

**Ref:** 214465OPDFUL

**Address:** Castle Hotel Victoria Road Acton London W3 6UL

**Ward:** East Acton

**Proposal:** The demolition of the existing public house and the redevelopment of the site to provide a part 32 storey, part 27 storey comprising 462 co-living rooms with associated communal amenity spaces (Sui Generis), a public house (Sui Generis) and associated access, cycle parking, blue badge parking, bin storage and landscaping

**Drawing numbers:** Refer to relevant conditions (Annex 1)

**Supporting Documents:** Refer to relevant conditions

**Type of Application:** Full Application

**Application Valid:** 02.06.2021

**Application Amended:** 20.12.2021 and 17.02.2022

**Report by:** Chris Maltby

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

1) That the applicants, London Borough of Ealing and Old Oak and Park Royal Development Corporation having a requisite interest, be invited to complete the Section 106 Agreement in accordance with the detailed summary of the proposed terms of the planning obligations for this application in the 'Legal Agreements and Community Infrastructure Levy' section of this report, subject to:

a. such reasonable amendments as may be approved by the Head of Development Management (LBE) having due regard to any comments of the (Stage II referral) Mayor of London and/or TfL and/or any other relevant comments on the Revised Section 106 Agreement; and,

2) That upon completion of the Section 106 agreement the Head of Development Management (LBE) be instructed to APPROVE the application ref: 214465OPDFUL under delegated powers and grant planning permission subject to conditions substantially in the form contained in the subsequent recommendation (with such detailed amendments as the Development Planning Manager may consider to be reasonable and necessary in the course of negotiating the final Section 106 Agreement and having due regard to any comments of the Mayor and/or TfL and/or OPDC and/or any other relevant comments on the Conditions).

**PROCEDURE FOR DETERMINING THE PLANNING APPLICATION**

This planning application is for Detailed Planning Permission for a mixed-use redevelopment of the site to including the demolition of the existing public house and the redevelopment of the site to provide a part 32 storey, part 27 storey building comprising 462 co-living rooms with associated communal amenity spaces (Sui Generis), a public house (Sui Generis) and

associated access, cycle parking, blue badge parking, bin storage and landscaping and all necessary enabling and mitigation and associated works was submitted on 2<sup>nd</sup> June 2021. The Application has undergone consultation for a period well in excess of 6 weeks, including consultation in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. Site notices notifying the planning application were erected on and in areas adjacent to the site.

Following discussions with the local planning authority, further information, to correct, clarify and amend various aspects of the application, were submitted in December 2021 and February 2022.

A summary of the consultation process and responses is contained in the 'Statutory Consultation' section of this report, below.

The site is located within the 'North Acton sub-area' of the Old Oak and Park Royal Opportunity Area. The local planning authority for the Opportunity Area is the Old Oak and Park Royal Development Corporation (OPDC). Planning applications within the North Acton sub-area are however, delegated to the London Borough of Ealing for determination in accordance with the scheme of delegation between the two authorities as reviewed and updated in June 2020.

The planning application was originally submitted to the OPDC on the 21<sup>st</sup> June 2021 and subsequently delegated back to the London Borough of Ealing to be determined.

The Greater London Authority has been notified as the application is within the thresholds of potential strategic importance to London. The application has been referred under the following categories: (1A) new housing exceeding 150 units, (1B) (c) mixed uses exceeding 15,000sqm and (1C)(c) new buildings over 30 metres high.

The Mayor of London considered the proposal on 27<sup>th</sup> September 2021 and issued a letter of response containing the Mayor's observations on the application. These comments are generally supportive of the application proposals subject to various clarifications and additional information and are reported in the consultation section of this report. The contents of this report have been considered by both the applicant and the Council and the Mayor's comments have been properly addressed as far as is reasonably practicable through the provision of further information during the post-submission consultation process and/or the application of planning conditions and obligations.

### **Executive Summary**

This report considers a full Planning Application for this 0.109-hectare site located in North Acton (North Acton Ward), within the 'North Acton sub-area' of the Old Oak and Park Royal Opportunity Area. The application site is currently occupied by the now closed The Castle Public House. The existing pub building built in the 1930's comprises a two-storey building with associated beer terrace and parking area. The building has been vacant since late 2020 and is currently surrounded by a secure site hoarding.

The applicant is Tide Construction Limited and the architect practice for the proposals is HTA Design LLP who are responsible for the design and landscape proposals for the site. HTA have also been responsible for providing Town Planning expertise and Viability expertise has been provided by DS2.

The proposal seeks permission for a residential led mixed-use scheme, comprising of the demolition of all existing buildings and structures and providing:

- A single part 32 storey and part 27 storey with 2 basement levels, providing 462 co-living residential units with associated communal amenity facilities for residents. The proposed use is a sui generis use.

- The co-living units are arranged between floors 4 and 30 with 18 units on a typical floor level and 12 units per floor on the upper 4 floors. The average room size is proposed to be 22.5sq.m (varying in size from 19.5sq.m – 25.7sq.m). Each room will comprise its own separate living, sleeping, kitchenette area, bathroom and built-in storage.
- Communal facilities are provided at 1<sup>st</sup> floor (lounge, laundry and library), 2<sup>nd</sup> floor (dining/cooking area, co-working and residents terrace), 3<sup>rd</sup> floor (gym, games room, cinema room) and 31<sup>st</sup> floor (landscape terrace, resident sunrooms). The co-living reception and café is located at ground floor level.
- Also located at part ground and part 1<sup>st</sup> floor level a replacement pub is proposed. The replacement pub comprises a total of 320sq.m arranged over ground and first floor with bars areas serving both floors. The first floor being capable of being used independently.
- To the front of the scheme addressing both Victoria Road and Wales farm Road the proposals include enhancements to the public realm and hard and soft landscaping
- The proposed building includes a service area to the rear which would be entered from Wales Farm Road and exited via Victoria Road. The service area allows all vehicles servicing both the co-living and pub uses to load and unload off street. Also located within the service area are two blue badge accessible parking spaces.
- The building proposes two basement levels which contain plant rooms, refuse storage areas, cycle storage areas and other ancillary spaces.
- A total of 434 cycle parking spaces are proposed including 414 long stay spaces located in two basement levels accessed via a dedicated bike lift. In addition, a further 20 short stay spaces are proposed in the public realm surrounding the development.
- The development proposes a financial payment in lieu of affordable housing on site due to the nature of the housing product being proposed. The financial payment secured following a robust analysis of the schemes viability is £13.1m equivalent to the provision of 72 on site (co-living) affordable housing units or 15.5%.

