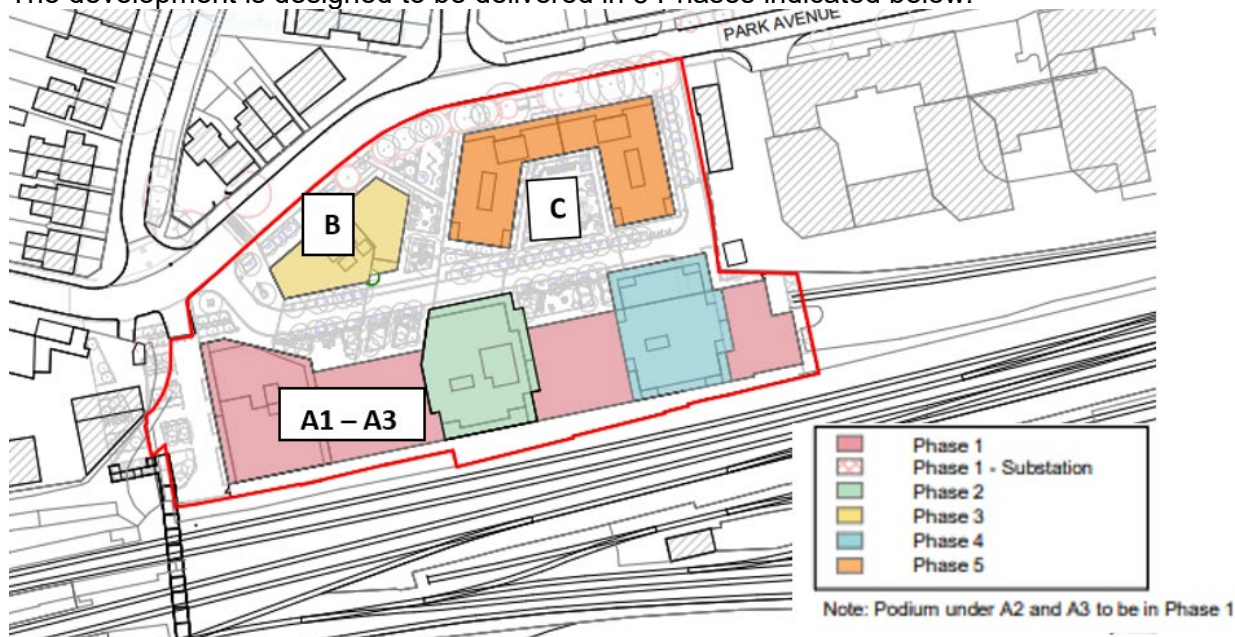
Blocks A1 – A3: 16, 22 and 25-storeys (plus roof plant) 447 flats, concierge, commercial and community space, car and cycle parking, storage

Block B: 5 and 7-storeys, 27 flats, commercial/community, refuse storage, electricity sub-station

Block C: 4 and 5-storeys – 42 flats and maisonettes, refuse storage

8.2 DEVELOPMENT PHASING

The development is designed to be delivered in 5 Phases indicated below:



The stages of intended Block-by-Block development within the Phases is:

- 1 – A1 and podium
- 2 – A2
- 3 – B
- 4 – A3
- 5 – C following demolition of existing Milan Road dwellings.

The numbers of units proposed by phase and tenure is:

Tenure	Ph1	Ph2	Ph3	Ph4	Ph5	Total
C3-INT				97	13	110
C3-LAR	94				29	123
C3-OMS		190	27	66		283
Total	94	190	27	163	42	516

(Int=Intermediate, LAR=London Affordable Rent, OMS= Open Market Sale)

Residents of Milan Road housing will have the right to return to new flats in the scheme (in Block A1 as this will be delivered first) or at another property elsewhere, as they wish as part of the applicant’s Homes Move Decant in accordance with the Mayor’s Good Practice Guide to Estate Regeneration, being undertaken by the applicant.

8.3 DISTRIBUTION OF BLOCKS

The distribution of Blocks viewed from the north on Park Avenue:

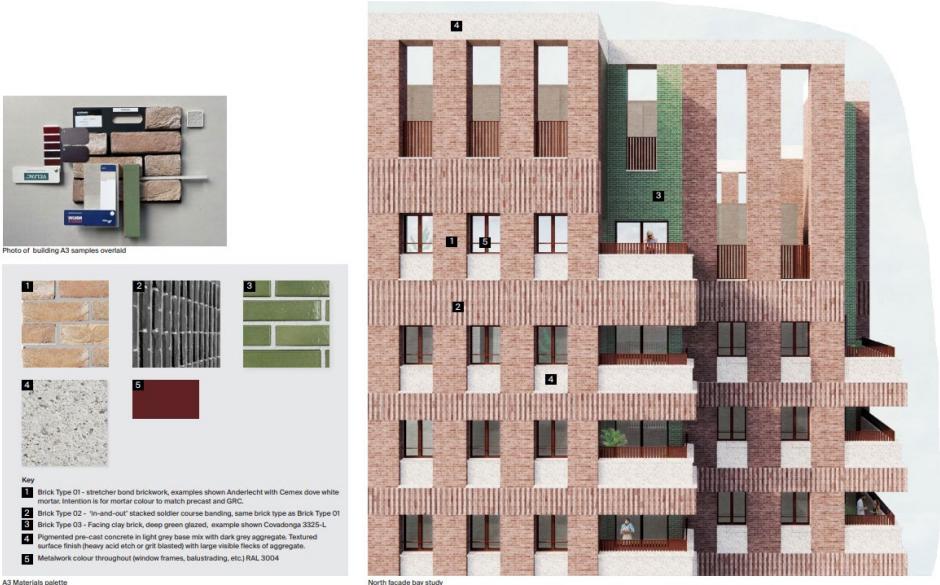


The development is laid out retaining the existing access from Park Avenue to access the Network Rail land to the rear. A new shared surface access to the residential and commercial units, share a central 'spine' of public realm/plaza leading to the east side of the site, which forms the core route for construction phases. Blocks A1 – A3 are set back an average of 3m back from the boundary with Network Rail property in accordance with their requirements, with ancillary parking, cycle storage and refuse areas located on the ground floor and acting as a buffer to the railway.

Commercial uses flank the west side of the public realm. Car, cycle and refuse storage access is under the podium on the eastern boundary. Cycle and pedestrian-only access routes will also be provided to Park Avenue as well as to the Merrick Road bridge located in the south west corner. In this area, the public realm landscaping leaves space for a future pedestrian/cycle lift to the bridge and future links to the Community Cycle Hub.

8.4 APPEARANCE AND MATERIALITY

The external facades appearance and materials are a key component of achieving exceptional design quality. Below is typical detailing of the palette of external materials for Block A3:



All Blocks facing north onto Park Avenue (Blocks A1 – A3 behind Blocks B and C as annotated):



Blocks A1 – A3 facing into central street (Malgavita and Margarine Works blocks in white behind):



Blocks A1 – A3 facing south over railway (with Block B and C behind):



Blocks A1 and B facing west towards Gurdwara and new public realm (permitted Southall Sidings blocks in white behind):



Blocks A3 and C facing east towards Southall Sidings (Merrick Road bridge in white behind):



Blocks B and C facing south onto central street (Bethany Church of God and permitted Southall Sidings scheme in white to right (east)):



Overall, the Blocks designs and appearance individually and as a ‘family’ of Blocks respect without challenging the overall existing and emerging character of the area or heritage assets.

8.5 ESTATE REGENERATION

As an Estate Regeneration Scheme and in accordance with London Plan Policy H5 and H8, proposals involving the demolition and replacement of affordable housing are required to follow the Viability Tested Route and to provide an uplift in affordable housing as well as the replacement affordable housing floorspace.

The application involves the demolition of 23 affordable homes and their replacement with 233 new affordable units which, self-evidently, very significantly increases the amount of affordable housing on site. Overall, in terms of housing unit mix and tenure, the scheme comprises:

Size	No. of units	% of identified tenure	Hab Rooms
Social Rent (SR)			
1B	0	0	
2B	10	43.5	
3B	13	56.5	
4B	0	0	
Total	23	100	
Affordable Rent (LAR)			
1B	19	19	
2B	48	48	
3B	28	28	
4B	5	5	
Total	100	100	
Intermediate (INT)			
1B	49	44.5	
2B	52	47.3	
3B	8	7.3	
4B	1	0.9	
Total	110	100	
Open Market Sale			
1B	125	44.1	
2B	146	51.6	
3B	12	4.2	
4B	0	0	
Total	283	100	

In terms of tenure ratios the above equates to 50% affordable housing on a habitable room basis :

LAR: 29.9% (123 units)

S/O: 20.1% (110 units)

Market: 50% (283 units)

The proposed tenure breakdown of 123 LAR and 110 S/O, a ratio of 59.8:40.2, equates very closely to the 60:40% ratio normally required by DM DPD housing policy 3A and objectives in Southall, taking account of viability. It is considered by Housing Services, on the merits of the scheme, to be within acceptable margins, taking account in particular of the contribution towards the provision of new, larger family homes for affordable rent.

Further, if granted permission, the scheme would be subject to early and late state reviews, giving the opportunity to increase affordable provision, particularly in the LAR tenure. Housing Supply also notes that with respect to the provision of Intermediate homes, subject to scheme viability, the applicant is looking to convert a proportion of the intermediate homes in Phases 2 - 5 to London Living Rent (LLR). They would welcome this provision.

8.6 FINANCIAL VIABILITY

London Plan Policy H5, Core Strategy Policy 1.2(a) and DMD Policy 3A seek to secure affordable housing at a level of 50% on public sector land where there is no portfolio agreement with the Mayor, which the site comprises in large part. In this case 50% by habitable room is proposed and accords with the Mayor's minimum criterion.

As the scheme involves the demolition of social rent, affordable housing, the application has been considered in accordance with the relevant provisions of London Plan Policy H8, Loss of existing housing and estate redevelopment and the Mayor’s Affordable Housing and Viability SPG.

The applicant has therefore submitted a Financial Viability Assessment (FVA) (the ‘Viability Tested Route’ as required by H8E) to demonstrate this provides the maximum viable amount of affordable housing. For the avoidance of doubt, the application proposes to replace all the demolished dwellings on-site and does not claim the vacant building credit.

The existing social rent dwellings on the site at Milan Road comprise 23 units (59 habitable rooms). The proposed 233 affordable housing units, including re-provision, would provide a total of 50% by habitable room (with grant funding). Re-provision of existing dwellings comprises 4% of the total habitable rooms within the development, resulting in a net increase of 46% affordable housing by habitable room.

The application has been allocated Housing Zone funding and GLA affordable housing Grant. The final quantum and tenure split will be negotiated during the course of the planning application between the Applicant, GLA and LBE and secured through the s106 agreement.

The applicant has produced a Financial Viability Assessment (FVA), which has been independently assessed on behalf of the Council by the District Valuation Services (DVS) of the Valuation Office Agency. The applicant’s Viability Appraisal states that the 50% affordable housing represents the maximum offer.

The overall DVS conclusion is that offer is reasonable, taking into account the other components of the scheme i.e. demolition and construction costs and rising prices of building materials, the commercial/community units (including fit out costs for the CCG healthcare facility if it comes forward) s106 and CIL contributions. Nevertheless, the scheme should be subject to review mechanisms to ensure that the Council gets the best affordable housing offer based on viability.

As set out in the Recommendation, it will be included in a s106 agreement with an early review if development is not commenced in 2 years, with scope for further reviews as development Phases come forward, including switching Intermediate tenures from Shared Ownership to LLR in Phase 2-5. LBE Housing Section supports the scheme, in particular the extra provision for family-sized accommodation.

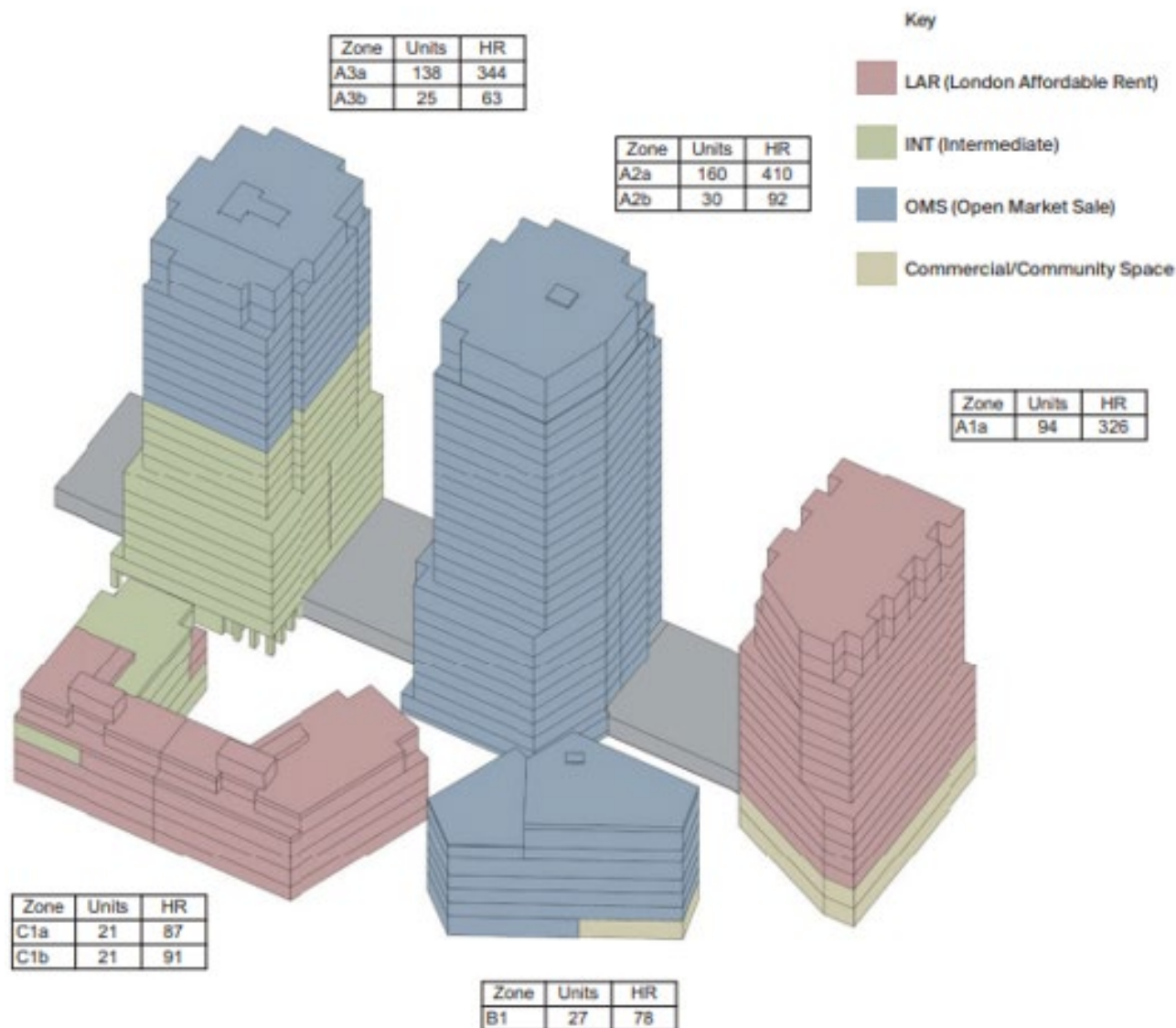
8.7 DWELLING MIX & ARRANGEMENT

The overall dwelling mix comprises:

Number of Units by Type and Tenure

Tenure	1B-2P	2B-3P	2B-4P	3B-4P	3B-5P	3B-6P	4B-6P	4B-7P
C3-INT	49	1	51		8		1	
C3-LAR	19	5	53		30	11	4	1
C3-OMS	125	23	123	8	4			
Total	193	29	227	8	42	11	5	1

Below is the proposed tenure distribution between the Blocks:



8.8 RESIDENTIAL AMENITY – FLATS DESIGN

Aspect and Orientation

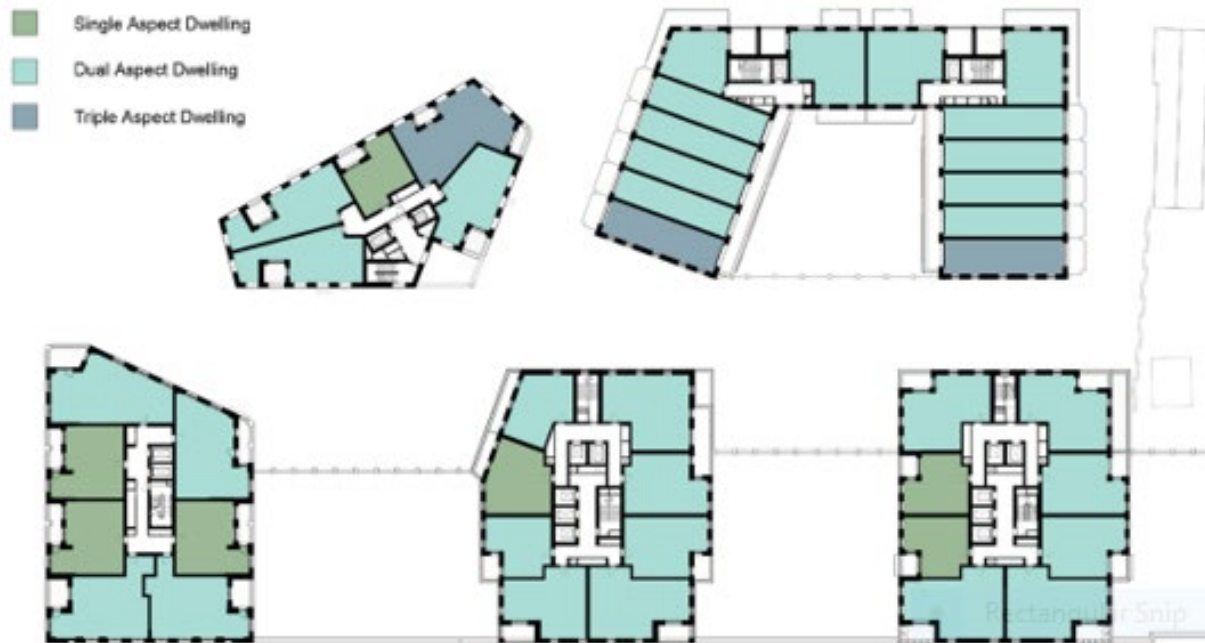
The scheme comprises:

Single Aspect: 79 units (15.3%)

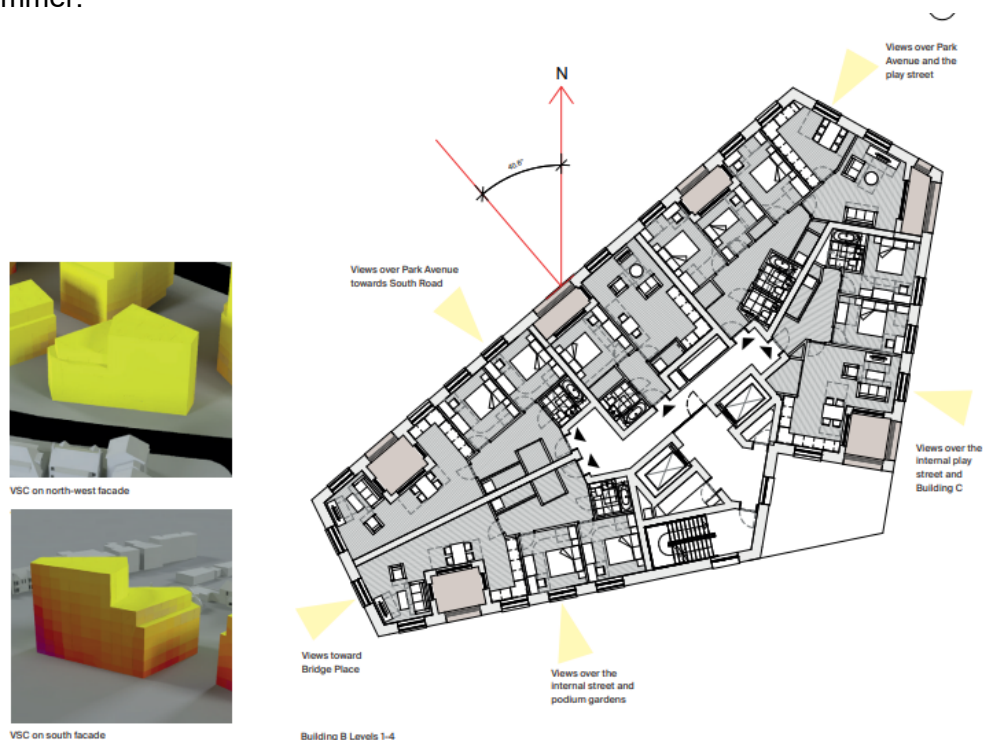
Dual Aspect: 428 units (83%)

Triple Aspect: 9 units (1.7%)

Typical floor plans below illustrate the locations of the predominantly dual and triple aspect flats throughout the scheme:



Of the 79 single aspect flats, only 4 are north facing; the other 75 face west or east. All 4 single aspect north facing are located in Block B. All are 1bed 2 person flats. As illustrated below, their aspects are actually 40.5degrees north-west. Because they do not face at more than 45degrees due north, in accordance with the GLA Housing SPG this technically renders them north facing. In compensation, their north west façades have a better vertical sky component (VSC) than the south facing, so despite the orientation they will enjoy better levels of sunlight in the summer:

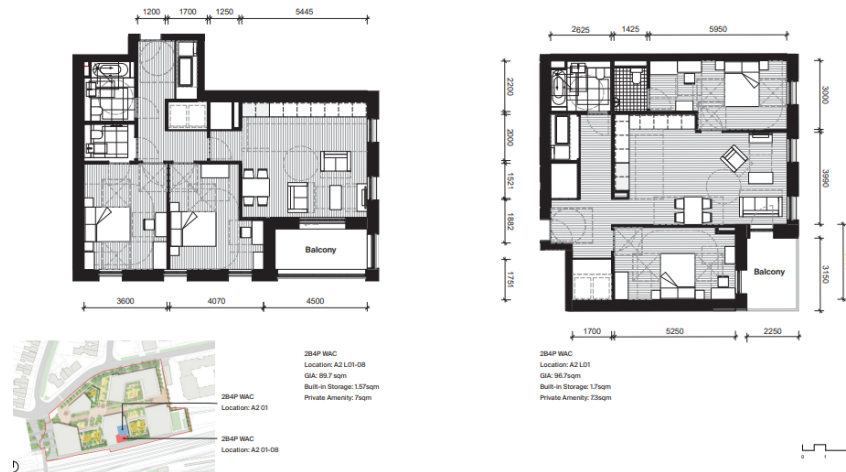


Accessibility

The development will be entirely 'step-free'. The table below shows the distribution by tenure of the 53 (10.27%) of flats will be M4(3) wheelchair adaptable, and the other 89.73% M4(2) accessible and adaptable homes, located at lower levels to each block and evenly spread across the tenures. 26 are 1B2P and 27 are 2B4P in accordance with London Plan Policy:

Size	Social Rent (SR)	Affordable Rent (LAR)	Intermediate (INT)	Market (OMS)	Total
1B-2P	0	0	12	14	26
2B-4P	2	3	14	8	27
Total	2	3	26	22	53

Typical accessible flats layouts and locations in the development, overlooking amenity spaces (applicable to 1 and 2B units) are below:



8.9 RESIDENTIAL AMENITY – MEANS OF ENCLOSURE AND RAILWAY NOISE

Due regard has also been given to noise and climatic impacts from adjacent noise sources such as Park Avenue and the railway as well as to points raised by the DRP in relation to the Block C courtyard. The plan below illustrates the proposed means of enclosure of the site, both within the site and on the boundaries and the colonnade introduced to Block C:



To the Gurdwara the applicant proposes a temporary screen/hoarding between the two sites to be removed once the Gurdwara redevelopment site comes forward so that the public realm on both sites can merge. A condition is proposed to agree temporary measures. The northern boundary to Block C facing Park Avenue and wrapping around the flanks, the frontages to the

dwelling are marked by a low brick wall and fencing to a height of 1.4m, similar in style to that which will front new dwellings approved on the Southall Sidings to the east.