The proposed scheme has been developed through extensive pre-application consultation in joint meetings attended by Officers from LBE, the OPDC and the GLA. The proposals have also been subject of review by the OPDC's Design Review Panel (DRP) and Community Review Group (CRG). Through this iterative process the proposals have been scrutinised and enhanced and the resultant scheme is considered to comprise a high-quality building in its own right that also complements the rapidly emerging context in this strategically important regeneration area.

Having given careful consideration to all the material planning considerations, including that contained in the NPPF and NPPG, National Design Guide (NDG), GLA and OPDC development plans and taking policy as a whole and in applying the Planning Balance, the Officer's conclusion is that this would be a sustainable development in accordance with Framework criteria. Para. 11 of the Framework which states that planning decisions should apply a presumption in favour of Sustainable Development.

In accordance with the legal tests and planning practice, the affected statutory and non-statutory heritage assets have been identified (locally listed The Castle Public House) and the harm resulting from its loss has been assessed and is considered to be less than substantial. Nevertheless, in accordance with the 's66 duty' considerable weight must still be attributed to the harm. In addressing the public benefits, significant weight in favour is given to the

contribution of 462 co-living residential units, a financial payment towards affordable housing of £13.1m. Weight is also given to the replacement of the existing public house with a new public house and the economic/employment and social benefits that will arise. Weight is also given to the employment and economic benefits that will arise during the period of construction.

Collectively, the public benefits are considered to have sufficient weight to outweigh the less than substantial harm arising from the demolition of the heritage asset. Therefore, it is considered they would, taking all considerations into account, tip the balance under NPPF para.196 in favour of supporting a grant of permission for this positively beneficial regeneration development in accordance with the development plan and having regard to all other material considerations.

The development is 32 storeys in height and is therefore considered as a tall building in policy terms. It is located on a site identified within the adopted OPDC Local Plan as being suitable for tall buildings and also falls within a town centre location with good levels of access to public transport.

The proposed building has been considered against OPDC Local Plan policy D4 and London Plan policy D9 tall building criteria which sets out various guidelines for developments including tall buildings. Overall, the proposed tall building would accord with policy and is considered to be designed to a very high standard. Its impact on the townscape in short, medium and longer distance views has been assessed and found to be acceptable. The case for a tall building on this site is therefore accepted.

Architecturally the proposed building is of a high standard and incorporates the use of high quality and sensitive materials and detailing that give the building a slender and elegant appearance. Contrasting bays break the building into different parts with contrasting materials contributing positively to the quality of the building. At ground floor level the pub use projects from the tower to give it a more prominent appearance in the street. The façade of the pub is proposed to a high standard effectively incorporating aspects and materials of traditional pub designs.

The proposed co-living accommodation is considered to be proposed to a high standard with generously sized co-living units and a wide range of shared amenity spaces that are considered to be acceptable both in terms of quality and quantum. The proposal will provide a high-quality residential environment of a type not currently provided in the North Acton area.

The proposed development would provide high standards in terms of sustainable design and construction including two parallel communal site-wide heat distribution loops using (air-to-water) Air Source Heat Pumps with a backup gas boiler. The ASHPs will provide approximately 70% of the annual energy demand with the gas backup boiler supplying the remaining 30%. A PV array at roof level is also proposed. With these measures, the overall site-wide CO2 emissions would be cut by at least 44.81%. Potential impacts with regard to air quality, noise, wind effects and land contamination have been assessed and where required additional information/details can be adequately dealt with by the conditions proposed.

This is a car free development. Transport Services and TfL have assessed its potential implications for the highway network in the locality and consider it acceptable subject to conditions and financial contributions towards improving local pedestrian and cycle infrastructure as well as a financial contribution toward improvements to North Acton Station as secured via the s106. The site is located in an area of good public transport accessibility and, with the conditions and planning obligations agreed, including a restriction on resident parking

permits and provision of car club memberships to future residents, any potential impacts arising from the proposal will be satisfactorily mitigated.

Letters of objection to the proposed development have been received from local residents and amenity groups. The objections raise a range of concerns, but issues cited by almost all objectors included concerns about the impacts of the construction activities; the height and density of the development; the effect of the dense residential development on social and other infrastructure the impact of the low level of car parking and the impact of additional vehicles on traffic congestion on the local highway network. A summary of the issues raised by objectors is set out within the report.

Overall, the scheme will provide a number of planning and regeneration benefits including a sizeable increase in the housing stock, funding for the provision of off-site affordable housing, provision of access to community space for residents in a new public house and in the order of £2.9 million in S106 contributions with CIL contributions payable to the GLA in addition.

On balance, it is considered that the proposed development is consistent with the aims of the relevant policies of the adopted OPDC Local Plan (2022), The London Plan (2021), Relevant Supplementary Planning Guidance and the National Planning Policy Framework (2021). As such, it is recommended for conditional approval subject to S106 and S278 legal agreements

**FULL RECOMMENDATION**

That planning permission is granted pursuant to this Application subject to the following:

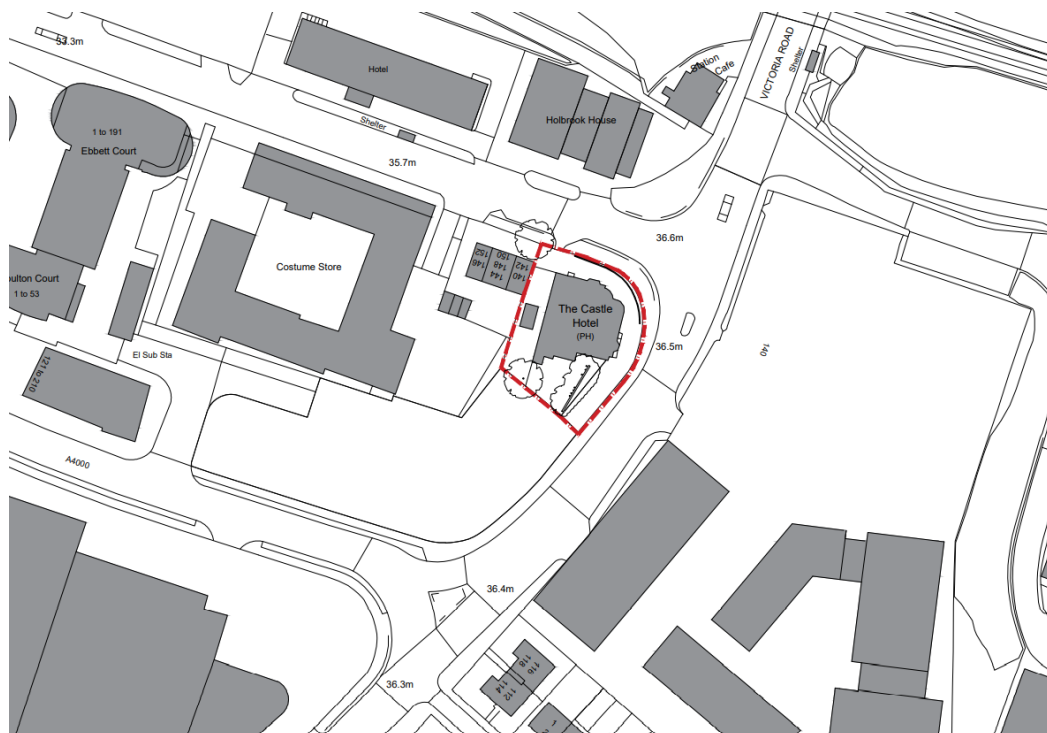
1. Any **direction of the Mayor**. Following the Council's consideration of the Application, it will be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008;
2. The completion of a **legal agreement** under Section 106 of the Town and Country Planning Act 1990 (as amended) and that the Planning Committee delegate authority to the Chief Planner to finalise the details of the s106 Agreement, which shall contain the following **obligations**:
  - a) Affordable Housing
    - i. A commuted sum of £13.1m towards the provision of AH in North Acton or wider OPDC area (to be paid 50% within 2 months of commencement and 50% prior to occupation)
    - ii. Early and Late Stage Review Mechanisms with 100% of any surplus identified at the late stage review being retained by the relevant planning authority.
  - b) Healthy Streets and Public Realm Contribution – financial contribution of £476,900 to included funding towards but not limited to, the improvement of cycle facilities on Victoria Road, tree planting in the vicinity of the site, and projects identified in the LBE/OPDC Public Realm Prospectus for North Acton.
  - c) North Acton Station Improvement – financial contribution of £508,200.
  - d) Car Club – 3 years free membership for future residents of a nearby car club scheme
  - e) Travel Plan – financial contribution of £3,000 towards travel plan monitoring
  - f) CPZ Restrictions - All occupiers of the building shall be precluded from obtaining a parking permit and visitor parking vouchers to park within the surrounding Controlled Parking Zones and future CPZ's in the area.