To the Network Rail railway and land on the south and south east side an anti-vehicle access fence is proposed, designed to meet the utilities requirements. To the podium winter garden spaces on the south facing podia of Block A a 3m high brick screen is proposed to reduce railway noise, as illustrated below:



The potential for residential amenity effects from railway train noise and adjacent to the station would only be to those above the ground floor flats on the south elevation of Blocks A1 – A3. To address this, Block A1 balconies are inset and face only west or east. Blocks A2 and A3 facing south have 2m glass screen winter gardens (1.2m fixed and 0.8m openable for cleaning).

The applicant has indicated that the window design is for the south facing flats to be: *'...inward opening, either tilt-turn or with a 'stay' to limit their opening to 100mm when residents wish their windows to be open for background ventilation. The windows will be openable beyond this limit as required by Building Regulations for occasional purge ventilation... due to the anticipated noise from the trains, MVHR (Mechanical Ventilation with Heat Recovery) systems are being provided to all the homes with 'tempered cooling' to mitigate overheating on the warmest days, to enable the residents more comfort within their homes without needing to open their windows.'*

A condition is proposed in the recommendation with regard to approval of window design and boundary treatments.

8.10 EMPLOYMENT AND COMMUNITY SPACE

Currently land in industrial and storage use located in the yard and totals 1891sqm, mainly in car repairs and related businesses, all served from Park Avenue or fronting that road directly. No part of the site is designated for industrial use. It is not conducive in its present form to an attractive environment appropriate to the primarily residential frontage to Park Avenue or the character of the area generally at this point on the southern edge of the Town Centre.

The applicant estimates approximately 8-10 jobs are provided by the 3 commercial automotive tenants. The mainly parking, storage yard does not appear to support any jobs on its own.

The application proposes flexible commercial employment and/or community floorspace in Use Classes E and F2, totalling 1239sqm is proposed on the ground and first floor of Block A (1045sqm) and ground floor of B (194sqm) facing into the new Public Realm space with the Gurdwara site, with the aim of contributing to the Place Making attributes of the scheme. In addition, the applicant intends to retain a small amount of commercial space for use as a Housing Management Hub.

Flexible Use Class E incorporates a range of Retail, Community, Gym, Healthcare and Business Uses. Accordingly, there is scope for enhancement to the current retail offer in this part of the Town Centre, as well as employment space policy objectives in the range of Unit sizes proposed in the application.

The applicant has calculated the scheme has the capacity to create up to about 44 new jobs (based on the Homes and Communities Agency's Employment Density Guide, 3rd Edition, November 2015, a significant increase on the existing 8-10. These figures should be treated as a minimum, given they do not account for part-time jobs, as well as services, such as office cleaning. This means a range of new job opportunities are likely to be created by the scheme.

8.11 HEALTHCARE FACILITY

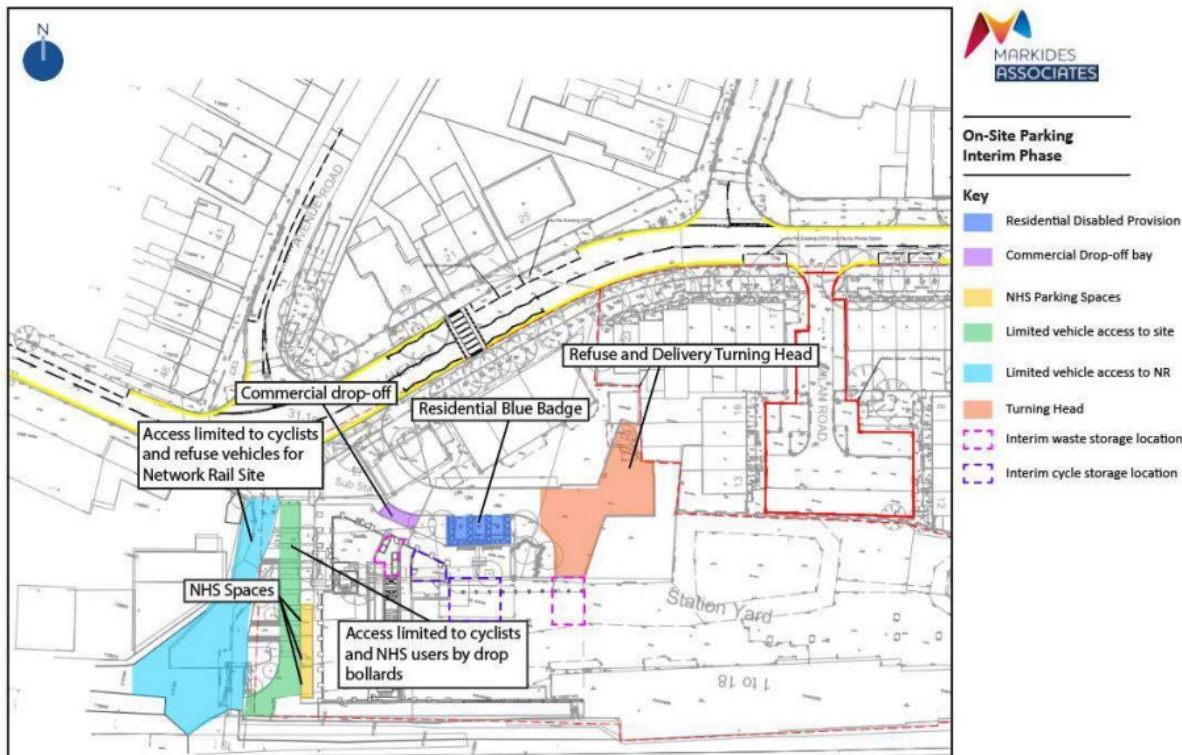
The applicant is in detailed discussion with the CCG to take the whole of the ground and first floor commercial/community space in Block A1 as a healthcare facility. Such a facility falls within the definition of a community use in Class F2 as comprised in the application. This would be expected provide complementary and additional facilities to the other CCG facility in the Green Quarter nearby.

Block A1 will be delivered in Phase 1 of the scheme, along with the new housing that will be made available for residents to decant into from Milan Road, should they wish. The advantage of this early incorporation and delivery of the community facility will help to knit the scheme quickly into the local community and the newly emerging public realm adjacent to the Merrick Road bridge as it opens.

The CCG has requested provision for 5 spaces for doctors/nurses parking in close proximity. Whilst dedicated parking for commercial or community uses would not normally be included in schemes, in this case it is recognised that there can be specific personal safety or security issues with healthcare professionals. In addition, in cases of emergency, such professionals made need ready access to their cars.

2 spaces would be in the form of Business Permits on Park Avenue with the other 3 in the podium cark under Block A. This would result in the loss of the spaces from the 22 residential spaces in the scheme. Transport has agreed this provision and the slightly lesser residential provision for the scheme.

Temporarily, whilst Block A is under construction, the 3 spaces would be provided outside of Block A1, accessed from the shared space, as illustrated below, in relation to the interim parking and access arrangements. A condition is proposed to manage this:

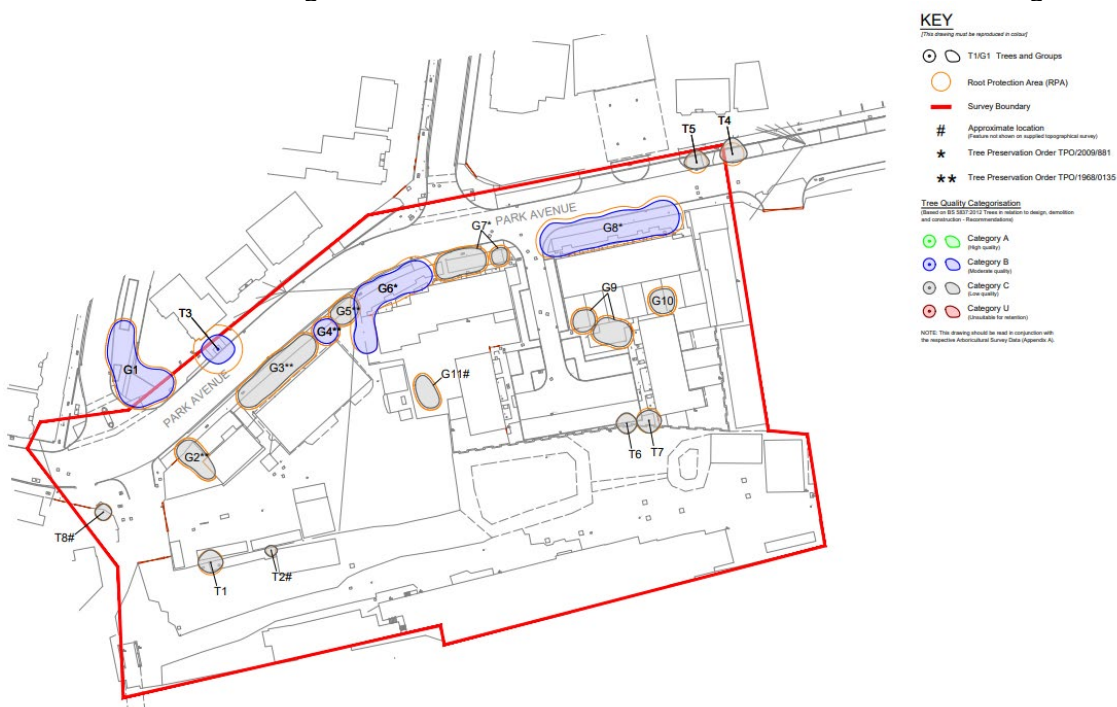


8.12 TREES AND LANDSCAPING

Reflecting its historical uses for open storage and parking and adjoining the Network Rail lines, currently there is a diverse but sparse arrangement of trees and species, mainly to the northern boundary with little or no ground cover. The site contains three TPOs:

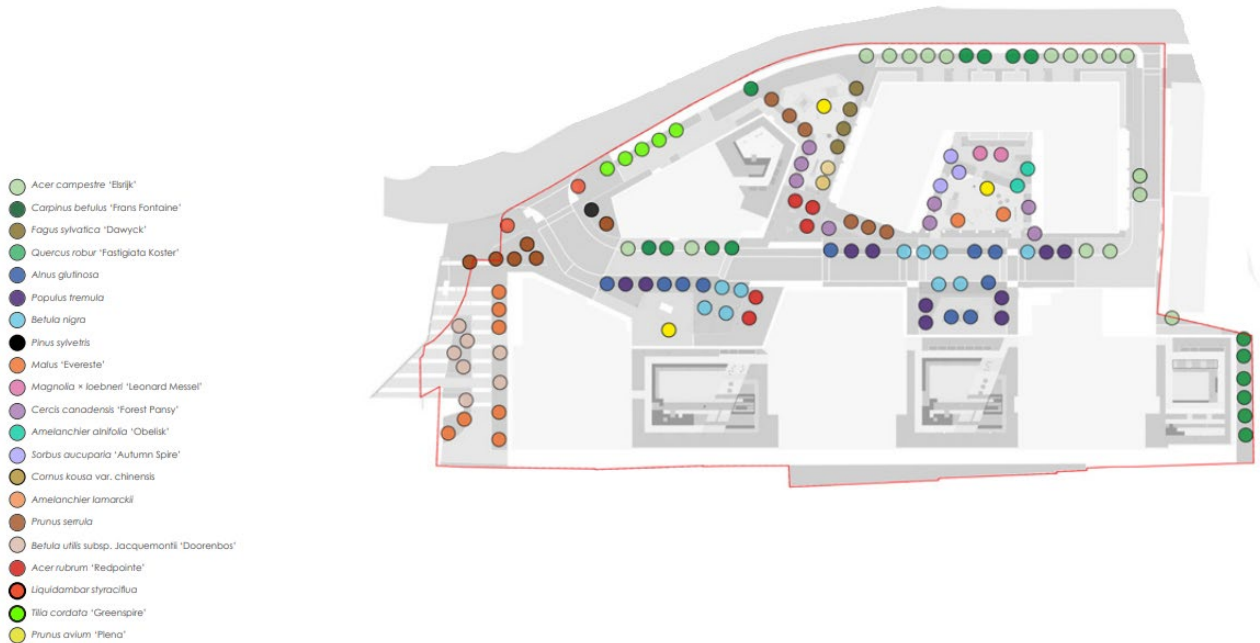
- i) No.749, All trees adjacent to trackside,
- ii) TPO/1968/0135 Coal Depot, Park Avenue, Southall and
- iii) TPO/2009/0881 Milan Road.

The TPOs cover almost exclusively the Park Avenue frontage. There is no Ancient Woodland, Veteran Trees or Community Forests on site. In terms of tree quality, there are no Category A (highest) trees on site. The majority are Categories B or C, the of which are majority located on the Park Avenue frontage. Below is the extent of tree cover in relation to existing buildings:



The total new tree planting across the scheme will be over 150 trees (a nearly 500% increase) mainly Native species of trees in public areas and new ground and first floor podium amenity spaces as set out below on the ground layout, which also illustrate the substantial new areas of public realm:

1. Ground Floor:



Altogether the 22 new and 7 retained trees will provide a new avenue of tree and under-canopy planting, as illustrated below:



The scheme is designed to retain and incorporate existing trees of higher quality (Category B) on the approach from Park Avenue, maintaining an existing degree of ecological value, to be supplemented with new street trees and scope for under canopy hedge and ground cover planting after replacing those groups and individuals noted above.

Other surveyed trees within the car parks and yards and around the perimeters are generally of Category C or U, being of low or no retention value. Those retained fronting Park Avenue are Oak and a short line of Poplars that will help to screen the play area between Blocks B and C and will be enhanced with new underplanting.

2. First floor and above amenity spaces:



8.13 PUBLIC REALM, AMENITY AND OPEN SPACE

LBE Landscape and Nature Conservation Services comment on the space provision:

'Private and communal amenity space

The developers application shows they are providing 5160sqm private amenity space but the development should be providing 7740sqm so there is a shortfall of 2560sqm (based on the Ealing requirement for 15sqm per flat as combination of private balconies/gardens /terraces plus secure communal gardens and courtyard spaces).

'I note the developer is however providing 2272sqm of public amenity space which could be considered as a way meet the above shortfall.

'Dedicated childrens' play areas

The development is providing a reasonably good balance of childrens' play provision with 100% onsite provision for under 5s, and modest provision for older age groups. They note that they are unable to provide full provision for older children and teens on site. The application is providing 2059sqm of dedicated play space that is well distributed amongst the various blocks, but this development should be providing 2239sqm so there is a shortfall of 180sqm (older children and teens).'

Shortfalls and contributions towards sports and allotments are to be met by s106 contributions set out in the recommendation. The public realm strategy will facilitate:

- (a) integration of the Merrick Road Bridge into the scheme and
- (b) seamless incorporation of the new public realm and bridge access with the Gurdwara site when it comes forward in due course (which will be designed to maintain connectivity with the existing Community Cycle Hub currently between the site and the Gurdwara).

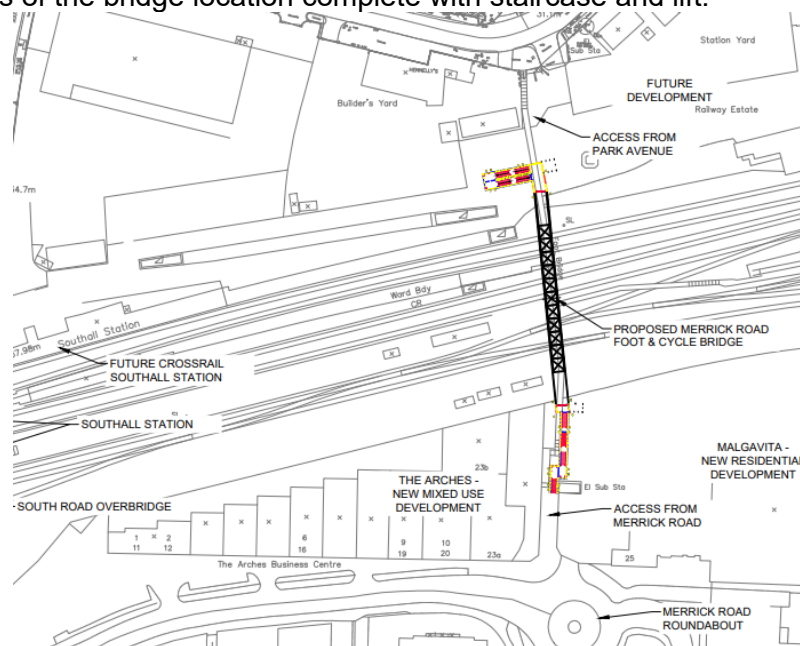
Below is a photograph of the bridge in its current form alongside a detail from the landscaping plan in the northern side of the bridge. Only a small portion of the bridge lies on the application site. It facilitates foot, cycle and (occasional) vehicle access to and from the bridge:

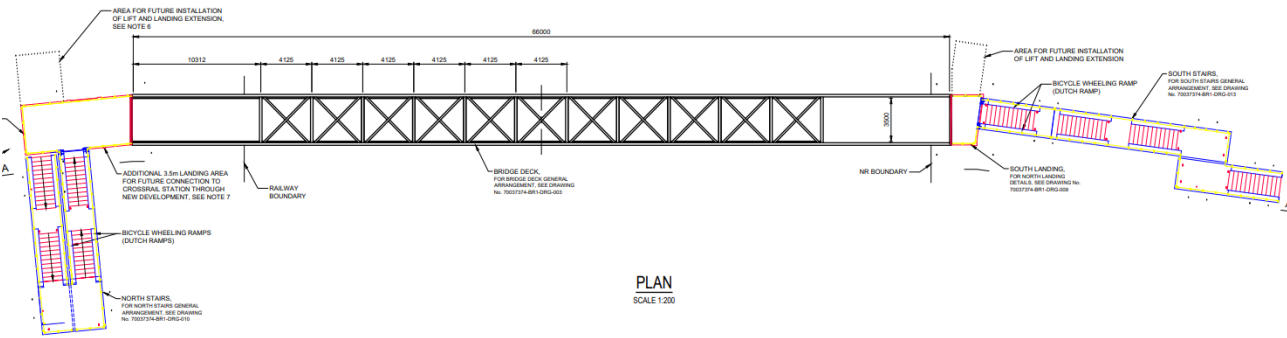


The scheme includes space for the future cycle lift within the application site (marked '2' on the plan extract below):



Below are plans of the bridge location complete with staircase and lift:





8.14 HIGHWAYS

The development is designed to optimise its highly accessible location and prioritise pedestrian and cycle access and movement, while minimising car parking provision and reliance on the private car, with emphasis placed on future employees, residents and visitors walking, cycling and using public transport, particularly Southall Crossrail Station. The nearest bus stops are located outside the Station and on the north side of South Road/Park Avenue junction.