- g) Air Quality Monitoring – financial contribution of £46,200.
- h) Healthcare Contribution – financial contribution of £690,083 towards the provision of healthcare facilities; new primary care provision.
- i) Employment and training/Local Supply Chain Initiatives – financial contribution of £410,200 and the submission of a Local Labour, Skills and Employment Strategy and Management Plan
- j) Local Parks and Open Spaces – financial contribution of £300,000 towards the improvement of local parks and open spaces in North Acton or wider OPDC area
- k) Carbon Offsetting – financial contribution of £539,750
- l) Post Construction Energy Monitoring – financial contribution of £12,765
- m) Section 228, Section 278 and Section 38 - Developer to enter into a S228, S278 and S38 agreement with the London Borough of Ealing and/or Transport for London, as necessary to ensure the delivery of any necessary highways related works which may include reinstatement of footway, rectifying damage caused by construction and the formation or reinstatement of vehicle crossings into and out of the site. In accordance with a specification to be agreed with the council.
- n) Co-living – Submission of a detailed Management Scheme including details of the appointed Co-living site manager/s
- o) Accessible Parking Space – Provide and retain accessible parking spaces on site for the duration of the development and submission of a management plan.
- p) Cycle Hire Scheme – Submission of details of the proposed cycle hire scheme to serve the co-living accommodation
- q) Community Use – Submission of details of the use of the first floor of the proposed public house at presential rates by local community groups
- r) Design Monitoring – retention of the lead architect
- s) All contributions to be index linked.
- t) Councils Legal Costs - Payment of the Council's reasonable legal and other professional costs incurred in preparing the S106 agreement

AND the conditions and informatives set out in **Appendix 1** to this Report.

**Site Description**

The site location is shown outlined in red below:



The Application Site comprises a 0.109ha corner plot, situated at the junction of Victoria Road and Wales Farm Road (A4000) within North Acton. It is currently occupied by The Castle pub building, a 1930s two-storey public house with associated beer terrace and parking area to the front. The existing building has been vacant since late 2020, and hoarding has been erected around the boundary of the site in order to keep the building and site secure.

The site falls within the administrative boundary of the London Borough of Ealing (LBE) and within the North Acton Ward boundary. The site also sits within the North Acton area of the Old Oak and Park Royal Development Corporation (OPDC).

The site has good transport links with the A40 located to the south, a large number of bus stops located in close proximity on Victoria Road and Wales Farm Road. North Acton Underground station is located approximately 200m to the west of the site and North Acton Mainline Station is located within 1km of the Site. There are two Local Cycle Routes in proximity to the Site both of which are on-road routes. The site currently has a PTAL of 5, which will improve in the future with the provision of full Elizabeth Line services at Acton Main Line station and Old Oak Common station, and HS2 also serving Old Oak Common station.

The site is not located within a conservation area with the nearest conservation area being Old Oak and Wormholt located approximately 600m to the east, The Castle pub building itself is locally listed (OPDC’s Local Heritage Listing, adopted 30 January 2020) there are no other statutory or locally listed buildings in close proximity to the site.

As noted the Site falls within the Old Oak Common Opportunity Area which is forecast to deliver almost 20,000 new homes and over 35,000 new jobs by 2038. In North Acton the delivery of these new homes and jobs is well advanced and in recent years the area immediately surrounding North Acton Station has witnessed a number of significant redevelopments and a cluster of new tall building has begun to emerge.

The area surrounding the application site contains predominantly mixed-use buildings of various heights, including a number of tall buildings up to 55 storeys in height. The surrounding area contains a wide mix of land uses including residential, commercial and retail. The site is located in an area of significant change; therefore it is important to understand the forthcoming context of the area.

Immediately to the south of the Site the currently vacant site on the corner of Wales Farm Road and the A4000 has a resolution to grant planning permission subject to the signing of a legal agreement for a redevelopment comprising a part 10 storey, part 36 storey building comprising 350 residential units with commercial units on the ground floor.

To the southeast of the site 140 Wales Farm Road has been partially redeveloped with a 31-storey building accommodating 736 student bed spaces and immediately to the east of the site the former Perfume Factory site has consent for 3 blocks of 16, 25 and 14 storeys comprising commercial uses on the ground floor with 380 residential dwellings on the upper floors.

To the north of the site Holbrook House is a recently completed part 18, part 24 storey building housing 424 student bedspaces and to the west of the site no.'s 142-154 Victoria Road comprises a low rise building arranged over ground and two upper floors including commercial uses on the ground floor with residential above. This site has also been subject of recent pre-application discussions concerning its redevelopment.

The site is in proximity to both Heathrow Airport and Northolt Aerodrome and as a result the site sits within an area subject to 'Aerodrome Safety' in which specific height limits are applied to new developments according to international standards and recommended practices to ensure safe take-off and landing of planes at the adjacent airports.

### **Relevant Planning History**

There have been no recent planning decisions on the site of relevance to this proposal

### **The Proposed Development**

#### **Overview**

The formal description of the current proposal is:

*“The demolition of the existing public house and the redevelopment of the site to provide a part 32 storey, part 27 storey comprising 462 co-living rooms with associated communal amenity spaces (Sui Generis), a public house (Sui Generis) and associated access, cycle parking, blue badge parking, bin storage and landscaping.”*

The proposed development comprises:

- A single tall building part 32 storey and part 27 storey
- The building will comprise the re-provision of the Castle Pub (sui generis use) at ground and first floors with 462 co-living rooms (Sui Generis use) arranged over the upper floors of the building.
- The proposed building take a roughly triangular form and is arranged in three wings (28<sup>th</sup> floor and above arranged around two wings) with a centrally located stair and lift core.
- The building is served by 3 lifts and 2 staircases that serve all floors as well as the basement levels
- The building is serviced by a dedicated off street service yard to the rear of the building. The service yard is accessed from Wales Farm Road and exited onto Victoria Road.



The service yard allows all vehicles servicing both the co-living and pub uses to load and unload off street.

- The development makes provision for 2 off street blue badge parking spaces
- The development makes provision for a total of 434 cycle parking spaces including 20 short stay spaces located in the public realm surrounding the proposed development and 414 spaces will be long stay spaces located in dedicated secure cycle stores located at basement levels and accessed via a dedicated cycle lift.
- The proposed development includes outdoor terraces located at level 2 and level 31 serving the co-living use. At ground floor area the proposed pub is served by a terrace
- To the front the proposed building enhancements of the public realm are proposed with localised planting adjacent to the building.

The applicant confirms that the development will be built using off site modular technology which will have advantages in terms of the quality of the product, shorter on site construction period and a less disruptive construction process than that associated with a traditional build method.

### **Co-living Building**

As noted above the proposed development is led by a co-living residential use comprising 462 co-living rooms. Co-living is a residential community living model or a modern large scale form of shared living. It operates and functions in a similar way to student accommodation but is aimed at professionals and generally has a high specification and access to a wider range of amenities within the building.

- In respect of the proposed development the co-living residential units are arranged between levels 4 and 30 with 18 units per floor on a typical floor and 12 units per floor on the upper 4 floors.
- The average rooms size is 22.5sq.m with rooms ranging in size from 19.5sq.m to 25.7sq.m. Each room comprises its own separate living, sleeping, kitchenette areas with a bathroom and inbuilt storage
- In addition to their individual rooms all residents also have access to a range of communal areas and accessible terraces. A total of 1,350sq.m of communal space is proposed equivalent to 3sq.m per units.
- The communal areas comprise:
  - 1<sup>st</sup> floor – Communal lounge, laundry, library
  - 2<sup>nd</sup> floor – Dining/cooking area, flexible dining/co-working, residents terrace
  - 3<sup>rd</sup> floor – Gym, games room, cinema
  - 31<sup>st</sup> floor – Landscaped terrace and resident sun rooms

### **The Castle Pub**

The proposals include the replacement of the existing public house on the ground and first floor of the proposed building. The pub use anchors the buildings and provides a community focused public use on this prominent corner.

- The pub comprises 320sq.m of internal space with 300sq.m being internal pub space. The first floor is capable of being used separately with its own entrance and would be suitable for community uses and other private uses

### **Environmental Impact Assessment**

The applicants sought an EIA Screening Opinion to confirm that the proposed development is not one requiring an Environmental Impact Assessment. Careful consideration was given to the location, scale and nature of the proposals, which would primarily involve a residential (co-

living) development with a replacement pub and take place solely previously developed land on a 0.109 ha site within an existing urban area and which does not contain or adjoin any environmentally sensitive areas or areas of high flood risk. The proposed scale of the development would also not be significantly higher than adjoining development in the area. In July 2021, the Council issued a Screening Opinion to confirm that this proposal was not one requiring an Environmental Impact Assessment.

**Consultation**

**Public Consultation – Summary**

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| <p>Neighbour Notification</p>                  | <p>An initial consultation period ran from 07/07/2021 – 28/07/21. Major site notices posted. The proposals was also advertised in the Local Press.</p> <p>Following the receipt of revised details a second consultation was undertaken and ran from 15/03/2022 – 05/04/2022</p> <p>31 objections were received from a local residents as a result of both consultations with the main issues raised as follows:</p> <ul style="list-style-type: none"> <li>• Overdevelopment of the site;</li> <li>• Building too high and out of keeping</li> <li>• Too many tall buildings in the same location</li> <li>• Lack of natural light and wind tunnel effects due to number of tall buildings</li> <li>• Loss of public house</li> <li>• Loss of valuable community resource</li> <li>• Loss of historic character</li> <li>• Lack of parking</li> <li>• Insufficient public consultation</li> <li>• Years of disruption. Noise and dust caused by the development</li> <li>• No demand for all the additional homes being built</li> <li>• Poor living conditions, overcrowding</li> <li>• Area is already overdeveloped</li> <li>• Lack of green space</li> <li>• Increased pollution and health risks for local people</li> <li>• Insufficient local resources such as doctors, dentists, schools to serve increased population</li> <li>• Proposed development compromises redevelopment of neighbouring site</li> <li>• Ealing Council more interest than making money than serving the community</li> </ul> |
| <p><b>External Consultation</b></p>            |   |
| <p>Thames Water Utilities - Waste comments</p> | <ul style="list-style-type: none"> <li>• Foul water – sewerage network infrastructure capacity – No objection</li> <li>• Surface water network infrastructure capacity – No objection</li> <li>• Request informative be added due to development being within 15m of underground waste water assets</li> </ul>  |