Residential, commercial and public cycle and car parking will be mainly at ground level. The residential-only car parking provision is 16 spaces, equivalent to 3% of the total number of dwellings, all located in Block A. All spaces will have EV charging points from the outset. 2 on-street Car Club spaces are proposed. In addition, following occupation each new flat will be provided with 5-year membership credits (up to £50 each). The applicant has prepared a Residential Framework Travel Plan. A Commercial Travel Plan will be required as a condition of permission if granted. No car parking will be provided for commercial uses.

Principal pedestrian and cycle routes are on Park Avenue and South Road. A new road for both modes will be provided once the Merrick Road bridge opens in Summer 2022 with the installation of the lifts. The applicant also proposes a new Park Avenue zebra crossing.

Vehicle access will continue to be from Park Avenue, which will include that to the Network Rail land on the west side of the site. In common with existing arrangements, the scheme will have three points of access:

- two on the west side of the site with entry and exit onto Park Avenue and
- one on the east side, an exit-only route for refuse collection vehicles (they would enter from the west side only) and emergency vehicle access, the exit being controlled by demountable bollards.

Whilst one on-street CPZ space would be lost from the formation of the new exit point on the east side, a minimum of two new spaces will be created from the closure of the Milan Road access. Reference was made earlier to how 5 parking spaces for doctors and nurses would be incorporated temporarily and then permanently within the scheme should this proceed. Transport Services would support a request by the CCG for 2 Business Parking Permits to be granted in currently available on street parking in Park Avenue.

Loading/unloading is restricted to drop-off areas located on the turning area at the eastern end of the site or via the podium entrance to the service area running at the ground floor rear of Black A, across the length of A1 – A3. The central west-east spine of public realm (the 'central street') will act as a shared surface route for pedestrians, cycles and vehicles, although there will be dedicated pedestrian/cycle only routes on the north side between Blocks B and C.

Residential, commercial delivery/collection will be two-way across the central shared surface with a turning head at the eastern end for vehicles to enter and leave. Two vehicle laybys along its length will enable other vehicles to pass as illustrated below, with the refuse vehicle route marked by the brown arrow:



On collection days, refuse collection for Block A1-A3 and B will be from the rear podium access. Block C refuse will be taken to a presentation point on the exit road. Fire tender access will be from Park Avenue, or in an emergency, from the exit road on the eastern boundary adjoining the Bethany Church.

Cycle parking would also be provided at ground and mezzanine level in the space and individual Blocks totalling 966 long stay secured and covered spaces (949 residential and 50 commercial/community uses in Blocks A and B), 54 of which will be adapted spaces, located on the ground floor of Blocks A and B and the first floor of Block C (via cycle lift), 18 short-stay Sheffield cycle hoops will be located across the site.

The applicant’s Transport Assessment (TA) notes most trips would be undertaken by foot in the first instance with a total of 436 two-way trips in the AM peak (consisting of both end-to-end walk journeys and persons walking to public transport nodes) and 290 in the PM peak. Impact on current public transport would be negligible, with the TA estimating only 3 additional passengers per service on average. In carrying out the impacts on the highway network, the applicant has also had regard to impacts from other developments in the area.

Compared to vehicle movements generated by the existing commercial storage, vehicle repair and residential uses on the combined application site (11 in the AM peak and 16 in the PM peak – a total of 199 two-way vehicle trips per day), the TA states the development will result in an increase in the number of car-borne and goods vehicles trips in the AM peak to 24 and 7 in the PM peak– a total of 269 two-way vehicle trips per day.

As the TA notes traffic movements from the yard part of the site are currently lower than might be possible if it was used more intensively. Secondly, not all ‘additional’ trips would be new to the highway network. They would include for example postal services, which will normally be consolidated into single trips to all relevant residential properties on the site.

Against the background of an expected, increase in traffic on local roads, it is accepted that the current road network in Southall already operates at over capacity for much of the day, resulting in extended queuing and delays to buses. In this context, it is noted in relation to the application scheme that:

1. improvement of the pedestrian and cycle permeability throughout the site and the wider area will facilitate more convenient and safer movement ahead of resorting to use a private vehicle,
2. Crossrail at Southall Station will provide more services towards key destinations throughout London, resulting in a higher number of site users travelling to and from the site by train,

- 3. car club services in the local area could provide an economic alternative to owning a vehicle. The applicant proposes to offer to each new flat a 5-year membership of a local Car Club (which is included in the recommendation). In addition, DDA only restricted parking on site and preventing applications for CPZ permits (also included in the recommendation) will act as a deterrent,
- 4. measures provided within the Travel Plan, which will be distributed to both residents and staff at the site, will aim at encouraging sustainable transport ahead of the use of private vehicles.

Finally, in the interests of promoting and integrated development with adjacent part of the SOU4 Allocation, the applicant proposes a s106 clause (included in the recommendation) that prior to the commencement of works within the areas identified to the east (Southall Sidings) and west (Gurdwara) of the site, the applicant/ owner will liaise with adjacent landowners to provide suitable and combined sites access through each other’s sites for pedestrian and cycle usage.

8.15 CONSTRUCTION MANAGEMENT

Temporary arrangements will be made during the phases for access, site access, demolition etc as set out in the Demolition and Construction Management Plan, which includes measures to regulate, dust, noise, waste and lighting. Construction vehicle traffic routing is not currently determined but would be a condition of permission. Entrance and exit are from Park Avenue.

Deliveries will generally be out of peak hours to minimise congestion on the local road network. There will be no site operatives parking other than for carrying heavy construction equipment to or from the site. They will be encouraged to use public transport, walking or cycling.

8.16 IMAGES OF THE SCHEME

Below, view of the proposed Blocks A1-A3 from the west side of the South Road/Beaconsfield Road/ Park Avenue crossroads. Note new blocks under construction on the opposite side of the railway, along Merrick Road, provide the context and setting for the scheme in this location:



View towards Block A1 from Park Avenue/Avenue Road junction:



View from Merrick Road bridge towards rear of Blocks A1 – A3:



Below, new central street shared public realm with the site looking west. Note Block C colonnade to right of image to playspace fronting the central street:



Below, view east towards Block A2, from Park Avenue between Blocks A1 and B:



View looking east from Park Avenue towards Block C with Block A3 behind:



View from Park Avenue between The Bethany Church of God and Block C:



8.17 VISUAL APPRAISAL

The arrangement and layout of the Blocks and their heights have been set to ensure that the housing, employment, community and open space delivery can still be optimised in a way that is cognisant of their context and surrounding streetscape and the opportunity to make a positive contribution to local character and significance.

In townscape terms, this is manifested in the ‘rise and fall’ of block heights. This ensure that there is none, or minimised harm to the character, setting or significance of, or outlook from, or

towards heritage assets, noting that none occur on the application site and none adjoining or nearby would need to be altered or demolished to accommodate the proposals.

In relation to heritage assets, from examination of the submitted TVA accompanying the application the heritage assets considered to be affected and assessed in the application are marked on the Plan in Section 3 above. Most views from beyond the site boundaries relate to the impact of the towers. Townscape and visual impact on CAs are assessed in the submitted TVA and found not to be visible. Osterley Park and Canalside Conservation Areas are 1.1km away and St Marks Conservation Area is 0.8km away, from where impacts are minimal:

Verified Long Distance View (from TVA) from Osterley Park of Blocks A1-A3 (red arrow below) – dotted blue stringline. (Black stringline behind shows new development on Merrick Road:



View looking west towards the Water Tower (on the skyline) from the site:



In the wider area, the Townscape and Visual Appraisal (TVA) presents a set of verified Wire Diagrams of the impacts of immediate, mid-range and long-range views of the Blocks in the local and wider area:

Verified CGI image (from TVA) from South Road railway bridge towards Blocks A1-A3 (black stringline to right – south - shows outline of and with new development on Merrick Road). To left – east side, is black stringline of approved blocks on Southall Sidings:



Verified View (from TVA) from Beaconsfield Road towards Blocks A1 and A2 (black stringline behind shows new development on Merrick Road):



Verified View (from TVA) from north side of South Road in the vicinity of the Liberty Cinema towards Blocks A1-A3 blue stringline. (New blocks in black stringline on Merrick Road to the right (east)):



Verified View (from TVA) from east side of Park Avenue towards Blocks A1-A3 – blue stringline. (Black stringline behind shows other new development on Merrick Road):



Verified View (from TVA) from east side of Park Avenue towards Blocks A1-A3 – blue stringline (black stringline behind shows new development on Merrick Road):



Verified CGI image (from TVA) from Southall Park towards Blocks A1-A3 (blue stringline) to right. To left, black stringline is approved blocks on Southall Sidings:



Verified View (from TVA) from north side of Avenue Road towards Blocks A1-A3 – blue stringline (black stringline behind shows new development on Merrick Road):



8.18 ENERGY AND RENEWABLES

The development is proposed to be all-electric, with no gas infrastructure on-site. The size and type of development is not suitable for CHP and according to the London Heat Map, there is no available “Clean” district heat network (DHN) in the vicinity of the site.

No future connection to a district energy network would therefore be sought (as was the case at Southall Sidings). Block by Block connections will be provided according to each phase of the application scheme to optimise the efficiency of the proposed system once completed. For both the residential and commercial components, the application proposes an ambient temperature Air Source Heat Pump (ASHP) distribution loop. To support the phased construction process, there will be separate ASHP systems on the roof of each block. Also proposed are three PV arrays - one on each of the roofs of Blocks A1, A2 and A3.

8.19 FIRE STRATEGY

The applicant has produced a Fire Safety Strategy Report setting out the measures for each Block and each of the proposed land uses contained in the Blocks. in terms of building construction, means of escape, passive and active fire safety systems and access and facilities for firefighting services. Evacuation and firefighting lifts are proposed to be provided in accordance with London Plan Policy D12.

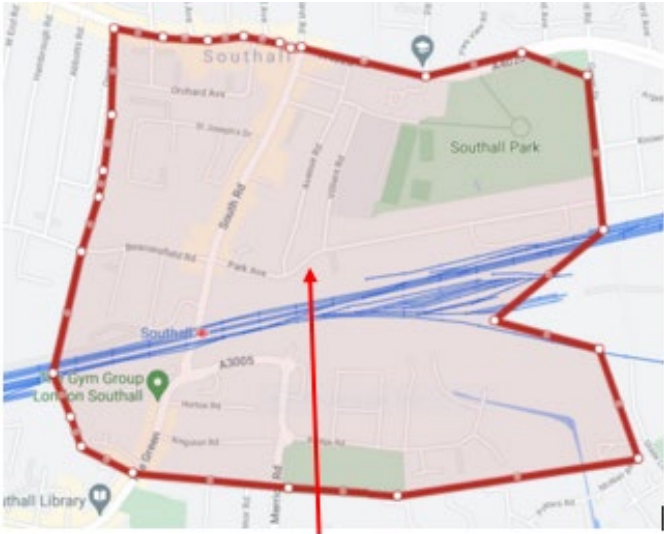
In response to HSE comments on the application, the applicant’s Consulting Fire Engineers, provided a response to the outstanding issues in relation to single staircases means of escape connecting to covered car park and commercial uses that are considered to satisfactorily address London Plan Fire Safety Policies D5 and D12 with the inclusion of evacuation lifts. The HSE considers any remaining matters can be addressed by a full Qualitative Design Review under the Fire Regulations of those Blocks exceeding 50m in height following the grant of permission.

8.20 WHOLE LIFE CARBON ASSESSMENT

A comprehensive Whole Life Carbon Assessment has been submitted to the GLA in accordance with London Plan Policy SI2.

9.Application Notification

The geographical extent of the neighbour notification consultation area corresponds, for consistency, to the area used by the applicant for the community consultation, outlined in red on the plan below:



Site

Re-consultation and notifications of revisions and amendments submitted in April 2022 has been carried out, including re-advertising in the Press.

10.EIA Scoping

An Environmental Impact Assessment (EIA) Screening Request (ref 216402SCE) was submitted in October 2021. It was determined:

1. The proposed development falls within 'Schedule 2 Development', as the overall proposal for the scheme meet the criteria set out within the definition of infrastructure projects 10(b), more specifically 'Urban Development Projects' that includes more than 150 dwellings. This screening request was made in accordance with Regulations 5 and 6 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations').
2. The proposed development has been 'screened', having regard to the selection criteria for screening Schedule 2 development set out in 'Schedule 3'; namely having regard to (i) the characteristics of development; (ii) the location of development, and (iii) the characteristics of the potential impact.
3. On this basis the Local Planning Authority is of the opinion that the proposed development will not likely have significant effects on the environment as interpreted by the EIA Regulations (as amended). Therefore, the proposal does not constitute EIA development requiring an Environmental Statement. This is not to say that the proposed development will not have environmental effects of a localised nature which will need to be considered in determining any planning application.

(Officer Note. Environmental effects of a localised nature are assessed below).

11.Relevant Planning History

App Number	Proposal	Decision	Date
202028 PTT	Poplar tree outside No. 7 - decay at base - reduce height by 50% Oak tree outside No. 5 - crown lift 5 metres/reduce back from the fabric of the building by 2 metres. Between Nos. 1-4 - reduce height of 5 Poplars to	APP	25.06.20

	<p>most recent pollard points. Group of trees between Nos. 17-19 - Crown lift 4-5metres/Clear lamps prune back from fabric of the building by 2 metres. Poplar tree outside No. 23 - Section of tree previously failed with decay and weak union - Fell remaining tree and poison stump. Front and side of Nos. 20-23 - group of Poplars - Reduce to most recent pollard points. - remove epicormic growth up to 6 metres.</p>		
216402 SCE	<p>Request for an Environmental Impact Assessment (EIA) Screening Opinion under Regulations 5 and 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') (as amended) for demolition of all existing buildings and the erection of five blocks with a connecting podium of between 5 and 26 storeys to provide up to 531 Class C3 residential units and up to 2,000 sqm of Class E commercial uses at ground floor level and other associated works including alterations to access, car and cycle parking, landscaping, amenity space and refuse storage.</p>	EIA Not Required	15.11.21
P/2007/ 0436	<p>Crown reduction to Hornbeam.</p>	APP	06.03.07
10267/6 /DF	<p>Details of boundary walls/fences in pursuance to condition 12 of planning consent dated 18/11/94 for redevelopment of site for residential purposes.</p>	APP	16.01.96
10267/6 /DL	<p>Details of landscaping pursuant to condition 4 and 3 and internal walls, 6 fences in part pursuance of condition 12 of planning consent dated 18/11/94 for the redevelopment of site by formation of access and layout of access road and erection of 13 three bed houses and 10 two bed houses in four 2-storey terraces together with parking.</p>	APP	22.08.95
10267/6 /DC	<p>Details of remediation method pursuant to condition 10.</p>	APP	06.02.96
10267/6	<p>Layout of access road and erection of thirteen three-bed and ten two- bed houses in four two-storey terraces together with parking and landscaping and felling of fifteen Lombardy poplars covered by TPO 135.</p>	APP	18.11.94
10267/6 /D	<p>Details of remediation methods pursuant to condition 10.</p>	REF	23.05.95

10267/6 /D1	Details of measures for control of noise affecting site and internal rooms pursuant to condition 11.	REF	08.08.95
29702/4	Redevelopment to provide health centre, offices (260sqm), residential accommodation (19 houses) and place of worship together with parking and two new access roads. (outline application)	APP	01.03.90

Reference is also made here to permission 201888FUL granted on adjoining land at Southall Sidings, Park Avenue on 19th January 2022 for the erection of affordable and market residential development in 5 blocks, communal space as it forms part of the wider SOU4 Site Allocation.

12.Representations and Consultations on the Planning Application

Councillor R. Singh Heer

Objects. Too high, general dislike, inadequate parking, increase in traffic, more open space needed, overdevelopment. (*Officer Note. These points are assessed below*).

Ealing Cycling Campaign

Concerned with loss of direct pedestrian and cycle route from footbridge. Unambitious target for cycling. Combined cycle/pedestrian crossing should be closer to Avenue Road junction. Roads should be improved to accommodate cycling increase and remove parked cars blocking Avenue Road. Should be greater effort to transfer from buses as more convenient door to door travel mode and greater resilience to pandemic, strikes, fuel shortages. (*Officer Note: Transport has advised on the regime of s106 contributions it considers appropriate in this case and is content with the principle of a zebra crossing. Cycle and pedestrian accessibility will be improved further still when the Gurdwara development comes forward and the balance of public realm adjacent to the bridge can be delivered*).

The following community groups, clubs and organisations have been consulted. Those that have responded are recorded below. Any further responses received after publication of the Committee Report will be included in a Briefing Note:

- Southall Black Sisters
- Ealing Civic Society
- Ealing Community Network
- Southall Community Alliance
- Our Southall
- West London Business
- Make It Ealing
- Central Ealing Neighbourhood Forum
- Ealing Friends of the Earth
- Norwood Green Residents Association
- Gurdwara Sri Guru Singh Sabha
- Vishwa Hindu Temple
- Shree Ram Mandir
- Shri Guru Ravidass Sabha Southall
- Ramgarhia Sabha Southall
- Gurdwara Guru Nanak Darbar
- Bethany Church
- Imambargah Al-Hasan
- Southall Spiritualist Church
- Southall Christian Fellowship
- Grace Church Southall

Ealing Community and Voluntary Service
The Victoria Climbié Foundation
Sikh Missionary Society
Southall Inter Faiths Forum
Kings Centre Southall
Christian International Community Southall Baptist Church
Freedom Worship Centre
Southall Church of God
Central Jamia Masjid
Havelock Family Centre
Southall Day Centre
Indian Workers Association
SSPC Southall
Somali Family Learning & Regeneration Projects
Ambedkar Centre
Buddha Vihara
Bhagwan Valmik Mandir
Education and Skills Development Group
Golden Opportunity Skills and Development

Grace Church Southall

Dust, air pollution and traffic concerns from cumulative effects of new developments. Travel time to church on Sundays massively affected.

Ealing Civic Society

No comments received at the time of preparing this Report. Any comments received will be included in the Briefing Note.

Neighbour Representations

At the time of preparing this report 13 objections, 2 support (a total of 15) received, summarised as follows:

- Crossrail in Southall is not re-designing town in a good way, planning permission not an obstacle,
- putting up towers is simply wrong,
- overcrowding, parking, traffic not taken into account,
- duty on Officers to take account of best interests of affected residents, decisions affected by corporate giants, do not turn town into a ghetto and criminal breeding ground,
- Councillors need to speak up for what is right,
- Danger of overdevelopment,
- Council influenced by 'developer-led' Grimley 2012 Southall Report despite poor existing infrastructure,
- high rise not in keeping, inner city societal problems, Green Quarter and Sidings will add to overcrowding,
- Green space, light and air needed,
- Committee should have a holistic Southall Plan,
- Towers never recommended in Local Plan, overdevelopment with Gasworks, towers coming across from Arches,
- careless and needless development, dense build, no room on pavements,
- developers use same statistics to support development e.g. school numbers,
- diminish light and air, out of keeping,
- terrible view from Southall Park,
- environmental disaster,
- Lack of educational, dentist, medical lacking, does not balance ecological environment,

- LBE consultation procedures are unfit digital exclusion, breach diversity and disabilities, breaches of planning principles,
- Planning Authority turning a blind eye, open to challenge/judicial review,
- description of development ignores sites lies next to 24-hour mainline railway, westerly wind from gasworks site will carry residue particles, dust, noise,
- danger to children playing from trains, two podiums face train tracks,
- insufficient play areas in the Plan, Southall Park is rat infested and drug addicts, children not play adjacent to canal,
- no provision to dry washing,
- access from narrow roads congested and throttled by traffic, local development will put intolerable strain on services,
- should be a development moratorium until effect on services can be measured,
- towers out of keeping and environmentally unsafe,
- Secondary line of trees needed to cordon ugly development,
- increase local population, unaffordable, spike in loft conversions and HMOs,
- development and towers out of character and contrary to Plan, developers forcing applications, loss of privacy from towers,
- impact on Park environment, no supporting infrastructure,
- Need more open spaces, parks, trees, cycle tracks,
- Overcrowded area, Station has no cycle park, need more scooter/cycle hire,
- not enough green space,
- problem of waste, rubbish increase, littering and rats,
- already heavy congested increased by construction traffic,
- too many building projects but no increase in roads, need more supermarkets, car parks, green space, library,
- Overdeveloped area and out of scale with existing housing, increase traffic,
- burden on schools and health, high rise blocks eyesore and overshadowing light blocked/reduced in Park Avenue,
- transport issues,
- Overcrowding, schooling problems,
- Lack of commercial/retail input, should be plans for grocers, bars, restaurants etc. to support local residents and community generally.
- Support. Will stop Milan Road being used as a dumping area.

(Officer Note: Representations applicable to the planning merits of the application are addressed in the Sections below. The GVA Grimley Southall OAPF Property Market Report, 2012 was commissioned by the Council as part of its evidence base to assess market conditions across a range of uses in Southall, impacts of Crossrail and for key OAPF sites. Where the social infrastructure of the area is insufficient and not wholly or partially provided on site, a financial contribution is negotiated to meet the need in accordance with the development plan and national policy guidance. As a car-free (other than disability and car club) development the scheme promotes lower emissions and pollution objectives in line with the Mayor’s Vision Zero and TfL Healthy Streets. The public consultation methods used by the Council and applicant comply with policy and SCI guidance).

External Consultees:

Met Police Secured by Design	Reported crime in the area is high. Development should be able to reach Secure by Design accreditation. <i>(Officer Note: An Informative is proposed in the recommendation).</i>
Crossrail	No comments.
Cadent Gas	No objection.
HSE	

Considers any remaining matters can be addressed by a full Qualitative Design Review under the Fire Regulations of those Blocks exceeding 50m in height following the grant of permission. *(Officer Note: A Fire Statement condition is recommended).*

NHS Property Services	<p>Exploring the feasibility of incorporating a health facility in commercial space. If this does not progress, then requests a financial contribution towards new facilities in the area.</p> <p><i>(Officer Note: A new health facility in this location to complement the space being provided in the Green Quarter would be welcomed. The alternative of a financial contribution in case it does not proceed is reflected in the recommendation.)</i></p>
Environment Agency	No comments received at the time of preparing this report.
Affinity Water	No objections in respect of water quality or quantity. Noted that the applicant carried out a pre-planning enquiry with our Developer Services Team.
GLAAS	Unlikely to have a significant effect on heritage assets of archaeological interest.
London Fire Brigade	No comments received at the time of preparing this report.
GLA and Transport for London (TfL)	<p>Stage 1 Report:</p> <p>Principle: The proposed redevelopment of the site within an opportunity area and town centre for residential units is acceptable in land use terms.</p> <p>Estate regeneration: The principle of estate regeneration could be supported, subject to demonstrating like for like re-provision of social rented floorspace. The significant uplift in affordable housing could be supported, subject to demonstrating that this represents the maximum amount. Further information in relation to Mayor’s key principles for estate regeneration principles is required.</p> <p><i>(Officer Note. The applicant has settled remaining matters with the GLA to LBE Officers’ satisfaction).</i></p> <p>Housing: The Financial Viability Assessment (FVA) is being scrutinised to ensure the scheme is providing the maximum viable level of affordable housing. Review mechanisms, housing affordability levels and phasing obligations should be secured.</p> <p><i>(Officer Note. Complies with London Plan Fast Track criteria on partly Council-owned land. The application proposes 50% affordable housing in accordance with LBE Policy. However, a Financial Viability Assessment has been submitted to determine this represents the maximum possible and is assessed later in the Report).</i></p> <p>Urban design: The design, layout, public realm and landscaping approach is supported. The density, height and massing are supported, noting the design-led approach undertaken. The residential quality is acceptable. Key details relating to architectural details, landscaping, fire safety, and noise mitigation should be secured.</p> <p><i>(Officer Note. The applicant has settled remaining matters with the GLA to LBE Officers’ satisfaction).</i></p> <p>Heritage: The proposal would result in less than substantial harm to the significance of Grade II Listed Water Tower and will not harm the significance of wider heritage assets including Osterley Park and Garden. At this stage, it is considered that the public benefits in terms of public realm improvements and provision of affordable housing could outweigh the identified harm.</p> <p><i>(Officer Note. Noted).</i></p> <p>Transport: Financial contribution towards increased bus capacity requested. Layout of cycle parking in line with LCDS, a travel plan, construction management plan, and delivery and servicing plan should be secured. TfL contribution to provide an additional bus over 5 years.</p>

Officer Note. The applicant has provided additional information. Highways conditions a s106 clauses are proposed in the recommendation).

Sustainable development: Further information required on energy with respect to energy efficiency, renewable energy, overheating and energy monitoring. Further information in relation to Whole Life Carbon and Circular Economy is required.

(Officer Note. The applicant has settled remaining matters with the GLA to LBE Officers' satisfaction. Appropriate conditions are included in the recommendation).

Environmental issues: Considered to be Air Quality neutral. Proposed UGF and access to open space supported. Further discussion and justification for the loss of trees and further information on flood risk, drainage, water efficiency, air quality and biodiversity is required.

(Officer Note. The applicant has settled remaining sustainability matters with the GLA to LBE Officers' satisfaction).

MoD Estates Assets	No objection to Bird Hazard Management Plan. <i>(Officer Note. Implementation condition included in the recommendation)</i>
Natural England	No comments to make.
NATS/Heathrow Safeguarding	No safeguarding objection. Request Informative concerning construction crane heights Code of Practice. <i>(Officer Note. Included in Informatives Appendix)</i>
Network Rail	No objections.
Thames Water	No objections in respect of foul or surface water and no conditions requested.
London Wildlife Trust	No comments received at the time of preparing this report.
Ealing Chamber of Commerce	No comments received at the time of preparing this report.
National Highways	No objection.
Historic England	Does not wish to offer any comments.
Sport England	Additional population will generate additional demand for sports facilities. If not met on site, then financial contribution requested. <i>(Officer Note. DMD Policy accepts the principle of financial contributions, which is acceptable in this case and is included in the recommendation).</i>

Internal Consultees:

Housing & Regeneration	LBE Housing Supply team welcomes the 50% affordable dwellings and tenure mix. Strongly support mix of family-sized units. Proposed tenure mix is acceptable including scope for LLR tenures in later Phases. Request early-stage review mechanism. <i>(Officer Note. Early-stage review is included in the recommendation).</i>
Transport Services	No highway safety issues raised, nor in relation to parking or traffic circulation. No objections, subject to conditions, legal agreement clauses in relation to Merrick bridge lifts, CPZ consultation, parking permit restrictions, Travel Plan, cycling and public transport. <i>(Officer Note: Requirements included in the recommendation and conditions).</i>

Environmental Services (Refuse Team)	No objections.
Energy & Sustainability	Highly supportive of strategy. Request conditions/s106 obligations. <i>(Officer Note: Included in the recommendation).</i>
Pollution Technical (Air Quality)	Air quality impacts can be mitigated by conditions, informatives and s106 clauses to cover train and commercial noise mitigation and separation, dust monitoring, odours, emissions, hours of operation, installation of any emergency generators, air quality, construction and demolition, contaminated land, external lighting, bonfires, removal of asbestos. <i>(Officer Note: Conditions and financial contribution requested are included in the recommendation).</i>
Pollution Technical (Contamination)	Site investigation conditions requested. <i>(Officer Note: Included in the recommendation)</i>
Pollution Technical (Noise)	Mitigation measures required in relation to glazing performance and rail vibration within buildings as well as commercial uses, lift noise. Request conditions and Informatives to achieve acceptable levels from rail and other proposed uses on residents. <i>(Officer Note: Included in the recommendation)</i>
Active Ealing	Welcome including Sport England’s Active Design principles. No significant indoor/outdoor sports space so request financial contribution towards sports facility improvement projects for the local area in the Ealing Sports Facility Strategy 2012 – 21 Annual Action Plan, the main identified priority projects to be delivered in the Southall area. <i>(Officer Note. Included in the recommendation.)</i>
Tree Officer	Object to loss of protected Poplars on Park Avenue. Request compensatory planting and conditions and CAVAT compensation for tree loss. <i>(Officer Note: Substantial new and replacement tree planting is proposed. Conditions included in the recommendation. A contribution is included in the recommendation).</i>
Cycle Infrastructure	Developer should provide land and pay for lifts and stairs to Merrick Road bridge. Large cycle hub currently ear-marked on builder’s yard site should be protected/subsidised by applicant. <i>(Officer Note. The applicant is setting aside land for the lift on land he controls in the application site. Contributions are included in the recommendation. The community cycle hub lies outside the application site, currently adjoining the Gurdwara. Future development would be secured in conjunction with the Gurdwara redevelopment when it comes forward, including space to accommodate the bridge stairs).</i>
Education	Financial contribution requested to Hambrough Primary School with a reserve of Beaconsfield Primary School or other local primary phase provision, at primary phase and Villiers High School with a reserve of Elthorne Park High School or other secondary phase provision, at secondary phase. <i>(Officer Note: Included in the recommendation).</i>
Leisure & Parks	Landscape masterplan and planting and materials palettes are very good and will create an attractive setting for the development as well as much needed local green infrastructure and habitat for wildlife.Net biodiversity gain (BNG) of 118.3%. Urban Greening Factor (UGF) 0.42 exceeds minimum requirement. Ecology and

Regeneration and Economic Growth	<p>Biodiversity reports very good. Good mix of new tree species. Financial contributions required to shortfalls in amenity, child play, allotments and sports space and for new soft and hard landscaping, play equipment, boundary treatments, management, Green/Brown roofs, SUDS and ecology strategy. <i>(Officer Note: Planting and management conditions included in the recommendation and financial contribution to shortfalls).</i></p> <p>Strongly support scheme and commercial space. Willing to work with applicant to find potential tenants. Support high proportion of family affordable homes can contribute to supporting residents economically, in wellbeing terms and helping tackle existing inequalities. Support design and investment in public realm, minimise parking and carbon emissions. Request contribution to Southall Town Centre revitalisation and regeneration projects would cover a broad range of town centre projects where contributions could be used. <i>(Officer Note: Noted. Contributions included in the recommendation).</i></p>
Economic Development Employment Learning and Skills	<p>Request Employment Officer nomination, developer to produce Local Employment and Training plan, participation in an Apprentice and Placement Scheme, schools engagement, 26 construction phase apprenticeships, access to local labour opportunities to be advertised through LBE job brokerage service, penalties if apprenticeships not created and a financial contribution in a legal agreement. <i>(Officer Note: Included in the recommendation).</i></p>
LLFA	<p>Site is in a critical drainage area. Satisfactory drainage strategy will bring a betterment from incorporation of green-roofs, rain gardens, water treatment amenity and bio-diversity benefits. Applicant should consider water harvesting. <i>(Officer Note: Drainage conditions include harvesting measures in the recommendation).</i></p>

13. Reasoned Justification:

The proposal is assessed in terms of its potential impact on the area, on the amenities of the occupiers of neighbouring development, taking into account the relevant development plan policies for the area, considerations of the impacts of the development and all other material considerations. The main issues (not in order of importance) are:

- Compliance with development plan policies and national guidance
- Residential use
- Affordable housing
- Commercial/employment space
- Scale of development
- Impact on neighbouring properties
- Tall Buildings
- Design
- Heritage Assets and Public Benefits
- Highways, transport and parking
- Amenity/open space
- Environment
- Energy
- Environmental Health, noise, air quality
- s106 agreement and Community Infrastructure Levy.

13.1 National and Local Planning Policies

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

- National Planning Policy Framework (NPPF), NPPG and National Design Guide (NDG)
- London Plan

- Ealing Development (Core) Strategy
- Southall OAPF
- Southall Gateway SPD
- Development Management DPD
- Development Sites DPD
- Other Ealing Supplementary Planning Guidance/Documents
- Mayoral Supplementary Policy guidance

Further details of the relevant documents and guidance to the pre-application submission are set out in Appendix 1 to this letter. Relevant extracts are below:

NPPF

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

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

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

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

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

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

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

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

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

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

With regard to town centres, the Framework states:

'86. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies and decisions should:

'...

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;

e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and

f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.'

'92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'

With regard to regeneration projects, para 94 (and para 124 below) states:

'94. 'Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.'

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

'119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'

120. Planning policies should

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

...

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs...

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively...

Germane to the positive role that local authorities can play in facilitating development:

121. Local planning authorities, ... should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers

available to them. This should include identifying opportunities to facilitate land assembly, ..., where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.'

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

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

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

'125. ...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

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

...; and

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

On design quality, the guidance states:

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

Guidance on the benefits of tree planting states:

'131. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning

authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.’

As already noted, the application involves a very substantial increase in tree planting across the site comprising 130 new trees, the majority of which will be street or public realm trees that will positively contribute to improving the character of the area.

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

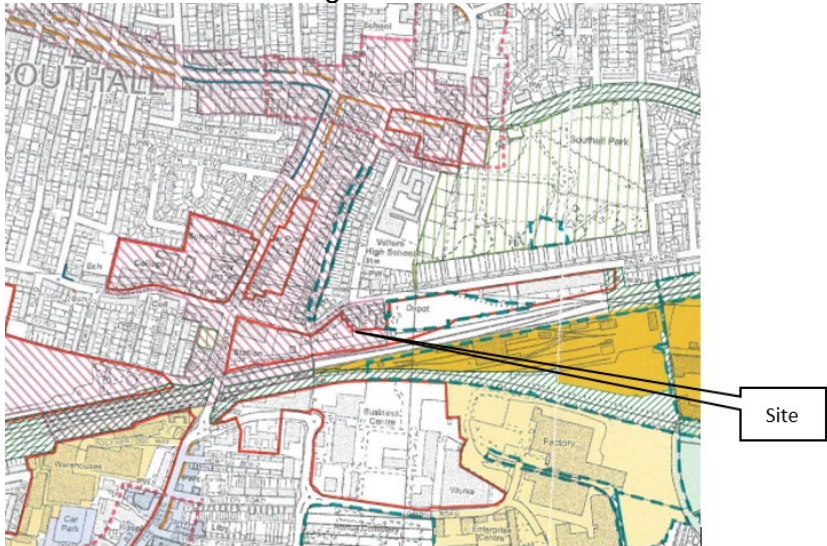
In the same context, the Government’s advice on design was significantly expanded in the National Design Guide 2019 (NDG) and more recently in the NPPG 2021. However, the fundamental principle at para.130(c) of requiring new development to be sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities) remains consistent. (NPPF guidance on heritage assets is addressed later).

13.2 Core Strategy/Local Plan

The site has the following designations:

- i) Developed Area
- ii) Town Centre
- iii) Southall OAPF
- iv) DPD Development Site SOU4 Allocation (excludes Milan Road housing)
- v) Southall Gateway SPD (excludes Milan Road housing)
- vi) Area of Local and District Park Deficiency.
- vii) Southall Town Centre revitalisation and regeneration projects

Below, is an extract from the Core Strategy Proposals Map showing the relationship of the site to the Town Centre and other designations:



Development Sites DPD
SOU4 Southall Crossrail Station
South Road/Park Avenue Southall UB1



Site Area: 4.79ha
Ownership: Network Rail, Gurdwara, private
Current Use: Place of worship/community facility, various industries and retail
Development Strategy Policies: 1.2(e), 1.2(h), 2.8, 6.2
Setting: Urban
PTAL: 2-4
Planning Designations:
 Southall Opportunity Area
 Major Centre
Relevant Planning Applications: None

Allocation: Comprehensive redevelopment with mixed uses appropriate to the town centre around the Crossrail Station and community/employment/residential to the east of existing pedestrian footbridge. Retention of the Gurdwara Sri Guru Singh Saba.

(Officer Note: For the avoidance of doubt the cul-de-sac cluster of houses on Milan Road comprising part of the application site lies outside of the SOU4 Allocation).

Justification: In conjunction with Crossrail, Southall Mainline Station will be completely rebuilt to the north of the railway line with associated public realm improvements. These changes support the provision of additional development above and around the station, and provides an opportunity to deliver a comprehensive mixed-used development which includes the Gurdwara Sri Guru Singh Saba, as well as additional retail, commercial, community, employment and residential uses.

Indicative Delivery Timetable: 2011-2021

Site Context: Southall Station sits at the crest of a road bridge which crosses the Great Western Railway line. Its elevated position gives the station building a prominent presence in the area and views from the station are noteworthy. The station itself is characterised by poor environmental quality with inefficient rail/bus interchange, and the station lacks integration into the town centre. Despite being the most well-used community facility in the area, the Gurdwara Sri Guru Singh Saba is housed in a single storey industrial-style shed that does not reflect its purpose or importance to Southall. As part of Crossrail, a new station will be constructed to the north of the railway, set back from South Road and supported by increased pavement widths in the wider area.

To the immediate east of the station are a cluster of business uses that hide the entrance to the pedestrian footbridge over the railway. Further east is a large area of vacant gated land that has been heavily fly tipped and the eastern end of the site is occupied by two single storey sheds with trade counters and retail outlets for bulky goods. East of the pedestrian footbridge, the context is decidedly suburban with semi-detached interwar properties fronting Park Avenue. West of the pedestrian footbridge, the context becomes more urban and is dominated by the large scale infrastructure of the railway and the South Road Bridge.

Design Principles: Detailed design principles relating to layout, scale and mix of uses will be set out within the Southall OAPF, which will include a development brief specific to this site.

Development west of the existing pedestrian footbridge will be expected to contribute to an improved sense of place and arrival experience through delivery of a high density, high quality mixed use development centred around hard landscaped public spaces. New public spaces should have a clearly defined purpose and be of sufficient scale to provide for the arrival/interchange requirements of the new Crossrail station, and successfully integrate the footbridge into the wider area as a key pedestrian/cycle route.

The scale and form of development along South Road should be sufficient to respond to the width and busy nature of South Road, providing a continuous building line with active ground floor frontages set behind wide pavements capable of accommodating the increased footfall from the Crossrail Station. Designs should achieve integration of the Station and wider site into the built fabric of South Road.

The immediate station area is considered in principle an appropriate location for a tall building, however the acceptability of a tall building at this location will be determined based on the detailed design as presents in a full planning application; outline planning applications for a tall building will not be considered. Should a tall building be proposed, it must be of a scale and appearance that complements the prominent position of the Gurdwara Sri Guru Singh Saba in the townscape.

Residential density must be appropriately distributed across the site in view of the decreasing PTAL from west to east across the site and the transition from the urban context of South Road to the suburban setting of Park Avenue. Designs must include measures to mitigate the impact of railway noise and nearby industrial uses, and be based around a layout that ensures sufficient privacy and adequate outlook for residents.

Any residential units proposed should be dual aspect (north facing single aspect units are not acceptable) and provide access to suitable private and/or communal garden space. Both balconies and communal garden space will be expected in flatted schemes; communal garden space may be provided above ground level in the form of courtyards or roof gardens.

13.3 Analysis of Policy and Guidance

Strategic Policy applicable to the whole of the Application Site

The London Plan was adopted in March 2021. It forms part of Ealing’s development plan, along with the Ealing Core Strategy and associated Development Management and Sites documents (the Local Plan). For the purposes of weighting policy, it is a long-established principle that where there is conflict between two or more plans then the most recent should take precedence.

The London Plan identifies a very substantial need for housing and employment growth. It takes a ‘Town Centres and Opportunity Areas - first’ approach to accommodating this development need. The new London Plan passed its examination without fundamental changes to these aspects of the spatial strategy, however the Secretary of State remained concerned about the levels of growth set out in the London Plan and directed changes to increase housing growth.

In this context, key to understanding both Government’s view of the Plan and the impetus to increase housing delivery, it is worth noting that the last letter on 29th January 2021 from the SoS to the Mayor concerning adoption of the SoS’ Modifications includes the following, under the title ‘Next Steps’:

“Now that you are in a position to be able to publish your London Plan I fully expect you to start working to dramatically increase the capital’s housing delivery and to start considering how your next London Plan can bridge the significant gap between the housing it seeks to deliver and the actual acute housing need London faces.”

London Plan Policy SD6 for Town Centres and high streets states the vitality and viability of London’s varied town centres should be promoted and enhanced by:

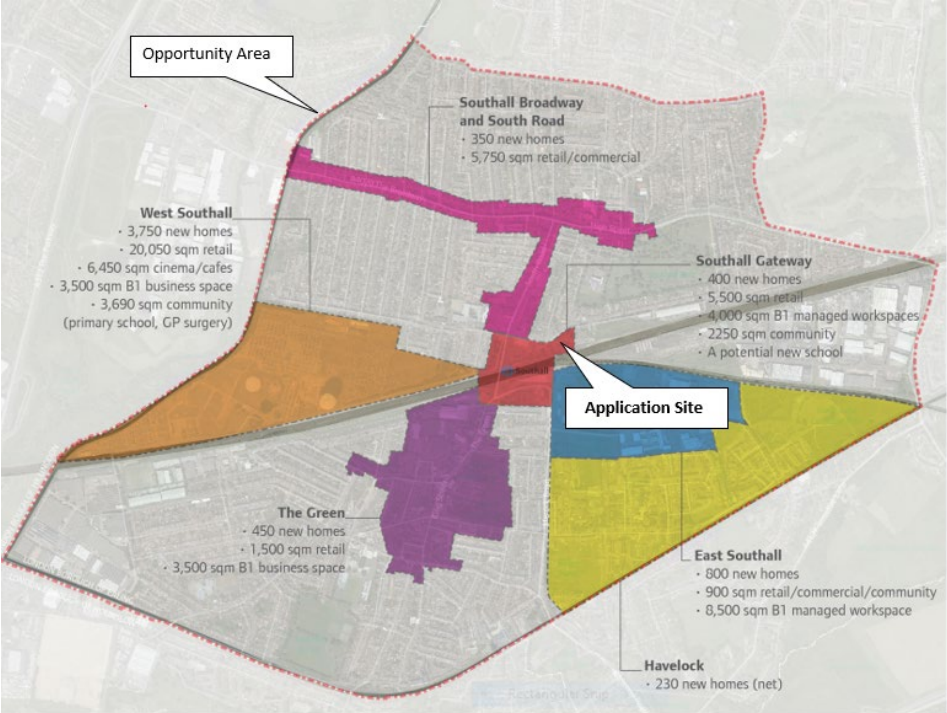
- *‘identifying locations for mixed-use or housing-led intensification to optimise residential growth potential, securing a high-quality environment and complementing local character and heritage assets’,*
- *delivering sustainable access to a competitive range of services and activities by walking, cycling and public transport*

- ‘strengthening the role of town centres as a main focus for Londoners’ sense of place and local identity in the capital,
- ‘ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy’
‘supporting the role of town centres in building sustainable, healthy and walkable neighbourhoods with the Healthy Streets Approach embedded in their development and management.
- ‘the potential for new housing within and on the edges of town centres should be realised through mixed-use or residential development that makes best use of land, capitalising on the availability of services within walking and cycling distance, and their current and future accessibility by public transport.
- ‘The particular suitability of town centres to accommodate a diverse range of housing should be considered and encouraged, including smaller households, Build to Rent, older people’s housing and student accommodation.’