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|                                      | <ul style="list-style-type: none"> <li>Requests applicant incorporate protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances).</li> </ul>   |
| Thames Water – Water comments        | <ul style="list-style-type: none"> <li>Concerns in respect of ability of existing water network to serve the proposed development therefore condition recommended require further investigation and upgrade of infrastructure if required prior to occupation</li> <li>Request informative be added due to development being within 15m of strategic water main and underground water assets</li> </ul>   |
| HS2                                  | No objection. Request standard informative be added to any decision issued.   |
| Ancient Monuments Society            | <p>Object – due to <i>‘the unjust loss of a heritage asset. The fact the proposed tower includes a replacement public house shows that the existing building would be a viable business going forward, particularly with the number on new apartments already built or proposed in the immediate lots. It was not a redundant heritage asset, nor is it a site that is essential for provision of infrastructure, nor is the development of the site essential to achieve the Opportunity Area’s development objectives. Further, the design of the proposed replacement tower is the same ‘anodyne anywhere architecture’ seen in every other urban renewal area in London, with no regard for local distinctiveness or the creation of a unique sense of place.</i></p> <p><i>Little consideration has been given to the contribution of the Castle Public House to local heritage. Significant change has already occurred, with a great deal of future development proposed in the draft Local Plan. Both the London Plan and draft Local Plan seek to enhance the historic environment and ensure both heritage and non-designated heritage assets are a valued component of these opportunity areas and, in our opinion, this application fails on all these levels and should be refused’.</i></p> |
| Heathrow Airport                     | No safeguarding objections but crane operators to consult the airport before erecting a crane and any crane should be fitted with static red omnidirectional lights at its highest part   |
| National Air Traffic Services (NATS) | No objection.   |
| Civil Aviation Authority             | No response.  |
| Environment Agency                   | No response.  |
| Ealing Civic Society                 | Object – <i>‘We reiterate our comments in response to the public consultation, to which there was unfortunately no response by the applicant. We strongly object to the proposed demolition of the Castle Hotel, which is locally listed. Demolition of the building would be a clear breach of policy HC7 of the London Plan 2021, which protects pubs as a “unique and intrinsic part of British culture”. We continue to urge the developer to consider alternatives which would preserve the existing building. As we suggested at the consultation, one such alternative would be to acquire the neighbouring site,</i>  |

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|                                   | <i>which we note is unsightly and would be further isolated if this development goes ahead, and dismantle and rebuild the pub in identical form. We note and welcome that a Level 2 Historic Building Record has been carried out but request in addition that should the pub not be preserved, its most interesting internal features and contents should be preserved and placed in a suitable museum. This should be secured by condition’.</i>  |
| NHS Estates                       | Require contribution of £690,083 towards improvement of primary care facilities in the area.  |
| Design Out Crime                  | No objection but seeks planning condition so that this development must achieve Secured by Design accreditation.  |
| Health and Safety Executive (HSE) | The HSE responded confirming that as the application was submitted before 1 <sup>st</sup> August 2021 they are not a statutory consultee in respect of Gateway 1 in respect of this application and therefore would not be providing a response.  |
| London Fire Brigade               | The LFB issued a standard response confirming that the applicant should ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector for approval. LFB also provided Guidance Note 29 relating to Fire Brigade access to buildings for consideration of the applicant.  |
| Transport for London              | <ul style="list-style-type: none"> <li>• Response contained within GLA Stage 1 Report.</li> </ul>   |
| Greater London Authority          | <ul style="list-style-type: none"> <li>• The application does not fully comply with the London Plan but may become acceptable in strategic planning terms if areas of concern are addressed;</li> <li>• Land use principle - Co-living led mixed use development will be supported on this site subject to the case for the loss of the locally listed Castle Public House being justified by public benefits of development and the resolution of issues raised in relation to co-living residential design quality and affordable housing</li> <li>• Affordable housing - The applicant is proposing 20% affordable housing either on-site as discounted co-living units, or as payment in lieu towards conventional affordable housing. On-site provision is contrary to London Plan Policy H16 and payment in lieu is required. The affordable housing contribution falls short of expectations and the scheme’s viability is being reviewed by the GLA see separate response from GLA Viability Officer)</li> <li>• Design and heritage - The site is identified as suitable for a tall building in development plan documents and is therefore compliant with London Plan Policy D9. The overall building design is of a high quality although issues need to resolved in relation to the quality and functionality of the co-living accommodation proposed. The proposal would involve the demolition of a heritage asset which causes harm, contrary to London Plan Policy HC1. Further information is required to demonstrate that public benefits could outweigh the harm caused</li> </ul> |

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|                                | <ul style="list-style-type: none"> <li>• Inclusive design - The Council should secure appropriate planning conditions to ensure the measures described within the access statement are delivered in the detailed design stage.</li> <li>• Sustainable development - Further work is required on the energy strategy, whole life carbon, flood risk, and green infrastructure to confirm compliance with London Plan policy.</li> <li>• Transport – no objections subject to a financial contribution of £508,200 towards North Acton Station improvements. Future residents must be prevented from obtaining CPZ permits through the S106 agreement. EVCPs, Travel Plan, DSP, CLP and details of cycle parking all be secured.</li> </ul> <p><i>Planning Officer comment: These initial comments were made in September 2021 and have now largely been addressed by revisions and further information submitted as set out in later sections of this report. Outstanding matters in respect of urban greening factor, CAVAT and energy were outstanding at the time of writing this report and final comments will be made within the Addendum Report.</i></p>  |
| <p>GLA (Viability Officer)</p> | <p>GLA Officers are aware of other co-living schemes which have recently been reviewed, such as the City Link scheme in Croydon, where a far higher level of less valuable onsite affordable accommodation has been proposed by the applicant. Therefore, officers consider the proposed scheme should be capable of delivering a higher level of policy compliance than currently offered.</p> <p>Because the applicant, has identified that the scheme is generating such a significant deficit, the applicant is required to demonstrate how the scheme is deliverable, in accordance with paragraph 3.10 of the AH&amp;VSPG.</p> <p>It is reasonable to assume that a developer would not buy a site intending to bring forward development in the short to medium term on the basis that the scheme would be loss making. Therefore, the inputs to the appraisal, in particular the reported GDV and profit assumptions should be cross checked using land transaction evidence, including the reported purchase of the site by the applicant in February 2020.</p> <p>The applicant should also explain the extent to which they considered affordable housing policy when purchasing this site.</p> <p>The substantial deficit identified by DS2 could be reduced by updating the appraisal to take account of the following:</p> <ul style="list-style-type: none"> <li>• Increased gross annual rent for the proposed co-living accommodation</li> <li>• Decreased OPEX allowance of 30%</li> <li>• Sensitivity testing of a reduced Net Initial Yield in accordance with comments.</li> </ul> |