Set out principally in Policy H1, the strategy of the London Plan identifies an increase in development needs to necessitate progressive densification across Boroughs.

Most significant of these to the current proposals is Policy D3 which requires:
 ‘A The design of the development must optimise site capacity. Optimising site capacity means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
 B Where there are existing clusters of high density buildings, expansion of the clusters should be positively considered by Boroughs. This could also include expanding Opportunity Area boundaries where appropriate.’

The location of the application site, broadly central within the Southall Opportunity Area, is shown below:



Whilst the Ealing Local Plan predates these documents, it follows a similar spatial strategy with a strong Town Centres and Opportunity Areas first approach that has now been expanded both by the increase and extension of Opportunity Areas and by the provisions of London Plan H1, Increasing Housing Supply, which requires local authorities to ensure they enable the delivery of housing capacity in Opportunity Areas, working closely with the GLA

Southall is a principal focus of growth in Local Plan Spatial Vision Policy 1.1(b). This is amplified by Policy 1.2(h) of the Development Strategy which further states that the Plan will: ‘...support higher densities in areas of good public transport accessibility. Whilst proper regard shall be made to relevant London Plan policies, the council will take into account primarily the quality of the design, the location of the site and the need to provide a suitable housing mix. Tall buildings are acceptable where they contribute positively to the urban environment and do not cause harm to existing heritage assets.’

Southall is identified as a key location for sustainable growth within the Borough and an essential part of the spatial strategy for London’s growth as a whole, as enunciated in the London Plan. The development balance should have regard to the growing development needs of the Borough as identified in the London Plan and the desirability of achieving these on this sustainable site in Southall centre and the positive contribution it will bring towards meeting the objectives of the SOU4 allocation.

Relevant to the layers of policy coverage, the site is also contained by the Southall Gateway OAPF Character Area and substantially by SOU4. In addition to the policy framework set out in the Development Sites DPD the area is also mainly covered (Milan Road was not included) by the Southall Gateway SPD that was prepared to assist the delivery of the Gateway site.

SOU4 DPD Site Allocation

SOU4 is a key allocation within Southall designed specifically to comprehensively redevelop this area north of the new Crossrail station. This is a large allocation with the section to the east of the footbridge and around the Gurdwara primarily allocated for 'mixed uses appropriate to the town centre' and the rest of the site for 'community/employment/residential'. It is integral to the Allocation that the Gurdwara, an essential community use within Southall, be retained. Delivery of the planning application scheme will not prejudice this.

Southall Gateway SPD

The Gateway SPD expands upon the Allocation and replaces the guidance for this area that was set out in the Southall OAPF. The SPD was prepared and adopted 'to secure the delivery of the site in a comprehensive and coherent way that secures all of the objectives set out in adopted policy'. It is illustrated by the red line on the Plan below:



The SPD sets out seven principles for the development of the site, the key land-use component of which is Principle 5, the anticipated strategy of relocating the Gurdwara within the broader site to allow its redevelopment without compromising its day-to-day operations. The SPD also makes provision if necessary for the assembly of the broader site in order to achieve these principles.

In the event, as noted earlier assembly of the site has proceeded in a different fashion from that contemplated by the SPD in 2015, with the portion west of the Merrick Road footbridge being assembled by the Gurdwara and the area to the east being assembled by the Council. As noted, the Gurdwara plans to redevelop within the bounds of their new landholding, with a preference that a new building maintain the prominence of the existing facility.

Consequently, the remainder of the Gateway site is therefore no longer considered necessary to the delivery of a new Gurdwara and is proposed to be developed in a mixed use, residential-led format as proposed in this application. The opportunity has also been taken, by the incorporation of the applicant, PA Housing land at Milan Road to bring forward a comprehensive development even though that lies outside of the Allocation, that will help to secure a comprehensive scheme and site optimisation.

In addition, the scheme should be considered to accord well with the Principles set out in the Southall Gateway SPD, in particular, the scheme performs well against Principles 1-3 and 6-7 which describe the importance of a high quality and attractive pedestrian environment and Town Centre mix of uses and integration of the development with the site edges.

Principles 4 and 5 primarily concern the 'Gateway' portion of the site itself and those functional aspects of the scheme that concern the relocation of the Gurdwara. Based upon the site as a whole, and what is known of the plans of the Gurdwara itself, the proposed scheme should be seen as in no way compromising these principles.

In policy terms therefore the relevant remaining portions of policy and guidance or those that relate to the design of the site and establish the preferred community/employment/residential uses. Compliance with the design guidance is largely a development management consideration, but the proposed scheme is therefore compliant with the uses allocated by the Plan.

The scheme will make an important contribution to the delivery of development plan targets for growth in affordable and market housing and commercial floorspace in this location and no less importantly, in positively assisting in bringing forward the wider objectives of SOU4. Further, the NPPF places a duty on local authorities to bring forward housing allocations in a timely manner and to make full and optimal use of available land.

The application represents a significant step in the delivery of the wider Allocation. Furthermore, it is presented in an inclusive manner that will not prejudice the delivery of the wider Allocation, particularly as it relates to the Gurdwara, whose Design Team have been involved in pre-application discussions. As such the scheme is supported in national, GLA and Borough policy terms. Issues of heritage impact are assessed later as part of the policy balance.

Ealing Local Planning Policy Guidance (LPPG): Tall Buildings

The Council adopted a formal position statement on tall buildings as an ICMD on 13th January 2022, this is implemented as planning guidance by the LPPG. It is considered important to adopt this guidance in order to ensure clarity now that the 2021 London Plan has been adopted with the Secretary of State's directed changes, and in the interim before the development of the new Local Plan.

The Council's approach is:

'Ealing will apply the following principles in planning for tall buildings pending the development of the new local plan:

- *Tall buildings in Ealing should be plan-led and speculative schemes will generally be resisted.*

- *Ealing’s adopted Core Strategy directs tall buildings to specified sites within Acton, Ealing and Southall town centres, gateways to Park Royal and identified development sites only.*
- *The locations of tall buildings need to be tested against the sensitivity indicators identified in the Council’s evidence base as set out below.’*

As has already been noted, the Site Allocation SOU4 makes express provision for a tall building on the application site in this part of Southall Town Centre.

How will detailed impact tests be applied to tall buildings?

‘The Ealing Character Study and Housing Design Guide provide ... generic design principles that will be applied to the consideration of tall buildings and future development in general. These include responding to character, context and identity, scrutinising the built form in terms of scale, massing, density, plot coverage, building heights and rooflines and ensuring that developments are well connected with their surroundings. For tall buildings, the visual impact on views, the integration with neighbourhoods, the effects on the microclimate and the sustainability of the buildings will also be of particular importance. These design principles will be used to assess planning applications as they come forward. ‘

‘The location of tall buildings will be particularly sensitive within or close to areas in Ealing that contain the following assets:

- **Statutory listed buildings:...**
- **Designated Conservation Areas:**
- **Designated Heritage Land....**
- **Landmarks....**
- **Topography:..’**

The relationship to the above assets where they occur or may be affected is considered in this Report. The overall conclusion of that analysis is that none of the above considerations, taken individually or cumulatively, is likely to be significantly adversely affected.

Ealing Character Study and Design Guide

In the Character Study, the site is located within the Town Centre Borough typology (red), with Suburban Terrace (light blue) directly to the north and Industry to the south and east (orange). Following the London Plan approach to optimise opportunities in the Opportunity Areas there is an emerging context of recently built and consented higher density residential development to the east and south of the site, on the areas identified on this map as industrial – Southall Sidings being a case in point. The location of the site is below:



The application positively responds to opportunities identified in the Character Study, taking advantage of the existing services and transport infrastructure in this location as well as the Crossrail connection. It contributes to the Southall Town Centre identity through the creation

of a key new public realm activated by the proposed commercial/ community space at the foot of the Merrick Road bridge across the railway line.

This is a brownfield site with a largely open and under-used area of industrial use/parking to the west, which is inappropriate to the Town Centre designation and low-rise housing to the east. The industrial sheds and surface parking and storage parking/storage do not sit comfortably with the wider residential area beyond the Town Centre, nor in the context of the Gurdwara and its important role as a community facility, or emerging high density residential typologies to the east.

In the Southall Framework Plan, the site occupies a key location as part of the priority Strategic Area for Regeneration (SAR) comprising areas with top 20% national ranking of Indices for Multiple Deprivation: *‘where new homes can be focused but where development should help to address any locally-specific deprivation issues and help to overcome inequality rather than simply providing new homes.’*

The site is also within an Area of Intensification (AI): *‘Whether this forms comprehensive mixed-use densification of new Crossrail stations, community-led estate regeneration, public realm investment or residential infill development is dependent on the character and context. The Areas of Intensification are primarily a helpful tool at the borough-wide level to highlight opportunities for more detailed studies. These studies can better understand the specific barriers to and drivers of growth; the capacity for change; and the needs of local communities to help vision what intensification should look like in that setting.’*



As identified in the Housing Design Guide B report, page 27, the site (coloured blue) is located within Southall Town Centre (coloured pink) is illustrated below:



The Design Guide states in relation to Town Centres:

'Ealing's network of town centres plays an important role in the social, civic, cultural and economic lives of residents. As outlined in Ealing Council's Greenprint for Economic Recovery and Renewal, in the context of Covid-19, there is an opportunity to reimagine and repurpose these centres to provide more employment, cultural and leisure opportunities, enabling a more inclusive and sustainable local economy. These areas also present an opportunity to provide new homes in sustainable locations that are close to shops, services and transport links...'

It continues: *'...Town centres could be appropriate for higher density proposals owing to the concentration of necessary infrastructure and services'*.

The site also presents intensification opportunities: *'Potential for higher density perimeter blocks and taller elements, if a strong design case is made'*. National Design Guide (NDG) gives further advice on appropriateness of tall buildings typologies in para. 69. It states: *'well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline'*.

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

The arrangement and locations of tall and other blocks on the site have been tested in design reviews with the GLA, CRP and DRP, in accordance with development management policies and are assessed later in this Report.

13.4 Housing Land Supply

NPPF para.74 advises that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing (the '5-year housing land supply') against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 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 Annual Monitoring Report (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, which replaced the GLA's London Development Database in 2020.

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 a 5-year land supply, most of which 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 NPPF presumption in favour of sustainable development – the so-called 'tilted balance' – is engaged in dealing with applications for residential-led development such as this application. NPPF paragraph 11d)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 Court of Appeal held 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.

The proposal will be situated in a sustainable location with a high degree of connectivity to a variety of destinations through a range of travel options. The s106 contributions referred to in the recommendation will deliver a series of benefits within the scheme. The proposals will also deliver significant economic benefits during construction and increased spending from new residents, which should be given significant weight, as supported by para.81 of the NPPF.

With regard to environmental benefits, the landscape masterplan and Design Statement have been prepared to demonstrate that known constraints have been taken into account. The biodiversity enhancements will make a positive and permanent contribution to local biodiversity, including the provision of significant areas of green infrastructure and public realm, which should also be given significant weight.

Ultimately the function of identifying and demonstrating adequate supply is with the objective of increasing and facilitating housing delivery and therefore the Committee may also want to take note of the Council's performance in delivering new homes.

The official measure of housing delivery in this context is the Government's Housing Delivery Test (HDT). Ealing has comfortably and consistently passed this test since its introduction in 2018. The latest results record that the Council has delivered a total of 5,359 (against a

requirement of 4,395) between April 2018 and March 2021, which equates to 122% of its housing requirement. It should be noted however that given the different periods covered by the HDT and a 5-year housing land supply, different requirement figures may be employed for the two measures. So direct comparisons should be avoided, although the general positive direction of performance is an important indicator.

Against the background of NPPF para.11d)ii, these figures indicate that, in respect of delivery, the Council has been meeting or exceeding targets. Whilst this is different to the supply measure covered through a 5-year housing land supply, nevertheless until a definitive position on the Council's 5-year supply is available, the Council's recent performance in respect of delivery is indicative that its pipeline of permissions and supply of sites continues to appear to be healthy against available forms of measurements. Balanced with these considerations is the significant weight given to the above mentioned economic and environmental benefits.

13.5 General Residential Policy

The optimisation of development of affordable and market housing in the Borough is encouraged, particularly where it can demonstrate adherence to standards set out in London Plan Policies, particularly in this case H1 and to the Ealing Local Variations Policies 3.5 and 3A where it concerns brownfield land partially in public sector ownership, in a town centre close to a railway station and with a high PTAL rating.

The market housing proposed will contribute to policy objectives to secure mixed and inclusive communities as set out in London Plan Policy D5, including pepper-potting affordable housing between tenures and blocks and with an emphasis on family housing, which is strongly supported by LBE Housing Team to help address housing need in the area.

To support inclusive housing opportunities in accordance with the Mayor's Housing SPG Dwelling Space Standard 24, all of the flats are designed to meet or achieve, NDSS, Building Regulations, GLA and LBE policy stands for internal living space, adaptability (where relevant, including 10% wheelchair access) and accessibility.

The opportunity to optimise pepper-potting has to be balanced with complying with GLA regeneration policy to secure a timely phasing and delivery of affordable housing to compensate for the 23 homes being demolished at Milan Road. To address this, as part of the First Phase of the construction programme, the applicant proposes to offer Milan Road residents who wish to stay locally the opportunity to move into Block A1, which has been allocated for Social Rent and LAR homes in a variety of dwelling types that correspond to the needs of existing residents, before their houses are demolished.

Milan Road residents who wish to move into shared ownership (S/O) housing would be able to move into Blocks A2 or A3, which will also be completed prior to demolition of Milan Road housing. Otherwise, residents seeking 4 bedroom housing would need to be temporarily decanted and make a second move once Block C is completed as this will stand over the current Milan Road housing.

13.6 Affordable Housing Policy and Viability

Core Strategy Policy 1.2(a) and DMD Policy 3A seek affordable housing at a level equivalent to 50% of new residential development on public land. The GLA's strategic target is also 50%. The GLA operates a fast-track route whereby applications are not required to be accompanied by a Financial Viability Assessment (FVA) where a scheme exceeds certain threshold levels for affordable provision. The scheme proposes 50% by habitable room, would make it eligible for the fast-track route.

Turning to affordable tenure mix, as noted earlier in the Report, the proposed affordable tenure breakdown by habitable room of LAR to Intermediate gives a ratio of 59.8:40.2%,

equates very closely to the 60:40% ratio normally required by DM DPD housing Policy 3A and objectives in Southall. It is considered by the GLA as well as LBE Housing Services, on the merits of the scheme, to be within acceptable margins, taking account in particular of the contribution towards the provision of new, larger family homes for affordable rent.

However, as also noted earlier, in accordance with London Plan Policy H8, proposals involving the demolition and replacement of affordable housing are required to follow the Viability Tested Route and seek to provide an uplift in affordable housing, in addition to the replacement affordable housing floorspace. The applicant submitted an FVA to demonstrate the scheme is providing the maximum amount of affordable housing. This has been assessed by the District Valuer Service (DVS) on behalf of the Council.

Taking account of the level of financial contributions and other obligations required to comply with the Council's and statutory consultees requirements, other development costs and a suitable level of developer profit, alongside independent advice to the Council from the DVS, it is agreed that, even taking into account the available provision of GLA Grant towards the scheme, the Residual Land Value (RLV) generates a deficit and would not be regarded as commercially viable in development viability terms. Expert advice, which is accepted, is that the development is providing the maximum offer of 50% affordable housing in this case.

The Council's Housing Supply team has carefully considered the tenure and unit mix proposed and advises:

'Policy H4 of the 2021 London Plan says that "the strategic target is for 50 per cent of all new homes across London to be genuinely affordable" and that all major developments of more than ten units trigger an affordable housing requirement. As this site is providing 516 homes then it should be providing affordable homes. This development is providing 50% affordable homes on a habitable room basis (220 by number of units). The affordable element of the scheme will satisfy the criterion of "genuinely affordable" as it will comprise a 60%/40% split of London affordable rent (LAR) and intermediate homes on a habitable room basis. Housing Supply strongly supports the application. Housing Supply also supports the distribution of wheelchair accessible units across the tenures.

'The affordable provision comprises 128 homes for LAR, of the units being provided in the rented tenure there are 47 larger family homes of 3 bed and above, which is 37% of the LAR homes provided. We also strongly support this mix of larger family homes in the affordable rented element as LB Ealing, has a severe shortage of larger, family sized homes for affordable rent. In this context we also support the contribution that will be made to provision of 32% 2 bed (3 and 4 person) family housing. Overall this gives a welcome bias of LAR to family homes, comprising 69% of this tenure in the scheme.

'The affordable provision will also include 20 larger family homes (3 bed, 5 and 6 person) for intermediate housing. There are 52 x 2 bed intermediate homes, making a total of 78% family homes in the intermediate tenure.

'Taking the proposed affordable tenures as a whole therefore, the above clearly demonstrates that the majority of affordable housing will be for family units of 2,3 and 4 bed units in the range of 3 to 6 person flats).

'We would ask that there is an early stage review mechanism as recommended in the Mayor's 2017 Housing SPG. The early review is triggered where an agreed level of progress on implementing the permission has not been reached after two years of the permission being granted.'

The strong support is noted in particular with regard to tenures and the significant amount of family accommodation, for which there is a local need. The applicant has been requested to provide details of the ranges of incomes they would seek to reach. Below is a table showing

the LAR Rent levels including service charges. N.B. Benchmark rents are set annually by the GLA:

Property Type	LAR benchmark rent 22/23	LAR as % Market Rent	Indicative Service Charge
1B2PF	168.34	56	£27
2B3PF	178.23	53	£32
2B4PF	178.23	53	£37
2B4PF (WC)	178.23	52	£40
3B5PF	188.13	47	£40
3B6PF	188.13	47	£40

In addition, it should be noted that the occupiers of each block will have access to the same amenities in that block regardless of tenure. This includes amenity and play areas, shared lift cores, flats specifications, aspect and orientation and balcony space.

The table below shows an illustration of the typical minimum incomes likely to be required to purchase S/O housing. The table assumes an initial 25% equity purchase and rent on unsold equity at 2.75%pa:

Property Type	OMV	25% Equity Share	Deposit required (5%)	Mortgage payment PCM	Rent PCM (2.75%)	Service charge PCM	Minimum income required
1B2P Flat	£339,841	£84,960	£4,250	£449	£584	£117	£45,000
2B3P Flat	£393,974	£98,494	£5,000	£520	£677	£139	£53,000
2B4P Flat	£435,356	£108,839	£5,500	£574	£748	£160	£61,000
3B5P Flat	£502,000	£125,000	£6,275	£663	£863	£160	£70,000

13.7 Community Space and Equalities Analysis

As noted in the Cabinet Report of December 2020, the Council undertook an Equalities Analysis Assessment (EAA). It found that: *'This scheme would contribute to meeting local affordable housing needs which disproportionately affects people of Black, Asian and Minority Ethnic origin. The scheme would also help meet the needs of disabled people by providing all housing to 'lifetime homes' standards and 10% of the new homes to be suitable for wheelchair users.'* This finding is supported for the reasons set out below.

Further, as noted in the Community Consultation section of this report, extensive pre-application consultation has been undertaken with religious and community groups during the preparation of the application and that process continues.

Turning to people with disabilities, the application proposes 52 flats across all the proposed tenures specifically designed for wheelchair users (M4(3) compliant) which exceeds the 10% threshold, 31 are 1B2P and 21 are 2B4P, in accordance with London Plan policy. In addition, wheelchair user flats will be typically located on the lower floors and oriented to face onto podium and other amenity spaces within the scheme and will generally have balconies of between 7 and 8.4sqm. Besides that, all Blocks provide level, gently sloping of step free access to communal areas.

All 516 flats are designed to meet the requirements of Approved Document Part M (2015 edition incorporating 2016 amendments), which incorporates the previous requirement for Lifetime Homes Standards as Category 2 'Accessible and Adaptable Dwellings' M4(2) for the other 90% of the units. The layouts for each unit will also adhere to the requirements set out in the GLA London Housing Design Guide.

The application proposes 1131sqm of flexible commercial/community space. In addition, the proposed flexible commercial units can also incorporate uses that contribute to the night-time economy.

Overall, it is considered that with the inclusion of these facilities, the proposed development would not negatively impact on local community groups with a protected characteristic nor upon the wider community in consideration of the Equalities Analysis Assessment in accordance with London Plan Policies D5 and D7.

13.8 Commercial and Employment Floorspace

The 1239qm of flexible business and commercial, healthcare and community floorspace is distributed to the ground and first floors of Block A1 (1045sqm) and the ground floor of Block B (194sqm), looking west towards the into the new public realm plaza (called 'Bridge Place' by the applicant as it marks the northern end of the Merrick Road bridge) that will ultimately join with the Gurdwara site when it comes forward.

Units facing the new development and will directly benefit from the new footfall. Generally, within the scheme the development will attract the public to the development, enhanced by new pedestrian access. They will also be anchored the substantial, new, public space/realm and positively assist in Place Making.

The applicant proposes the employment space will be designed and laid out to be suitable for SMEs and other small businesses, as well as cafes, restaurants or other retail uses that will help to activate the area and assist the needs of new and existing local businesses and the night time economy in accordance with London Plan Policies HC5 and HC6. New employment space can also positively contribute towards supporting Southall's cultural and creative industries and attractions to support the Council's Southall Town Centre revitalisation and regeneration projects in accordance with Core Strategy Policy 2.8 - Revitalise Southall Town Centre.