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|   | <ul style="list-style-type: none"> <li>• Removal of 6 month stabilisation period.</li> <li>• Reduced build costs.</li> <li>• Reduced professional fees.</li> <li>• Reduced EUV and no landowner's premium</li> <li>• Reduced finance rate of 6.0%.</li> <li>• Reduced targeted profit margin.</li> </ul> <p>The applicant should prepare an appraisal which accounts for the comments set out in this document should be provided to identify the extent to which the proposal can deliver additional affordable housing as a PIL.</p> <p>Officer comment: Following these comments from the GLA negotiations between the applicant and officer from LBE, OPDC and GLA continued and further work an analysis undertaken of the viability position. Through this additional work the initial PIL contribution proposed by the applicant of £6.26m has been increased to £13.1m. It has also been secured that early and late stage reviews will be undertaken and 100% of the surplus that is identified at the late stage review will be retained by LBE/OPDC. Further consideration of this matter is set out within the report.</p>   |
| <p>Historic England</p>                         | <p>No objection subject to a condition requiring the submission and undertaking of a written scheme of investigation</p>   |
| <p>London Borough of Hammersmith and Fulham</p> | <p>No objection.</p>   |
| <p>OPDC</p>                                     | <p>The OPDC initially objected to the proposed development as it was considered that the public benefits arising from the development (primarily the proposed affordable housing offer) was not sufficient to outweigh the harm caused by the total loss of the heritage asset. Concerns were also raised in respect of the quality of the proposed co-living accommodation with specific regard to the amount of shared facilities for cook and dining.</p> <p>Following the receipt of additional information from the applicant including revisions to the second floor layout, the concerns in respect of the quality of the co-living were adequately addressed.</p> <p>In addition following detailed discussions undertaken by LBE, OPDC, GLA and the application concerning the viability position of the proposed development and the increase of the affordable housing offer to £13.1m together with the re-provision of the public house, high quality of design and a package of circa £3m in S106 contributions the OPDC were satisfied that the proposals outweighed the harm to the non-designated heritage asset and subsequently removed their initial objections to the scheme.</p> |
| <p>Old Oak Neighbourhood Forum</p>              | <p>Object – due to the application being contrary to London Plan Policy D9 with insufficient policy grounds to apply the ‘planning balance’ via policies</p>   |

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|   | <p>in the LBE Development Plan, or the OPDC Post Submission Modified Draft Local Plan</p> <p>Officer comment: The OONF reason for objection has largely been addressed through the recent adoption the OPDC Local Plan (June 2022). The site falls within Place Policy P7: North Acton and Acton Wells of the OPDC Local Plan an area where tall buildings are considered to be appropriate (Policy SP9/Figure 3.15).</p>  |
| <p><b>Internal Consultation:</b></p>              |  |
| <p>Regulatory Services (air pollution)</p>        | <p>Objection – due to the use of gas boilers and the resultant negative impact on air quality. In the event that planning permission is granted conditions have been recommended to mitigate air quality impacts during construction and operation.</p> <p>Officer comment: The proposed energy strategy is predominantly led by air source heat pumps which heats the water to 55<sup>o</sup> any higher than this the pumps become inefficient. The gas boilers are therefore only used to raise the temperature up a final 8<sup>o</sup> to 63<sup>o</sup>. Due to changes to the Building Regs expected soon the gas boiler will only be need to raise the temperature to 60<sup>o</sup> resulting in even less use. Given this marginal use of gas boilers on the site and the inefficiency of other options that have been considered on balance the marginal use of gas boiler in this development is considered to be acceptable</p> |
| <p>Regulatory Services (noise)</p>                | <p>No objection subject to conditions covering:</p> <ul style="list-style-type: none"> <li>• Compliance with recommendation in the submitted noise report regarding sound insulation, glazing specifications and acoustic attenuation of mechanical ventilation</li> <li>• Details of sound insulation between cinema/studio/games room</li> <li>• Details of noise rating of plant</li> <li>• Anti vibration mounts</li> <li>• Commercial/communal doors to remain shut</li> <li>• Servicing Management Plan;</li> <li>• Acoustic lobby details</li> <li>• Extraction and odour control systems</li> <li>• Demolition Method Statement</li> </ul>   |
| <p>Environmental Services (Contaminated land)</p> | <p>No objection subject to conditions covering:</p> <ul style="list-style-type: none"> <li>• Submission of Site Investigation</li> <li>• Submission of Remediation scheme</li> <li>• Submission of Verification Report</li> </ul>  |

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| Environmental Services (Drainage/flood risk) | No response.   |
| Waste and Street Services                    | No response.   |
| Tree Officer                                 | No objection subject to financial contribution to secure tree planting in the area   |
| Landscape                                    | No response  |
| Transport Services/ Highways Manager         | <p>No objections subject to:</p> <ul style="list-style-type: none"> <li>• Parking permits to be denied to new residents secured by S106;</li> <li>• Explore potential to provide car club bays accessible by the public on the application site or on Hortus Road;</li> <li>• Provide free 2-year car club membership to residents of a nearby scheme details to be secured via S106;</li> <li>• Disabled parking spaces to be retained for the duration of the development;</li> <li>• Construction / Demolition Method Statement, and Servicing and Parking Management plans to be submitted for approval;</li> <li>• S278/S38 to deal with highways works associated with forming new vehicle entrances/exits and rectifying any damage caused to the highway from construction;</li> <li>• Details of cycle parking spaces, storage, layout and facilities to be secured by condition;</li> <li>• S106 contributions sought towards junction, footway and bus stop improvements and improvements to pedestrian and cycle infrastructure near the development.</li> </ul> |
| Transport (Cycle infrastructure)             | <ul style="list-style-type: none"> <li>• The cycle provision must be properly spaced (minimum 450mm per bike along the row). Also it must be in separate secure stores for no more than 50 bikes each. Cycle parking should be accessible from the street without dismounting – i.e. via a ramp if in a basement. There must also be provision for non-standard bikes.</li> <li>• If planning permission is granted, there should be a financial contribution toward improved cycle facilities on Victoria Rd and on other nearby roads such as Park Royal Road and the A40.</li> </ul>  |
| Strategic Planning                           | No response.   |
| Housing                                      | <ul style="list-style-type: none"> <li>• does not support proposed affordable housing tenure mix of 70% intermediate and 30% London Affordable Rent;</li> </ul>  |



|                                   |   |
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|                                   | <ul style="list-style-type: none"> <li>• intermediate affordable units should not be pitched at the top of the shared ownership eligible income range;</li> <li>• requests 2 bedroom units to be for 4 persons, not 3 persons;</li> <li>• requests provision of some 3 bedroom units;</li> <li>• requests viability assessment and early stage review mechanism.</li> </ul>   |
| Education                         | No Response – no education requirements due to the nature of the residential accommodation proposed and lack of child yield   |
| Regeneration                      | <p>Comments only:</p> <ul style="list-style-type: none"> <li>• The pub is a heritage loss</li> <li>• Extent of glazed tile and reflectivity needs design sensitivity</li> <li>• Scheme makes little contribution to public realm – inconsistent with latest 6 Portal way arrangements – consider onward connections beyond site</li> <li>• Pub seems pretty meagre, no outside space, two internal storeys with single aspect</li> <li>• Push for more of a mix of tenure – doesn't feel like co-living is necessary and we want to encourage neighbourhoods to form and grow</li> <li>• Is extent of co-living service facilities enough – and are they complementary facilities with local provision elsewhere?</li> <li>• Increase co-working provision at the lower levels?</li> </ul>  |
| Employment/<br>Training           | <p>Due to the off site modular construction method with much of the work completed in a factory outside of LB Ealing it has been agreed that the following provision will be made for employment and training:</p> <ul style="list-style-type: none"> <li>• Financial contribution towards WEST (Work, Education, Support and Training) project for provision of outreach engagement, pre-employment training and employment support for borough residents living in and around North Acton and adjacent wards</li> <li>• The annual cost of an apprentice on our programme regardless of level is: Wages £20,800, Management £8.944 - Total Cost £29,744</li> <li>• Based on the value of a wages only model for 18 apprentices- this would equate to: £376,200.</li> <li>• Plus £34,000 administration costs</li> </ul> <p>Total financial contribution secured: £410,000</p> |
| Energy officer/<br>Sustainability | <p>No objections to Energy Strategy or Sustainability approaches; requires Section 106 contribution towards carbon offsetting and post construction energy monitoring and various conditions to be applied including:</p> <ul style="list-style-type: none"> <li>• Energy Strategy and CO2 objectives/reductions</li> <li>• Overheating and cooling</li> <li>• Energy monitoring conditions</li> </ul>  |
| East Acton<br>Councillors         | No comments received  |
| Acton Central<br>Councillors      | No comments received  |