Although there is an estimated reduction in existing employment space by virtue of the size and quality of built accommodation being provided, in a range of unit sizes, the estimated number of jobs calculated by the applicant could to rise as many as 113 if the space was taken over for purely Business uses or, as may be more likely, around 27 new jobs if retail/food and beverage and or gym uses are accommodated and without regard to the multiplier effect in retention in other businesses locally such as administration, cleaning etc.

There will also be an environmental dividend from these new uses, removing a number of non-conforming semi-industrial, vehicle repairs and storage businesses. In conclusion, the new commercial and employment space accords with the objectives of SOU4 and does not undermine policy objectives by reason of the loss of land.

13.9 Healthcare Facility

As noted earlier, at the time of preparing this Report, discussion is ongoing with the NHS CCG and, concerning the provision of a healthcare facility within the two floors of commercial space in Block A1. The CCG would take the space to complement that being provided in the Green Quarter scheme. It is noted that the DRP expressed caution about the likelihood of such a use provided an active frontage to the Bridge Place. This caution is noted, however the opportunity to provide this community use in a placed and highly accessible location presented by the application site, that will be further enhanced when the Gurdwara and Southall Sidings come forward is considered to more than adequately compensate.

Members will be updated on any changes to the current position in a Briefing Note. Members will note nevertheless that Item 13 of the Officer Recommendation is that if an agreement, or substantial progress towards one, were not to be made on securing the CCG interest in

joining with the project within 12 months of a permission, then a financial contribution towards to provision of a facility elsewhere in the area will instead be sought from the applicant.

14. Planning Merits of the Development

14.1 Scale and Site Capacity

Policy objectives are expressed in terms of achieving optimum, rather than maximum development potential. The site provides the opportunity to make full and efficient use of sustainable brownfield sites to significantly boost the supply of housing in four squares with NPPF and development policy and guidance. Community and commercial and related floorspace is appropriate to this location, policy-compliant and will positively assist in 'Place Making'.

As well as the Council's published guidance on design quality, guidance on the best practice approach is found in National Design Guide (NDG). Para.16 states: *'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context'*.

The NDG also says:

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

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

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

Taking these principles on board, it has been noted this site is a sustainable Town Centre location, in close proximity to Southall Crossrail Station, for higher density development. SOU4, the Opportunity Area and D9 locational and Design Principles (e.g. Policies D3 and D4 on delivering development and good design) give support for tall buildings and towers and presents a strong policy justification for the principle of this typology as an appropriate means to deliver higher density development in this case to an optimal form of development that delivers significant numbers of new homes, jobs and new public realm.

This approach has already been successfully demonstrated by the planning permission granted on the Southall Sidings site adjoining, which will deliver a mix of higher density, tall buildings and tower blocks typologies similar to and complementing the present application.

The present application scheme also represents a positive example of site optimisation, balancing policy, amenity and site constraints, whilst maximising the potential for significant additional mixed affordable and market housing for which there is an established need in the area, without compromising objectives to secure a comprehensive development across the whole of the SOU4 Allocation. It has been successfully developed in consultation with and by scrutiny from LBE Officers, the GLA, CRP and DRP. The scale of development in relation to delivering optimal site capacity is therefore considered to be an acceptable approach for this site and is not considered to be an overdevelopment of the site.

Regard to whether the scale and arrangement of the development gives rise to any significant adverse impact on the character of the area and residential amenity is addressed below.

14.2 Tall Buildings

Development Strategy DPD Policy 1.2(h) and DMD Policy 7.7 and London Plan Policy D9 (excluding in this section those functional or operational aspects of the development which are assessed under appropriate headings below), state that tall buildings are acceptable where they contribute positively to the local context and do not cause harm to heritage assets. The quality of the design, especially in relation to context and accessibility are the overriding considerations.

A 'tall building' is defined by London Plan Policy D9A as:
'Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.'

Policy D9B (and supporting paras 3.92 and 3.9.3) set the criteria where tall buildings may be appropriate as:

- 1. In locations determined by Boroughs to be an appropriate form of development and subject to meeting other requirements of the Plan,
- 2. In any such locations identified on Development Plan maps
- 3. Should only be in locations identified as suitable in a Development Plan.

As stated in the Ealing Local Planning Policy Guidance (LPPG): Tall Buildings, January 2022: *'This definition accords with the contextual definition set out in DM DPD Policy 7.7 and so that definition will continue to apply in Ealing pending the development of the new Local Plan.'*

Policy D9 para.3.9.2 sets out that Boroughs should employ a sieving exercise form of evidence gathering to identify areas for growth including the locations where tall buildings could have a role to play *'in contributing to the emerging character and vision for a place'* within the Borough. Locations for tall buildings would be defined in the adopted Local Plan. LBE has prepared a Character Study to inform this approach in identifying locations to be identified in development plans.

As noted, DPD SOU4 Allocation and the Gateway SPD already consider the application site to be a suitable location for tall buildings. While this is envisaged primarily on the portion of the site to the west of the pedestrian bridge, the determining factor is deemed in the wording of the SOU4 Allocation to be: *'the detail design as presents [sic] in a full planning application'*.

As also set out earlier, the delivery and assembly of this SOU4 has resolved in a way that is different from that originally envisaged by the Allocation, mainly in relation to the order in which land parcels have come forward. However, the overall planning principles involved have remained the same and the present scheme, as well as the broader site, not least the Gurdwara, can still be seen to deliver upon these principles.

Furthermore, as noted earlier in Section 13.3 of this Report, London Plan para.3.9.3 states that in Opportunity Areas (which includes the application site) the threshold for what constitutes a tall building should also have regard to the evolving context. Below is an image produced by the applicant of the application scheme (in pink) compared to the evolving context of permitted and under-construction schemes (in yellow and blue) in the area:



Section 13.3 above of this Report notes how the development positively responds to Tall Buildings LPPG and the Ealing Character Study and Design Guide criteria as an appropriate and suitable location to accommodate tall buildings.

It is important in this context to clarify that the up to date, location-based, policy in London Plan D9, should be distinguished from the earlier, site-based allocation Core Strategy Policy 1.2(h) that informed the spatial strategy in the Core Strategy and DPD.

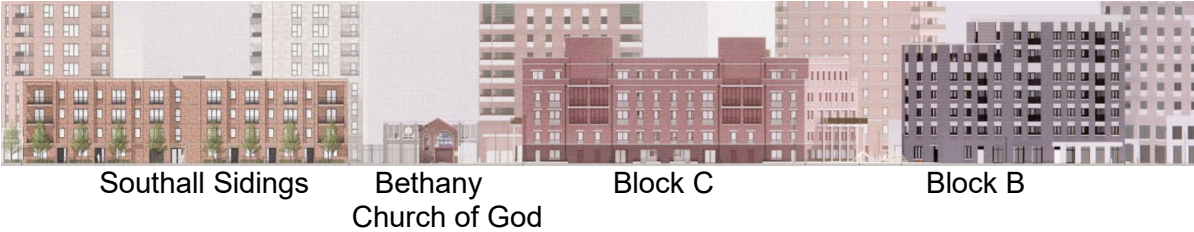
This distinction provides a less rigid approach to a site-based allocation that is not defined by 'boundaries' but on context. As this applies to the application scheme therefore, it has allowed Milan Road to be incorporated successfully into the scheme following the involvement of the applicant, PA Housing (as owned of the Milan Road houses, in this regeneration project. It allows for the predominantly lower heights of the current housing to be re-interpreted in the context of emerging taller buildings typologies on SOU4 (which wraps around 3 sides of the site) and in the locality. It roots this part of the site in the Allocation and therefore the tall buildings context that occurs on adjacent parts of the site.

As a result of this, as illustrated below, with the Blue line indicating the SOU4 designation in this location, Block C sits over the Milan Road housing but is clearly a part of the wider scheme/Allocation that surrounds this part of the site on three sides.

That said, Block C is not a 'tall building' in Policy D9 terms as it is only a maximum of 5 storeys (13.8m high) and therefore below the threshold. Nevertheless, it allows the scheme to merge sensitively with new housing coming forward on Southall Sidings and will help to inform typologies that will come forward on other parts, such as the Gurdwara, of SOU4 in due course:



To illustrate this, below is a street scene view of both schemes viewed from Park Avenue:



As can be seen, the Proposed Block C (and for that matter Block B) building typology and layout reflects and respects the Sidings built form, with a 4-and 5- storey frontage to Park Avenue, before it steps back to the taller blocks. The detailing at ground floor level of Block

C, with individual front doors to Park Avenue also maintains the consistency with Southall Sidings.

Having established the strategic policy criteria for the location of tall buildings comprised in the application, attention now turns to the applicable development management impacts criteria of Policy D9, namely visual, functional, environmental and cumulative impacts and public access.

Visual Impacts

Whilst acknowledging concerns of the CRP that the buildings are too tall, it must first be acknowledged that tall buildings have been permitted and are nearing completion or under construction elsewhere locally in the proximity to the railway or where appropriate to the Opportunity Area. They are an established typology therefore that can enhance townscape where they are exemplars of outstanding quality of design. Further, each scheme will have been assessed on its merits having regard to local conditions and considerations, such as neighbouring development, effects on the residential amenities of neighbours opposite the site, or the area generally.

In respect of this application, GLA Officers, as well as the DRP, raise no in principle objections to the provision, layout, heights or design of new tall buildings on the site. The CRP is generally supportive of the scheme, although it expressed concerns about tower heights. These impacts have been tested in the applicant's TVA and the analysis in the DAS and in pre-application consultation. HE has raised no objections to the proposals in respect of impacts on any heritage assets. It is clear therefore from the above that the preparation of the application has followed the Design Scrutiny advocated in London Plan Policy D4, Delivering Good Design.

No reason is seen to disagree with these conclusions subject to satisfying the GLA requirement to meet the other relevant assessment criteria in London Plan Policy D9 and Local Plan Policy 1.2(h) and DPD Policy 7.7.

Representations concerning the proposed towers seek to conflate the principle of a tall building on the one hand, with the effects of that tall building on the other. Policy is only able to discuss the principle of a tall building on this site. The effects of that tall building must be a matter for the development management balance, the specific impacts of the scheme and the detail of the specific criteria-based policies.

In the context of the other criteria of Policy D9, the applicant has provided a detailed and rational assessment of the distribution of height within the scheme. The development is considered to be of a high-quality design of the type contemplated by London Plan Policy D4, that can positively contribute to the amenities of the locality. Overall, it is considered the location, scale and massing of the proposed tall buildings is successfully incorporated into the locality.

The development will comply with the objectives of the NDG and in site-specific terms, have been assessed through the applicants TVA, considered below. Whilst the proposed range of blocks of between 4 and 25-storey towers would plainly change present open areas and lower scale buildings interspersed with contemporary development, in the context of the Site Allocation and this emerging scene, the new towers and associated blocks will relate well to their surroundings, without harmfully impacting on the traditional suburban scale and design of housing lying on Park Avenue.

By separating the taller blocks as proposed then a strong sense of open space between them will be maintained. Open sky views between the blocks are emphasised by stepping back in the blocks.

Cumulative Impacts

The variety of massing and heights have been developed by the applicant in response to townscape considerations and to give good levels of amenity into the residential accommodation and for neighbours. The tower blocks arrangement is the tallest component and is positioned on the south side of the site where it is read in the context of other built development flanking the railway line as illustrated below:



By contrast to Park Avenue, as noted earlier, block typologies are no more than 4 storeys, where fronting the road, with individual property entrances, reflecting those permitted at Southall Sidings.

A number of respondents consider that the development would adversely affect views and negatively detract from the character of the surrounding area and their residential amenities. In response, the site is Allocated in the Local Plan for new development, that includes tall building consistent with the Opportunity Area status, that helps to meet local needs including in particular the need for more housing, especially family and affordable housing. Accordingly, it is considered appropriate on its merits to accommodate new development at this scale, subject to normal development management criteria being satisfied.

To ensure the new development is appropriate in scale and massing to its location, as part of the design development process the scheme has been independently assessed by the GLA, CRP and DRP. Taken together, the development proposal is considered to be suitable for tall buildings subject to heritage impacts and satisfying design policies in the development plan and national policy guidance.

To aid this assessment, the applicant has produced a TVA of the scheme from surrounding roads as well as CGI views from locations around the site. This assessment has considered the impact of the development on views from important and sensitive heritage locations. Where visible, the tall blocks would generally appear in the background, in the distance or middle distance and often in conjunction with the existing tall and large-scale buildings. They will clearly be visible as new building forms in this part of Southall but are nevertheless an appropriate addition to the built environment.

No local or strategic views have been identified as being harmfully affected by the development. There are no significant negative townscape impacts on views from publicly accessible places. The TVA shows that viewed from verified locations individually and

cumulatively, the development will not have an overriding significant harmful impact but will contribute positively to the skyline in conjunction with other new development in the area.

Coupled with this, the form and step-backs, variation of finishes and the open terraces element at the tops soften the overall bulk of the tower blocks. Separation distances between the blocks and other local development are addressed later. The setbacks in the blocks will help to minimise a perception of being overlooked.

Functional Impacts

These are assessed below in Sections 14.3 to 14.7. Either no, or no significant, adverse impacts or objections are received from consultees. The overall conclusion is that these impacts have been satisfactorily addressed either in the scheme design or by conditions and obligations as appropriate.

Environmental Impacts

These are assessed below in Sections 14.8 to 14.11. Either no, or no significant, adverse impacts or objections are received from consultees. The overall conclusion is that these impacts have been satisfactorily addressed either in the scheme design or by conditions and obligations as appropriate.

Public Access

It is not feasible to incorporate public access to the roof of the Blocks (as proposed by Policy D9D) to allow wider views of London as it would require significant design changes, including the possibility of reducing the number of flats, in order to construct a public lift access or changes to scale and massing to accommodate them, as well as conflicting with access to ground floor uses. Further, as noted in the GLA Stage 1 report, the roofs are intended mainly for PVs and green roofs, which would also prohibit scope for public access.

Conclusion on Tall Building Policy D9

In conclusion on the overall policy objectives and considerations, as set out in the NPPF, balancing the performance of the scheme against Policies of the London Plan as a whole, the main Policies that support the development are:

- GG1 – building strong and inclusive communities
- GG2 – making best use of land
- GG3 – Creating a Healthy City
- GG4 - Delivering the Homes Londoners Need
- GG5 – Growing a Good Economy
- SD1 – Opportunity Areas
- SD6 – Town Centres and High Streets
- D3 – Optimising Site Capacity
- D4 – Delivering Good Design
- D5 – Inclusive Design
- D6 – Housing Quality and Standards
- D7 - Accessible Housing
- D8 – Public Realm
- H1 – Increasing Housing Supply
- H4 – Delivering Affordable Housing
- H8 - Loss of existing housing and estate redevelopment
- S3 - Education and Child care
- S4 – Play and informal recreation
- E3 – Affordable Workspace
- HC5 – Supporting London’s Culture and Creative industries
- HC6 – Supporting the night time economy
- G5 – Urban Greening
- G7 – Trees and Woodlands.

LBE development plan policies that also give support are:

Core Strategy

1.1(h) - Spatial Vision for Ealing 2026

1.2(h) – Delivery of the Vision for Ealing 2026

DMD DPD

4.5D - EALING LOCAL VARIATION - LONDON'S VISITOR INFRASTRUCTURE

7.7 - EALING LOCAL VARIATION - LOCATION AND DESIGN OF TALL AND LARGE BUILDINGS

7C - EALING LOCAL POLICY - HERITAGE

EA - EALING LOCAL POLICY - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

The public and regeneration benefits of the development are therefore supportable in functional, environmental and cumulative impacts and D9 and related Policies terms.

14.3 Siting, Design and Materiality

London Plan Design Policy D4 states that tall buildings that are referable to the Mayor (such as this proposal) must be subject to the design scrutiny set out in the Policy. The proposal has been developed during an extensive process of pre-application consultation with Council and GLA Officers, a CRP, two DRPs, public and community consultation. The design iterations and development process are set out in the applicant's Design and Access Statement.

DM DPD Policies 7.4 and 7B relate to local character and design amenity and require, amongst other things, that development should complement scale and detailing, display high quality architecture, make a positive visual impact, with external treatment and materials that complement new buildings and context and must not impair the visual amenity of surrounding uses.

The proposal is acknowledged to be of an exemplary quality design that successfully responds to the scale and character of the existing surrounding context and emerging typologies, without causing significant adverse impacts. including to heritage assets. The impact of the development on heritage assets are assessed below.

The development overall is a qualitative improvement on the present character of the site comprising, rough open storage, functional buildings many in some disrepair and a small cluster of contemporary family housing of no marked architectural quality, which will be replaced with a high quality, contemporary design and appearance and new, accessible public realm and spaces.

The Blocks are designed to respond to components in the local area visible from and towards the site – the arrangement of the scale and massing of blocks towards Park Avenue graduating to tower elements flanking the railway being one example. In addition, through the design development process the ethos of the form and scale has developed with the variety of traditional facing materials like brick and colours that successfully bring together this mixed urban regeneration development.

On the ground floor the buildings incorporate commercial/employment/community space to positively integrate the blocks with a new frontage to Park Avenue and at the arrival point of the Merrick Road bridge. The positioning and design of all the buildings comprised in the scheme has developed through an iterative process. The DRP has tested the massing and materiality of the scheme and views it positively.

The applicant's TVA views towards the site are framed by tall buildings in the local area. The new residential blocks are high-quality in design, culminating in the 16-25 storey family of

towers. The same applies to the lower storey groups of two tall blocks of 5 and 7 storeys fronting Park Avenue. They are an exemplary standard of architecture, design and appearance that will positively contribute to the townscape, using varied but attractively-coloured range of facing bricks and high-quality detailing. Planning conditions will ensure the use of high-quality materials throughout the scheme.

Overall, the Blocks will positively contribute to the skyline without causing substantial harm to the settings of heritage assets. HE has examined the scheme in relation to heritages assets and no comments whatsoever to make. This means that harm that the harm to assets can be considered to be no more than 'less than substantial' as defined in the NPPF and NPPG.

It is considered the development is enhanced by its singular outstanding character and exceptional, high-quality detailing and materiality. Collectively the building forms and typology throughout the scheme secure an exemplary design that respond positively to their location and positively contribute to the character of the area, enabling the scheme to achieve the potential of a high level of quality and outstanding quality and meet sustainable development objectives, on its merits and having regard to the NPPF and development plan policies.

Balancing the policy considerations therefore, this scheme would be development plan policy compliant in terms of urban design (sense of place, density, new public realm, landscaped areas and active frontages) and optimises development potential. In its wider context no significant adverse harmful impacts are identified. Cumulative impacts will not harmfully lessen the sense of open sky between existing and new buildings so the impacts would not give rise to significant adverse harm to amenity.

In conclusion, in terms of the development plan and on its merits therefore, in townscape and visual terms the scheme would be a significant enhancement over the existing in an outstanding quality development.

14.4 Heritage Assets

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

A. Statutory Designated Heritage Assets

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

The Court of Appeal in *Barnwell vs East Northamptonshire DC 2014* made clear that in enacting s66(1) of the LBCA Act, Parliament's intention was that '*decision makers should give "considerable importance and weight to the desirability of preserving the setting of listed buildings"*' when carrying out the balancing exercise that has to be undertaken in this application. Preservation means not harming the interest in the building, as opposed to keeping it entirely unchanged.

'Harm' is deemed by the NPPF to be either 'substantial' or 'less than substantial.' Since the application does not directly involve a listed building either in terms of its demolition or alteration, nor on land comprising one, harm in this application relates only to impacts on the settings of assets.

HE has expressly stated it wishes not to offer any comments on the application, whilst the GLA concludes that the scheme would result in less than substantial harm to the significance of the statutory designated, or to locally designated, assets. Plainly neither Body therefore

considers the development would meet the high, rarely encountered, bar of 'substantial harm.'

As the site is in a Southall town centre location, the townscape impacts of the development are the principal components of this analysis. In this context it is important to note that like the application site, heritage assets lying in this Opportunity Area already contain tall building and tower typologies that provide the backdrops to and inform views of, statutory and locally listed buildings in the area, as the TVA photomontages in Section 8.15 above illustrate.

The closest visible designated assets to the site are:

1. Southall Water Tower
2. Liberty Cinema
3. Osterley Park Registered Park and Garden
4. Canalside Conservation Area
5. St Mark's Church Conservation Area.

Informed by the above, the applicant's TVA has been assessed and shows that while the development would be visible in views of designated heritage assets, this is tempered by their being:

- a. a significant separation distance (the Conservation Areas are 0.8 – 1.1km away from the site) and
- b. limited in viewpoints by intervening tall building development, primarily to the south, that already obscure views.

The separation distance from the application site to two nearest listed buildings - the Water Tower and Liberty Cinema - is 350m in both cases. Furthermore, in both cases the development would not impinge on primary views of these assets. Currently the view of the Water Tower from the site is uninterrupted above first floor level. Towards the cinema there are intervening buildings to the north, so that while there would be some impact on its setting from the taller elements, it is not likely to cause substantial harm either individually or cumulatively.

Having regard to the TVA photographs, photomontage stringline and CGI images in the Design and Access Statement (DAS) the views demonstrate that the development is unlikely to dominate or have a significant detrimental impact on the setting of heritage assets visible from or towards the site and scheme, so that it would not be reasonable therefore to ascribe other than less than substantial harm.

London Plan Policy HC1 states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. London Plan Policy D9, Tall Buildings states at C1(d) that: *Proposals resulting in harm will require clear and convincing justification demonstrating that alternatives have been explored...* The applicant commissioned in the Design Review process a range of alternatives prior to arriving at the application proposals. In terms of policy and practice, neither the GLA (who were involved in the design development), nor HE have requested a review or raised objections to the application. Having assessed the scheme, it is also considered unnecessary in this case to consider the need to appraise alternatives in heritage impact terms.

On the matter of heritage impacts, the GLA Stage 1 Report states, in relation to the only assets it considers are affected, to:

'92. In relation to Osterley Park Registered Park and Garden the proposal would not be significantly visible. However, where visible it will be seen as part of the emerging cluster of towers around Southall Station. As such, it is considered that the proposal would not harm the significance of this heritage asset.

...

94...GLA officers consider that the proposal would result in less than substantial harm to the significance of the Grade II Listed Southall Water Tower.'

The applicant's TVA assessment and conclusions have been reviewed and the conclusions are accepted. Consideration therefore must be given to whether there are substantial planning benefits that outweigh the identified harm. This is addressed below in Section 15.

B. Non statutory (Locally Listed) Heritage Assets

Locally listed buildings do not share the same legal protection as statutory ones, NPPF para.203 nevertheless states: 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.' DMD DPD Policy 7C sets the same requirements.

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

1. the Kings Hall Church and
2. Hambrough School.

It is considered there will be no direct harm to the assets themselves and any harm would be in relation to their settings. Given the 200-250m separation between the assets, along with intervening buildings and the proposed scheme and the oblique middle distant views between them, then the harm is also considered to be less than substantial.

The statutory heritage assets and harms and the benefits are addressed below in Section 15.

14.5 Highways/Transport

The London Plan requires that new development ensures highway safety and is designed to maximise the use of public transport and other non-car methods of travel and requires that development provides adequate servicing capability and does not subject surrounding streets to parking stress or compromise traffic safety. Cycle parking and off-street access for refuse collection, are satisfactorily provided in accordance with LBE and GLA standards.

The site is in an excellent location to improve upon and increase the safety of pedestrian and cycle accessibility and the applicant's provision complies with policy in respect of residents, businesses and visitors. Transport is satisfied that with the measure proposed in the application to positively encourage public and other transport options. Restricted parking and the Travel Plan will give rise to a lower level of on-site parking, with a focus on increased EV usage and increased DDA provision.

The financial contributions towards delivery of the Merrick Road bridge lift and for a new Zebra crossing to Park Avenue are supported. They will contribute towards delivering improving pedestrian and cycle accessibility and safety away from currently busy local roads.

The DRP expressed concern about the impact of vehicle movements through the central shared surface/public realm (the 'central street' or 'route') on pedestrian activity and the cul de sac turning head arrangement for service vehicles turning. These have been reviewed by the applicant, taking into considerations the site constraints that require:

- minimising traffic movements around the Merrick Road bridge to create a new public realm at Bridge Place'
- avoiding prejudicing expansion of the wider Bridge Place public realm with the incorporation of the Gurdwara in due course
- maintaining Network Rail's vehicle access right of way on the west side
- providing an 'active' frontage to the 'Bridge Place' public realm not dominated by vehicular traffic.

To address these concerns, the amendments submitted in June 2022 have been agreed with Refuse Services so that household and recycling waste will be collected together on each

visit. These vehicles will enter the site from the west and exit on the east side of the site – a one-way route - (with bollards being demounted on collection days). This will reduce the number of weekly site visits and obviate the need for refuse vehicles to use the turning head, further reducing two-way traffic on the central street.

With regard to the number of vehicle movements generally through the ‘central street’ the applicant calculates the number of two-way daily movements (0700-2100) the site is likely to generate could be 300, which the applicant considers to be a ‘worst case scenario,’ of which 32 would be taxis, 133 would be related to servicing (including postal or light goods deliveries that may double up visiting more than one property simultaneously) and 135 would be cars, The number of movements during the peak hours and daily are summarised below:

Trip Generation	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)			Daily Flows (07:00-21:00)		
	In	Out	Total	In	Out	Total	In	Out	Total
Total Vehicle	8	32	40	17	9	25	146	154	300
Of which taxi	1	3	4	2	1	3	16	16	32
Of which OGVs	1	5	6	2	1	4	21	22	43
of which LGVs	2	9	12	5	2	7	43	46	89
Of which cars	4	14	18	8	4	11	66	70	135

In this context it is important to note that:

- a. Some delivery vehicles (OGV= Other Goods Vehicle, LGV=Light Goods Vehicle) may choose to park on Park Avenue to access dwellings in Blocks B and C or on the west side of Block A to access the commercial units,
- b. The ‘peak hour’ for deliveries is 1200-1300 – amounting to 20, two-way movements,
- c. The maximum number of vehicles parking on site would be 6 (between 0900-1000),
- d. Delivery movements during the highway peak hour (0800-0900 and 1700-1800) is minimal.

The overall conclusion from this analysis is that the central and adjacent public realm will not suffer from an unacceptable level of traffic congestion, even if all, or a significant number, of the Blue Badges are taken up in the lifetime of this development, in combination with other vehicle movements such as deliveries and collections of waste etc. Play area arrangements in the scheme have been reviewed as a result of comments from the DRP. As a result the likelihood of child/vehicle conflicts has been minimised so that play spaces will still be safely accessible either from within the development or the periphery.

The applicant has maintained close contact and consulted directly with the owner of the Bethany Church to ensure that activity in association with the demolition and construction works and future use of the application site minimises and an adverse effect on the use of the Church building and its users.

The residential-only car parking provision is 19 spaces, equivalent to 3% of the total number of dwellings. 3 of the 19 would be made available for NHS staff parking in the event that proceeds. Although this exceeds the London Plan, it matches the provision approved at Southall Sidings). All located in Block A1-A3 will have EV charging points from the outset. 2 on-street Car Club spaces will be provided, plus new flats Car Club credits will be provided that could be redeemed against spaces being made available in conjunction with Southall Sidings and at the Green Quarter.

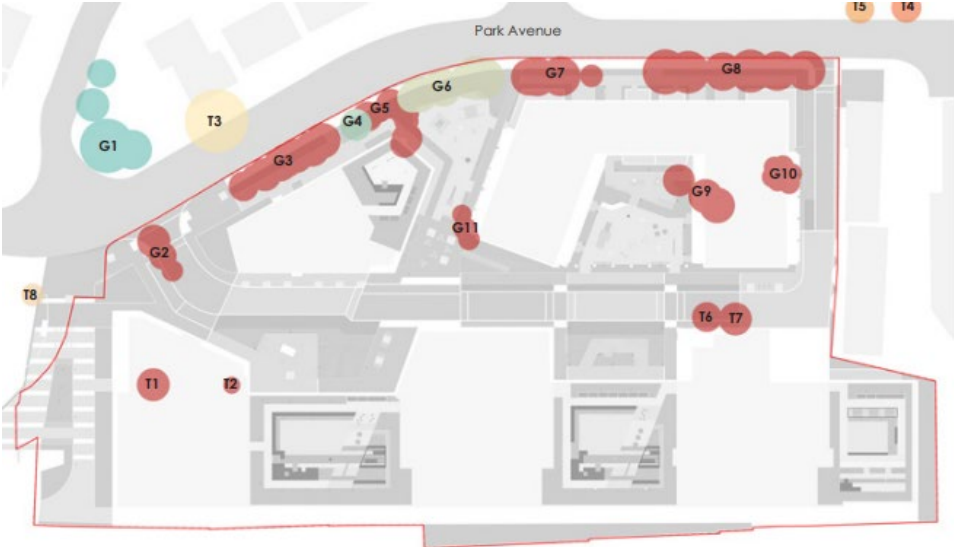
The applicant has prepared a Residential Framework Travel Plan. A Commercial Travel Plan will be required as a condition of permission if granted. No car parking will be provided for commercial uses. Provision for the CCG healthcare facility in Block A1 has been set out earlier. Delivery and Servicing Plan conditions are recommended. No highways or pedestrian safety issues are raised by Transport, nor in relation to the servicing and delivery strategy will

co-existing with the public realm as raised by the DRP. A financial contribution is proposed towards provision of a future zebra-crossing to Park Avenue.

Transport is satisfied with the overall car and cycle provision and requests a financial contribution for highways improvement and undertakings, including CPZ review, restrictions on new residents obtaining future parking permits and appropriate conditions, a Construction Management Plan, which the applicant has prepared.

14.6 Trees and Landscaping

Below is a plan showing the locations of trees currently on site. Those to be removed (numbering 42 in total – 5 individuals and 9 groups) are coloured brown on the plan below. 19 of those front onto Park Avenue:



In relation to new Blocks B and C and of the main on-site TPO trees and Groups G2, G3, G5, G7 and G8 fronting Park Avenue, intended to be removed. G4 and G6 will be retained and incorporated into new tree and ground cover planting as part of the scheme. G7 and G8 are Category C (Low) and B (Moderate) quality respectively. Tree Service objects to the felling of G7 and G8. As illustrated by the photographs below, many of these trees impinge on the current amenities of residents in the Milan Road development and overshadow properties on the north side of Park Avenue.

Although not visible in the photographs their roots also cause localised damage to paving slabs along Park Avenue. Furthermore, those trees to the front of houses in Milan Road have had their branches cut back, on a number of occasions (all with consent, as noted in Section 11 above) to avoid obstructing the houses.

Firstly, below is a view of the Cupressus in Low Category TPO Group G3 fronting Park Avenue:



Secondly, view of the mixed species in Low Category TPO Group G7:



Thirdly, view of Poplars in Moderate Category TPO Group G8:



Whilst the trees are generally mature, have amenity value and prominent in the street scene and a number enjoy protection under the TPOs, they reflect what would appear to have been their historical purpose or intention i.e. to screen from public view the (former coal) yards and semi-industrial rail activities on them. As the two photographs above show, the trees are however now generally tall and widely interspersed.

Many no longer offer meaningful screening. Ultimately however, retaining the majority on the park Avenue frontage is likely to be inconsistent with the new residential land uses and building typologies proposed by the DPD SOU4 Site Allocation.

The scope for retention of all or more of the TPO trees has been explored with the applicant. One Group G8 tree in the far north east corner needs to be removed to accommodate the new emergency/waste refuse exit road next to the Bethany Church.

To accommodate retention of the rest, would require balancing significant constraints, including:

- avoiding Root Protection Areas (RPAs),
- construction scaffolding,
- specialist foundations,

- avoiding the need for continuous pruning (which can be harmful to tree health in itself) to reduce loss of daylight and sunlight from overshadowing of new, north facing, flats or the risk of damage from falling branches,
- significantly reduce the scope for new planting, hedging and ground cover and consequent biodiversity enhancements.

Alternatively, to move Block C back the 7m that LBE Tree Service considers would be necessary to retain the Low and Moderate Quality trees in Groups G7 and G8, without any knock-on effect on the layout elsewhere on the site that would likely require further changes would:

- reduce the number of maisonettes in Block C (which is designed for affordable, mainly larger, family homes) by 4,
- affect others by reducing the number of 4 bed family units by 4,
- increase the number of 1bed units by 4, losing the same number of 2 and 3 bed homes and reducing the depth of the Block C communal amenity space by 3.1m to accommodate the ‘shrinking’ of the Block.

To mitigate this, the applicant has combined selective retention of trees that can be realistically retained and incorporated, alongside compensatory planting of new species groups that will add to the interest and diversity of residential uses in this locality, whilst benefitting dwellings opposite by reducing overshadowing. New trees would be semi-mature stock (average girth 20-25cm) so that they have an immediate visual impact. New planting, particularly replacement tree planting (retained groups Red outlined) to Park Avenue, is shown below:



On balance, taking account of all the above considerations, whilst the removal of these TPO tree groups will have a harmful impact in terms of the resulting loss of amenity to Park Avenue, it is considered that the proposed introduction of 21 new, semi-mature, street trees comprising Field and Red Maple, Hornbeam, Oak and Linden (which London Plan Policies G7, D8 and the NPPF all support) that will:

- avoid the necessity for material changes to and diminution of the number and quality of the affordable family housing proposed in Block C,
- enhance biodiversity of the frontage, in conjunction with the 7 retained trees
- compensate for the 19 mainly Cupressus and Poplar, with individual Whitebeam, Pear and Maple removed,
- in association with new planting,

- alongside the increase in provision of new and larger affordable family housing in Block C to help meet the objectives of Site Allocation Policy SOU4,
 - enables the high-quality design of the new housing to be better appreciated
- tips the balance in this case in favour of their removal and replacement with new trees that will positively contribute to the long-term amenity of this part of Park Avenue to existing, as well as new, residents.

A condition to approve new tree and landscape planting is recommended on which Tree Service would be consulted. A contribution towards the CAVAT value of trees fronting Park Avenue to be felled (they will be replaced) is also recommended.

The applicant has taken full advantage of the considerable scope therefore for new greening within the site. Across the whole site 42 trees felled will be replaced with over 150 (a nearly 500% increase) new, mainly, Native species of trees in public areas and new ground and first floor podium amenity spaces that will generally enhance the site's biodiversity and the wider public amenity and contributes positively to Place Making.

The applicant has submitted an Arboricultural Impact Assessment (AIA) and Tree Management Plan (TMP) for the protection, management and incorporation of trees during the construction process to be incorporated into conditions, including in relation to protecting the core bird nesting season and other ecological mitigation and Management, in the event permission is granted.

14.7 Play, Amenity Space and Public Realm

London Plan Policy GG3 and the Healthy Streets objectives, states new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles.

LBE Core Strategy Policy 5.5 supports healthy communities by setting out the importance of addressing deficiencies in the provision of parks and local green space, which is acknowledged to be an issue in Southall. London Plan Policy D8 supports new public realm provision as provided by the scheme.

a. Play and Amenity Space

The applicant proposes 100% of new dwellings are provided with private amenity space (in the form of a balcony or terrace) in accordance with the Mayor's Housing SPG standards. The plan below shows the location of play and amenity space on all floors in the scheme:



The following play space by age group for all 3 Blocks A-C, is proposed:

Play by age	provided (sqm)						total
	podium 1	podium 2	podium 3	B terrace	C garden	public realm	
0, 1, 2, 3 & 4	421	366	117	44	214	123	1,285
5, 6, 7, 8, 9, 10 & 11	147	127	123	29	54	93	573
12, 13, 14 & 15			40			161	201
16 & 17							
Private Amenity							3,210
Communal Amenity	43	65	104	129	130	978	1,450
Public Realm						2,275	2,275

Children living in Block C will have access to the playspace in Block B.

The developer is providing no dedicated play space for over 17s. Otherwise, the play proposals now give a more practical and usable range of on-site play opportunities across the various blocks and their communal spaces, including formal play equipment and informal natural play for younger children. The development is also providing a good range of public access play space at ground level with most of the formal play equipment now located there.

There are facilities available for older children e.g. open space and MUGAs within at Manor House Grounds and at Southall Park, Bixley Field, Southall Recreation Ground, within reasonably level walking distance from the site, to which the new Merrick Road bridge when fully open, will help to provide a safer and more convenient route, as illustrated below:



Where there is a shortfall in on site provision, financial contributions towards off-site play space, allotments and to formal sports space and facilities in the area are proposed. Leisure requests contributions directed to improve amenity space in the local area including at Southall Manor House Grounds, Southall Recreation Ground, Spencer Street play area and Bixley Fields open space.

- Leisure Services has calculated the requirement, summarised as follows:
 - Private and Communal Outdoor Amenity Space:** providing 7740sqm, a shortfall of 2560sqm.
 - Child Play Space:** providing 2560sqm, a shortfall of 180sqm (primarily 16+ years).
 - Commercial/community/nursery space:** 56sqm required. None proposed
 - Allotment Space:** 1891sqm required. None provided
 - Formal Sports:** 8625sqm required. None provided.

This aside, Landscape Services commends the landscape masterplan and planting and materials palettes, stating the proposed are all very good and will create an attractive setting for the development as well as much needed local green infrastructure and habitat for wildlife.

Securing the satisfactory delivery of all these open spaces through conditions of permission will positively contribute to the objectives of successful Place-Making in the scheme, the Town Centre and the surrounding residential area. Conditions are recommended to secure new planting as part of a comprehensive landscaping scheme, which will also set benchmark objectives for the Gurdwara public realm when it comes forward in due course.

b. Public Realm



The new public realm formed around the central street is protected by adjacent blocks from road, rail activity and noise, along with the Merrick bridge side space will positively enhance the development and the area generally and will merge in due course with new public realm when the Gurdwara development comes forward.

The Crossrail station, Merrick Road bridge and The Green forms a key anchor to the southern part of the site and the established hinterland. Increased footfall will inevitably increase its attractiveness and should help to encourage more use of shared community space as well as the public realm.

In this context and taking account of the conclusions reached on Section 14.5 above, it is considered that the level of expected vehicle usage of the central street, nor the types of car, delivery or refuse collection vehicles involved will not give rise to significant adverse effects on its attractiveness or use to residents and visitors. The scheme positively encourages new public access into and within the development, with priority given to pedestrian and cycle access and will form a 'hub' to the long-term delivery of the allocation.

Overall therefore, the objectives of London Plan Policy D8 for the creation of new public realm are considered to be satisfied.

14.8 Ecology

A Phase 1 Habitat Survey and Desk Study have confirmed that the site is of low ecological value. The buildings and other structures were found to have low or negligible potential for roosting bats. LBE Leisure notes: *The inclusion of more native species trees and shrubs is also welcomed. The inclusion of rain gardens and green rooves is welcome and the planting mixes, whilst predominantly ornament rather than native do include a good range of species that will attract insects and birds. An ecology strategy and habitat management strategy should be submitted along with further detail of habitat creation, bird and bat boxes, insect hotels etc all as part of the landscape and ecology conditions.* Appropriate conditions are recommended.

A Biodiversity Net Gain (BNG) design stage assessment shows the development delivers a 118.3% net gain in habitats, and a 100% net gain in hedgerows on site. The proposed Urban Greening Factor (UGF) is 0.41, which exceeds the London Plan requirement of 0.4 for mixed developments and substantially exceeds the current 0.09 figure.

No objection is raised by the MoD to the applicant's Bird Hazard Management Plan to prevent the risk of bird strike for aircraft on the Heathrow flightpath. A condition is proposed to secure implementation and retention of its objectives.

14.9 Privacy and Overlooking

Concerns regarding the prospect of overlooking and loss of privacy are noted. Development plan policies and guidelines relating to privacy seek minimum distances of between 18 and 21m. The plan below gives the principal separation distances from existing and proposed neighbouring buildings on Southall Sidings that are, or will be, primarily in residential use:



As can be seen, the separation distances generally exceed the minimums. Flank to flank residential separation within the scheme itself is generally in excess of 23m with the opposing rooms being secondary windows to living rooms or to bedrooms. Separation from Block C to the Bethany Church is 11.3m but there are no flank main windows to the Church, which is a modern structure with profile metal clad flank elevations.

To the approved Southall Sidings scheme, the minimum flank to flank separation distances to Block A3 is 22m at ground level. At first floor it would be 27m and to Block C is 27m. Balconies and main rooms face in the opposite direction with only bathrooms and bedrooms facing so there will not be any direct overlooking.

Facing dwellings in Avenue Road and Villiers Road and onto Park Avenue, the separation distances from Blocks B and C will be generally 25M. This compares favourably with the separation distance from the new maisonettes on the Southall Sidings scheme, which are generally not less than 24m.

The elevated position of the roof terrace/amenity areas to Block B could allow overlooking by residents utilising the terraces, or the perception of same, for residents of dwellings in Park Avenue. A condition for boundary screens to control and minimise this potential impact is proposed.

The arrangement of the scheme and main room windows to Blocks A1 and B facing west, towards the Gurdwara are sufficiently distant from that site boundary (between 20m and

45m) not to give rise to a significant adverse impact on the likely future layouts or aspects from new dwellings in that scheme when it comes forward.

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

14.10 Sunlight and Daylight

Regarding daylight and sunlight, both internal to the scheme and external to existing dwellings, when determining whether the impacts and changes in height are appropriate for the area, it is important to consider the current unique site context (comprising a large area of open yard and single storey structures on the west side as well as the 23 houses on Milan Road), SOU4 Allocation policy objectives for the site and the area and retained daylight and sunlight values.

The Report prepared by the applicant's agent analyses the daylight and sunlight impacts having regard to national and local policy, BRE guidance and the individual circumstances of the site. In doing so the Report assess impacts on neighbouring properties, Assessment of Proposed Dwellings, Daylight and Sunlight Assessment to Neighbouring Properties and Daylight and Sunlight Assessment internal to the Proposed Development, including to new amenity spaces within the scheme.

Impacts on neighbouring existing and proposed dwellings

The Report finds in relation to properties opposite the site in Park Avenue: *'The results of the VSC (Vertical Sky Component) (daylight) assessment have shown that the majority of neighbouring windows serving habitable rooms will retain good levels of daylight with the proposal in place, entirely consistent with the numerical targets outlined within the BRE guidance. For windows that fall below BRE targets, the results have shown that these are commensurate with the Mayor of London's... (Draft SPG 'Good Quality Homes for all Londoners') ...additional daylight targets.'*

It continues: *'The further NSC (No-Sky Line Contour) assessment (daylight distribution) has shown that the majority of neighbouring habitable rooms retain good levels of daylight distribution, entirely consistent with BRE guidance. There are isolated instances in 2 properties where rooms fall below BRE targets, however, these are mainly bedrooms which the BRE guidance deems less important than main living rooms. A main living room will retain 57% NSC.'*

Putting the above in context, the habitable rooms of the two properties in question are two ground floor bay windows to No.21 Park Avenue and a ground floor living room window to No.23 Park Avenue, a pair of semi-detached houses that would lie opposite Block B.