**Design Review**

In addition to the above consultation the proposals were also presented to the OPDC's Place Review Group and Community Review Group a summary of the views of these groups is set out below:

**Place Review Group**

The Place Review group considered the proposed height, massing and bulk was appropriate to the corner site and also supported the proposed modular construction. They also supported the elegance of the tower and stated that the material choice was of a high quality. The panel suggested tonal variations of the same materials should be used for the three elevations, they also expressed a desire to see the use of colonnades at the entrance to the co-living part of the development.

The panel supported the re-provision of the pub but expressed a view that the presence of the pub should be promoted. The panel raised concern at the way the proposals tapered to the ground.

The panel asked that the design team take a more ambitious approach to greening the development and also include more visitor cycle parking.

*Officer comment: Various amendments were made to the scheme following the review with significant enhancement made to the appearance of the pub element including bringing the foot print forward of the main building to give it a greater prominence. The strategy for use of materials was also developed taking into consideration the panels comments.*

**Community Review Group**

The Community Review Group supported the overall design approach, applauding the well-integrated height and massing as well as the choice of façade materials. They did however raise some reservations regarding the demolition of the locally listed pub.

The panel made recommendations in respect of the location of the bicycle store entrance suggesting moving it to the front of the building. They also requested that the size of the pub was at least the same as that which it replaced.

The group also wanted to see more greenery in public spaces around the site noting a particular lack of landscaping in the North Acton area. There was a desire to see a greater integration of development proposals and improving the overall appearance of the North Acton area.

*Officer comment: The group's recommendations in respect of the cycle parking has been reflected in the current scheme and the size and quality of the re-provided pub has also been clarified. The amount of greening that the proposed development can accommodate is limited but it is considered this has been maximised.*

**Relevant Planning Policies**

Please see informative section in Annex 1 for a full policy list.

**PLANNING APPRAISAL**

**Reasoned Justification**

The proposal is assessed against the policies contained in the adopted Development Plan, and in terms of its potential impact on the local and wider environment, on the amenities of the occupiers of surrounding development and all other material planning considerations.

**Main Issues**

The main issues in assessing this proposal are the principle of development including the loss of a non-designated heritage asset and the loss of the existing pub. The principle of the residential product being proposed (Co-living) including the quantum of development and principle of a tall building on the site and its relationship with the surrounding properties and townscape and the quality of its design and overall context, the quality of the internal living environment for future residents, the transport impacts of the proposals, sustainability and the proposed energy strategy. Other issues to be considered include affordable housing, servicing, and landscaping.

**Principle of the Scheme**

North Acton has a long history as a focus for change and sustainable development within the Borough, initially as a defined Gateway to Park Royal in the initial and revised Park Royal OAPF and Ealing Local Plan, and subsequently as a new town centre in the adopted OPDC Local Plan. In respect of the OPDC Local Plan the site falls within Place Policy P7: North Acton and Acton Wells which identifies the area as being suitable for the delivery of high densities. The site is also located in an area where tall buildings (defined as over 48 metres) are considered to be appropriate.

**Loss of Public House**

OPDC Local Plan Policy TCC6 seeks to protect public houses as community hubs which includes The Castle Pub currently occupying the application site. The policy confirms the loss of a public house will only be supported where a competitive marketing campaign has been undertaken and this has demonstrated no realistic proposition of the pub being brought back into or continuing in its current use. This is further supported by London Plan Policy HC7 which also seeks to protect public houses confirming that planning applications should be refused unless authoritative marketing evidence demonstrates that there is no realistic prospect of the building being used as a pub for the foreseeable future.

Although no marketing evidence has been submitted with the application to demonstrate that there is no realistic prospect of the existing building being used as a pub in the foreseeable future the proposals do include a replacement pub within the ground and part first floor of the new building. The proposed replacement pub comprises 320 sq.m of internal space which results in a small up lift in space compared with the 300 sq.m of the existing pub. The new pub will be fitted out to modern standards and includes a first floor area accessed via a lift that could be used independently from the ground floor and could be used for community events or other private events. The existing public house did benefit from an outdoor beer terrace and some limited parking although these are not being replaced the proposed pub will include a covered outdoor terrace at the new entrance. In terms of parking the site is located in a highly sustainable location and line with current policy the provision of parking is not a requirement.

The replacement pub will occupy a prominent position at the base of the building addressing the busy junction and has been designed to a high standard with a distinctive character that will act as community focus in the local area.

The applicant has not submitted details of a future occupier of the building and the exact operational details of the future pub are not known at this stage. The existing pub held live music performances historically and at this stage it is not known if these would continue in the new building. Notwithstanding the lack of detail it is considered that the first floor of the pub could provide a suitable venue for small live performances. No details have been submitted with the application to demonstrate the noise impact arising from live music on future residential occupiers it is considered however that given the contained nature of the first floor the fact that no co-living units are proposed below 4<sup>th</sup> floor level that suitable noise insulation and other mitigation measures could be implemented to ensure a satisfactory noise environment and further information concerning these detail are secure by planning conditions.

On balance and subject to other material matters considered in the following sections of this report the proposed loss of the existing The Castle public house and its replacement with a new modern public house that will better meet the needs of the existing and emerging communities of North Acton broadly complies with OPDC LP policy TCC6 and London Plan policy HC7.

Loss of non designated heritage asset

As described earlier in this report the existing The Castle public house building is Locally Listed (OPDC’s Local Heritage Listing, adopted 30 January 2020) and is therefore classed as a non-designated heritage asset.

OPDC Local Plan Policy D7 confirms that a sequential approach (as set out in table 5.3) should be taken to non-designated heritage assets and where harm or total loss is proposed this should be supported by clear justification that sets out how the proposal delivers public benefits including securing its optimum viable use.