As shown below, the site of Block B is currently marked by tree belts comprising four Groups of TPO trees: G3 – G6). These are 8-10m high, mainly evergreen Lawson Cupressus trees, with a workshop unit behind. Collectively, they exert a negative impact on sunlight reaching the fronts of these houses. As further indicated below, tree Groups G3 and G5 lying directly opposite Nos.21 and 23, are proposed to be removed and replaced by new trees, mainly Silver Birch, interspersed between retained Groups G4 and G6 as illustrated below: As detailed earlier Tree Groups G7 and G8 are proposed to replace with new street trees.

Compared to the existing situation the overall impact from the new development and the associated retained and new trees, will not result in a significant adverse impact on daylight levels to the rooms of Nos.21 and 23 Park Avenue that would justify refusing permission.

In relation to impacts on the permitted development the reports states: *'Southall Sidings and Malgavita Works shows some VSC values which go beyond BRE and the Mayor's additional*

targets, but these are located beneath external or behind recessed balconies and therefore limit the amount of daylight received by these windows. Therefore, it is these self-inhibiting features (as well as the close proximity of Southall Sidings to the joint boundary) which are the cause of the lower retained VSC values and not the impact of the proposal.'

For sunlight impacts on dwellings in the surrounding area, the Applicant's Report finds: *the results of the APSH (Annual Probable Sunlight Hours) assessment have shown that main living rooms in all but one neighbouring property will receive good levels of both annual and winter sunlight, in excess of BRE targets. 21 in Southall Sidings go beyond BRE targets which is due to close proximity to the joint boundary and their west-facing windows mean that they are only just within 90 degrees of due south (to where the APSH assessment is relevant under BRE methodology).*

Impacts on proposed dwellings within the application scheme

Turning to daylight and sunlight impacts on proposed dwellings in the scheme, the applicant's Report acknowledges there are shortfalls. These occur generally where there are projecting balconies over the flat below. In that case there would be a trade-off between that loss and the fact that any deficient flat would still have access to its own outdoor space in the form of a balcony. The Report goes on to state: *'The assessment of daylight within the proposed apartments has shown that the vast majority of rooms (85%) receive good levels in excess of the relevant BRE targets.'*

The DRP expressed concern about internal layouts and quality of the new homes: *'Block C still has very deep floorplates and the panel feels that these units could be very dark.'* The applicant's Report concedes, on sunlight effects to the ground floors of maisonettes in Block C, it is not possible for all rooms to achieve BRE sunlight targets because they do not have a southerly orientation or are obstructed by (their own) external balconies on the floor above. That said, as illustrated by the ground floor plan below, Block C maisonettes are designed to have dual aspect. Front entrances and kitchens face Park Avenue or public footways through the site. To the rear lounge/dining rooms face onto the amenity space in the central courtyard:



In this context, the applicant's Report concludes on the sunlight impacts on Block C maisonettes: *'A building that has central cores or access corridors must have some of the units placed in the north facing elevations. However, ... this is not considered detrimental to occupants as the expectation of sunlight will be lower and lower levels of sunlight will not seem arbitrary. On this basis it is considered that the levels of sunlight provided are entirely consistent with BRE guidance.'* For the avoidance of doubt, the same issue does not arise in relation to flats on upper floors of Block C, as they have conventional single-floor layouts.

The Report conclusion is noted and taking the above considerations into account, the question is whether the harms to the maisonettes would be sufficient to justify withholding permission. As part of this, regard must be had to the planning benefits of the scheme that should be weighed in the balance.

Given the combination of these and the site-specific factors concerning full and effective use of this highly sustainable, allocated site for much-needed affordable and market housing and the relatively small scale and less than significantly adverse effects that may arise, it is considered there is no overriding justification to withhold permission for these reasons.

The second DRP commented on apparently limited sunlight levels between Blocks B and C and to the rear of Block C and the effects of this on their suitability as play space. The applicant has modelled overshadowing impacts on the scheme, as shown below:



Area	Total Area (sq.m)	Area more than 2 hours (sq.m)	Area % more than 2 hours
Ground_G1	475.33	358.82	75
Ground_G2	257.54	107.59	42
Ground_G3	560.84	406.01	72
Ground_G4	376.03	190.61	51
First_F1	604.09	563.64	93
First_F2	555.30	514.07	93
First_F3	365.13	341.10	93
Fifth_F1	202.75	191.87	95
Total	3397.01	2673.71	79



The Report concludes: *'The assessment of sunlight (overshadowing) within the proposed areas of shared amenity space has shown that 41% of the overall amenity space will receive more than two hours of sunlight on 21st March. By 21st June this will increase to 79%.'*

The Table above shows that more than 50% and the majority (5 of the 7) will receive no less than 75%. Given that play spaces in the scheme are communal, with 4 of the 6 situated at ground level and available to all residents, then children will be able to move between spaces through the day, it is considered that the layout and provision is reasonable and will not be likely to render any of the spaces unusable.

In terms of overall impacts therefore, the applicant's Report concludes: *'Given the limited number of properties impacted and the relatively high levels of daylight retained, the impact caused by the proposed development is entirely consistent with BRE guidance and relevant planning policy in terms of daylight and sunlight.'*

Having reviewed the submitted information, no reason is seen to disagree with this conclusion. It is important to bear in mind that BRE Guidelines are not to be employed rigidly.

They are not mandatory and as the Guidance states: ‘...*should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer*’.

14.11 Environmental Impacts

Turning to the individual and cumulative impacts of the development, the following are identified in the applicant’s submission documents and Reports:

Air Quality

Ealing Borough is an Air Quality Management Area (AQMA). The application site is in an Air Quality Focus Area at risk from dust impact during construction, as well as subject to pollution impacts from road traffic and the railway. The applicant has carried out an Air Quality Assessment (AQA) that has been assessed by LBE Pollution Technical. The AQA finds the scheme, when comparing the existing commercial/industrial and storage land uses and current residential car usage with the primarily car-free, non-industrial and higher environmental standards for residential and commercial use of the application, will comply with London Plan Policy to be Air Quality Neutral.

This is not to suggest that the development is unlikely to have any effects but that the development complies with the Policy requirement for new development, in terms of building and transport related emissions levels below the relevant benchmarks.

To mitigate against adverse impacts, including cumulative impacts with other development locally, Pollution Technical seeks a s106 contribution to the Council Air Quality Action Plan and conditions to cover train and commercial noise mitigation and separation, dust, odours, and air quality monitoring, emissions, controls to limit residential parking to DDA only, controls over installation of emergency generators, construction and demolition impacts including hours of operation, contaminated land remediation, bonfires and removal of asbestos. These are included in the recommendation.

Noise

The Applicant’s Noise Impact Assessment and Construction Management Plan (CMP) has been assessed by LBE Pollution Technical. The CMP provides a strategy for the management of site-based works and proposals for the mitigation of wider reaching impacts of the implementation of the development. Pollution Technical request conditions and Informatives to control noise impacts, external lighting and potential smells nuisance from commercial uses like restaurants on sensitive residential uses.

The CMP describes the strategy, including the scope and programme of works, site security, health and safety measures, noise and dust disruption, emergency routes and hours of work on site. The implementation of its measures is included in a recommended condition of permission.

Taking all the above into account, noting inter alia, that separation distances between noise sensitive and commercial/rail uses are not likely to give rise to significant adverse impacts, cumulatively or individually, these effects are capable of being mitigated by conditions and are not considered sufficiently harmful to amount to a sound and clear-cut reason for refusal.

Rail Safety

In response to consultation with HSE, the applicant has addressed concerns regarding rail safety and for residents in respect of:

1. For the height and type of balustrading in the planted garden areas facing the railway, there is a proposed 2.5m tall wall along the south edge of the podium amenity areas to Blocks A1 – A3 to minimise the risk to children climbing or playing,
2. balustrading height increased generally on the railway elevations and window opening details to Blocks A1 – A3, to minimise risks of objects falling/being blown onto the electrified railway and

3. reflected glare from the east and west elevations potentially affecting train drivers' views of railway signals. On the south elevation facing the railway, the Block A1-A3 windows are designed to be set deep into the reveals to help shade the glazing from overheating. Additional solar shading measures, such as projecting canopies, are proposed to the windows. Nevertheless, in response, an anti-glare film/coating to windows on the south elevation is proposed and a glare assessment can be undertaken. This is proposed as a condition of permission.

Wind and Microclimate

The applicant produces a Report to address the local environmental impacts on the outdoor areas of the development in respect of wind and air movement, including a pedestrian level assessment and within the balconies of flats, based on the Lawson Comfort Criteria. The Report concludes external areas at ground floor level are likely to be safe for residents, pedestrians and cyclists throughout the year.

It finds that due to funnelling and side streaming effects, the wind speeds between the proposed Blocks are expected to be suitable for strolling and/or walking during the worst (winter) season and these conditions are suitable for activities in walkways, the wind conditions at all the thoroughfares within the site and surrounds are expected to be suitable for intended pedestrian activities throughout the year.

In general, strolling and/or walking conditions outside any main entrances are unlikely to be significantly adversely uncomfortable for entrance use throughout the year as a result of locating walkways, outdoor seating, pergolas and dense evergreen foliage landscaping on both ground and first floor podiums. Therefore, any entrances located in areas where the wind conditions are not expected to be suitable for standing use but are not normally designed for standing for any prolonged period.

The Report demonstrates that wind conditions at and surrounding the proposed development would be safe and suitable for the proposed uses in context of the existing and cumulatively with future buildings, including in the wider area at Southall Sidings and the Margarine Works, as those closest and most likely to be affected. It goes on to note that future neighbouring blocks are likely to add further shelter to the proposed development for pedestrians and cyclists.

The above are achieved with landscaping and screening to balconies as proposed and would be controlled by proposed conditions of permission.

Energy and Sustainability

The Applicant's Report concerning sustainable energy usage, sustainability of the scheme generally, alternative technologies, management of CO2 emissions, PV provision and other relevant matters has been appraised by Emergence, the Council's Energy Consultant, who is '*highly supportive*' of the proposed strategy. The Energy Strategy has been assessed against the draft SAP10 benchmark and follows the standard energy hierarchy of "Lean, Clean, Green" required by London Plan Policies SI2 and SI3 and Ealing DPD Policy 5.2. The applicant has responded to the GLA Stage 1 request for further clarification.

Regulated CO2 emissions reductions from both the dwellings and the non-residential space will be 66% and 43% respectively. These meet and significantly exceed the policy requirement for at least 35% reduction to be achieved on site. In accordance with normal practice and policy, the remainder to achieve the Net Zero target reduction would be through a carbon offset payment at the LBE level of £95/tonne.

S106 clauses and conditions are proposed to secure appropriate provision and maintenance and a financial contribution towards monitoring in compliance with development plan policy.

Environmental Health (Contaminated Land)

The application is supported by a desk top study for contamination. Conditions and Informatives are proposed in the recommendation.

Flood Risk

The site is in Zone 1, at the lowest risk of flooding but in a critical drainage area. The applicant has produced a Flood Risk and Drainage Strategy including a detailed SUDS assessment, incorporating underground catch modular catch tanks for attenuation.

The LLFA supports the applicant's strategy to attenuate the flow of water and the accumulation impacts from multiple development sites, which seeks to provide significant betterment with incorporation of green-roofs, rain gardens, water treatment amenity and bio-diversity benefits. Measures for SUDS, surface water and harvesting, and foul water management and drainage would be regulated by the proposed conditions in the recommendation.

14.12 Conclusions on Cumulative Impacts

Taking all of the above into account, including and employing the relevant criteria of Tall Buildings Policy as well as London Plan Policy D9, LBE Core Strategy Policy 1.2(h) and DM Policy Policy 7B and other associated Policies as cited above, i.e. functional, architectural, townscape, aesthetic, environmental and in terms of Housing quality and standards in relation to residential amenity external and internal amenity space standards, inclusivity will not have an adverse impact on existing and future residential neighbouring properties and offering acceptable residential amenity for future occupiers (daylight and sunlighting) in accordance with London Plan Policy D6. It is considered the proposal will satisfactorily comply with relevant criteria and the development plan policies are satisfied.

It is appropriate therefore to turn to consider the impacts on heritage assets and the weight to be ascribed by any public benefits of the scheme.

15. Heritage Assets and Public Benefits

As noted in the assessment in Section 14.4 above, the acknowledged 'harm' to statutory and locally designated assets is found to be no more than 'less than substantial,' a conclusion also reached by the GLA.

This is a high-quality development that integrates well in relation to these assets, as well as positively in the area. It is necessary nevertheless to follow the national policy test and balance the less than substantial harm with the benefits of the scheme.

Where there is 'harm', NPPF para. 202 requires there must be substantial public benefits that outweigh the harm. Therefore, in accordance with statute, policy and case law the public benefits of the development are to be weighed in the planning balance.

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

This application delivers the following public benefits:

1. optimisation of the regeneration of this under-utilised, sustainable and development plan Allocated urban site,
2. significantly increase the supply of new dwellings by providing 516 new flats in this brownfield land location,

3. 50% affordable housing (by habitable room) in a range of unit types, including a significant proportion of family-sized units, to help meet housing need in the area,
4. mix of genuinely affordable homes comprising London Affordable Rent (LAR) and Intermediate held in perpetuity,
5. new accessible and adaptable affordable and market homes,
6. replacement of present business land uses with high quality, energy-efficient development and incorporation of space for community uses suitable for SMEs, new start-ups and direct and indirect expenditure locally including that capable of supporting local culture and creative industries,
7. suitable community space to accommodate a new CCG health facility if it proceeds,
8. estimated creation of up to 44 jobs new jobs compared to the existing 8-10 jobs,
9. new training and apprenticeships in construction and training,
10. significant new public realm and spaces,
11. improvements to management of air and environmental quality,
12. improved public accessibility including contributions towards pedestrian and cycle-friendly connections through the site and the wider area with improved safety,
13. environmental enhancements from a substantial increase in tree planting across the site comprising over 150 new trees, the majority of which will be street or public realm trees that will positively contribute to improving the character of the area, urban greening and ecological enhancements, reduced and managed surface water run-off.

These benefits are advanced against the acknowledged harm and were acknowledged as such by the GLA in their Stage 1 analysis.

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

16. Whether this is a Sustainable Development

Turning to whether this development can be regarded as 'sustainable', para.8 of the Framework explains that "*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)*". The proposal positively responds to all three objectives in the following ways:

a) economic objective – it will make a significant contribution to the local economy by providing commercial and employment space. It has the potential to create some a range of new jobs and generate substantial direct and indirect expenditure locally.

b) social objective – it makes a meaningful and early contribution to the supply of 516 new homes. Of particular importance it will provide 233 new affordable homes in a range of tenures and for persons on different incomes. This contribution is significant in view of the need to apply the 'tilted balance' to the decision-making process.

It will also contribute towards enhancing a strong, vibrant and healthy community, with a range of well-designed new flats creating a safe built environment, with accessible services and facilities and high-quality open spaces including public realm and open space.

c) environmental objective – contributes to protecting and enhancing the natural, built, and historic environment, including making effective use of land, significantly improving tree cover, landscaping and biodiversity.

Para.11 of the Framework states that planning decisions should apply a presumption in favour of sustainable development. The regeneration benefits set are components of the planning balance to advance against the acknowledged less than substantial harm. Collectively, the public benefits are considered to have sufficient weight to outbalance the less than substantial harm to the significance of the heritage assets as noted above. Harm to heritage assets therefore is not a reason by itself to refuse permission for this application.

Having considered all the material planning considerations, including that contained in the NPPF and NPPG, GLA and LBE development plans and taking policy as a whole and in applying the Planning Balance, the conclusion is that this would be a sustainable development in accordance with the Framework.

17. Fire Safety

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

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

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

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

In relation to fire safety in 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.

18. Risks from Unexploded Wartime Ordnance

The applicant has commissioned an Unexploded Ordnance Report (UXO) given Southall sustained an 'overall moderate' density of bombing during WWII. It finds:

'In summary, the site has been risk mapped into two sections – the northern and a small section of the eastern area of the site has been deemed Medium Risk of UXO contamination. This is because a bomb fell in the eastern section of the site. Additionally, ground conditions in the northern section of the site are not anticipated to have been conducive to the detection of evidence of UXO and therefore could have easily been overlooked in scrubby and unmaintained areas, such as the northern section of the site.

'The southern area of the site has been assessed as Low Risk of UXO contamination. This is because no bombs were recorded in this section of the site. Additionally, it is considered likely that had an unexploded bomb fallen within this section of the site, that it would have been obvious, given that this area of the site is likely to have been accessed more frequently during the war...

'...There is no evidence that the site formerly had any military occupation or usage that could have led to contamination with items of Allied ordnance, such as LSA and SAA. The

conditions in which HAA or LAA projectiles may have fallen unnoticed within the site boundary are however analogous to those regarding aerial delivered ordnance.

'The site has been subject to major redevelopments since WWII with the demolition of most structures and all railway sides on site and the construction of the structures visible today. An in house geo-data indicates that the site has retained its composted (sic) circa 1999.'

The Report concludes that notwithstanding the above, a site-specific plan for the management of UXO risk be written for this site. This plan should be kept on site and be referred to in the event that a suspect item of UXO is encountered at any stage of the project. A condition to this effect is recommended.

19. s106 Contributions

The scheme would be mitigated by financial and non-financial clauses within a s106 agreement to secure 50% (by habitable rooms) affordable housing tenure mix; transport; health; education; amenity/open space; construction, employment and training contributions; apprentice and placement scheme; energy monitoring; parking permits, CPZ review; highways restoration and works and payment of the Council's legal and professional costs incurred in preparing the agreement as well as any s278 highway works agreement to implement off site highway works (site access, etc.).

Accordingly, relevant development plan policies are satisfied.

20. Community Infrastructure Levy

Of the total chargeable development of approx. 54,800sqm GIA, and MCIL relief applied to approx. 24,000sqm GIA of affordable housing floorspace, an estimated calculation gives £1.6m.

21. Overall Conclusions on the Application and Recommendation

Overall, the development proposes a high quality residential-led, mixed use, regeneration of this previously land developed site, whilst helping to achieving strategic and local regeneration and spatial planning objectives that will positively contribute towards the Council's requirement to ensure the provision of new homes. This contribution is significant in view of the need to apply the 'tilted balance' to the decision-making process.

It will deliver a high quality and modern new, mixed, residential, community and commercial floorspace, to a high standard with a good mix of unit sizes for families and disabled people that comply with adopted standards in an appropriate mix of tenures. It more than satisfactorily meets policy for the demolition and replacement of affordable housing. It will also contribute to and not prejudice achievement of the wider SOU4 Site Allocation objectives and Gateway SPD objectives. It will positively help to assist in the delivery of new housing, especially affordable housing, job, community facilities and public realm/town scape improvements, along with extensive new tree planting to compensate for the felling of TPO trees fronting Park Avenue, consistent with London Plan Policies H1 and D3 and having regard to all other material considerations.

The development is an example of a scheme where, as stated in NDG para.16: *'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context'*.

At NDG para.59 it states: *'Where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity'*. The existing environment presented by the site is visually unattractive and uninspiring. The proposal on

the other hand will positively transform the area with residential buildings in new typologies of high architectural and material quality.

The urban design of the scheme will create a high-quality sense of place that accord with the development plan. It proposes a high quality, tall buildings elements in a rational and well-planned form that, following London Plan Policy D4, has been carefully analysed and scrutinised by the GLA, CRP and two DRPs. The site is expressly allocated in SOU4 for a tall building typology and is in a suitable Town Centre location recognised as appropriate by London Plan Policy D9.

That part of the site lying outside of the Allocation - the Milan Road housing comprising Block C - does not include a 'tall' building as defined by Policy D9. The development therefore complies with this Allocation in Policy, regeneration and design terms in this Opportunity Area. It is also a demonstrably sustainable development in close proximity to Southall Crossrail Station.

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

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

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

Having been assessed the proposals it is concluded the application will not be likely to give rise to more than less than substantial harm to the significance of the heritage assets. It has also been concluded that the public benefits of the application outweigh the harm to heritage assets and tip the balance under Framework para.202 in favour of a grant of permission.

Any identified non-compliance with development plan Policies is more than satisfactorily balanced with the cumulative benefits of the development in achieving other Policies of the same Plan as listed above and the LBE Local Plan, to secure full and optimal use of this site allocation to provide new homes, particularly affordable homes with significant new employment and community space, as well as environmental improvements.

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

The presumption in favour of sustainable development means that support can be given to this important regeneration project proposal that will create an exceptional quality and attractive extension to this part of Southall town centre, help to support the community, make an important contribution to the delivery of new homes, local jobs and public realm whilst

respecting amenity and privacy of surrounding residents, the significance of heritage assets and local character.

Having established there are clear and substantial public benefits from this project that very substantially increases the amount of affordable and market housing on the site, taking account of the tilted balance it is demonstrated that, taking the development plan as a whole, the Planning Balance and NPPF sustainability criteria support this application.

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

22. Human Rights Act

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

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

23. Public Sector Equality Duty

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

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

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

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

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

g) 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.

h) It is considered that the recommendation to grant planning permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Appendix: Conditions and Informatives