This is also supported by Paragraph 202 of the NPPF (2021) which states that *“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.”*

The proposed development will result in the total loss of the non-designated heritage asset and therefore it must be demonstrated that the proposed development will deliver demonstrable public benefits that will outweigh the harm caused by the loss of the building.

In terms of the significance of the Locally Listed building the application is supported by a Heritage Statement that presents an in-depth analysis of the existing building. It is agreed that the significance of the building is at the lower end of the scale due to the buildings relatively commonplace typology and the harm that has already been caused to various aspects of the building. Notwithstanding the proposed harm that will be caused is the total loss of the building and therefore despite its relatively low significance its loss must be weighed up against the public benefits.

The public benefits arising from the proposed development are considered to include:

- The delivery of a housing product that will contribute to meeting housing need within the North Acton and wider area.
- The delivery of affordable housing within this case will involve the payment of a commuted sum to contribute to the delivery of affordable housing off site
- The regeneration and economic benefits associated with the construction and operational phases of the proposed development

These benefits are considered in further details later in this report, they are however considered on balance to represent sufficient and demonstrable benefit that will support the delivery of the Strategic policy objectives of the OPDC Local Plan including supporting growth, contributing to thriving communities and enhancing North Acton as a place and destination. The proposals are therefore considered to comply with OPDC LP Policy D7, London Plan policy HC1 and Section 16 of the NPPF.



*(Proposed replacement public house)*



*(Existing public house (now closed))*

Proposed Use – Co-living

The adopted OPDC Local Plan sets out the vision for North Acton being a 'high density mixed use area accommodating tall buildings in appropriate locations' constituting a 'new neighbourhood town centre with a high quality and coordinated public realm along Victoria Road and Portal Way.



The proposed redevelopment of the site having addressed policy considerations concerning the loss of the public house and heritage matters is therefore considered to be acceptable and will support the approved vision for the area.

The proposed development is led a co-living use which although having a sui generis use class is a form of residential accommodation and therefore contributes to meeting housing need. It does differ from conventional residential accommodation in that there is a greater emphasis on communal living and shared dining and leisure facilities form a critical part of the proposed development.

OPDC Local Plan Policy H7 confirms that co-living schemes will be acceptable where they demonstrate that they will contribute to the creation of mixed and balanced communities, are located within or adjacent to a designated town centre, incorporate high quality design and shared space, provide a management plan and provide a commuted sum in lieu of affordable housing. Each of these matters is dealt with in turn below.

Policy H16 of the London Plan also concerns the delivery of large scale purpose-built shared living and sets out similar requirements as OPDC policy in respect of the criteria that must be met. In addition to Policy H16 the GLA have also published specific London Plan Guidance 'Large-scale Purpose-built Shared Living' January 2022. This document sets out further guidance in respect of the quality expected from large scale shared living schemes.

Both the OPDC and GLA raised concerns during the consideration of the application in respect of the residential quality of the proposed scheme and the applicant has provided additional information and amendments to the scheme to address these concerns. The key requirements of OPDC policy H7 and London Plan policy H16 are considered further below:

Contributing to mixed and balanced/inclusive communities – the North Acton area currently contains no co-living schemes with only one other identified in the OPDC area. The scheme subject of this application is the first to come forward in North Acton with a second scheme forming part of the proposals for 1 Portal Way currently being considered by the OPDC. A large number of purpose built student accommodation schemes have been brought forward in North Acton over the last 10 years and it is considered that this co-living proposals will bridge the gap between student accommodation and conventional residential accommodation.

The proposed co-living scheme will appeal to a slightly older demographic to student accommodation with the accommodation appealing particularly to young professionals and those looking for high quality, managed accommodation with access to a wide range of communal facilities. In providing a housing type not currently present in North Acton and appealing to a demographic not specifically catered for the proposed development will therefore assist with contributing towards mixed and balanced communities

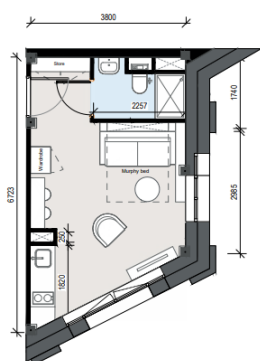
Located in a designated town centre with PTAL of 4 or higher – as noted previously the application site is located within a Neighbourhood Town Centre as defined in the adopted OPDC LP. The site is also located within a current PTAL of 5 that is expected to rise with improving public transport access over the coming years. The site is therefore considered to be well connected.

Incorporate high-quality design and shared space for occupants – overall the proposed co-living proposals is considered to be of a very higher standard and compares favourably to other similarly sized co-living scheme delivered elsewhere in London in terms of both the size of individual units as well as access to communal facilities.

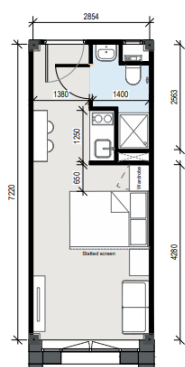
The proposed units vary is size between 19.5sq.m and 25.7sq.m with the average size being 22.5sq.m. The units proposed are larger than most other co-living schemes delivered in London but are smaller than the nationally prescribed standards for studio/1 bed apartments. The

balance between providing good quality accommodation whilst ensuring residents will use communal facilities and therefore contribute to the community created in the building is considered to be achieved.

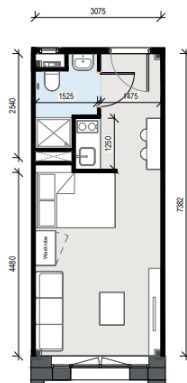
It is accepted that a limited number of apartments have single aspect and are north facing which is inevitable given the nature of the building and the site constraints. Given the occupants access to the generous communal facilities this is considered to be acceptable on balance. All units will have generous floor to ceiling heights, large windows and good outlook. Submitted with the application the applicant has tested the proposed development for internal daylight and sunlight which has demonstrated good levels of compliance across the development. The overall design quality of the accommodation is considered to be good and design detailing has demonstrated that the co-living units will not be adversely impacted by noise or air quality issues.



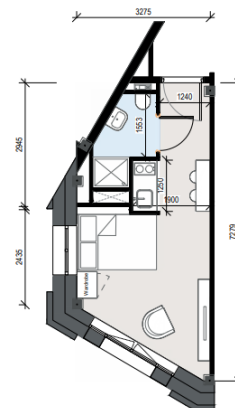
Unit Type 04  
21.9 m<sup>2</sup>



Unit Type 05  
20.6 m<sup>2</sup>



Unit Type 06  
22.7 m<sup>2</sup>



Unit Type 07  
19.5 m<sup>2</sup>

(Typical co-living room layouts)



(Typical co-living units floor layout)

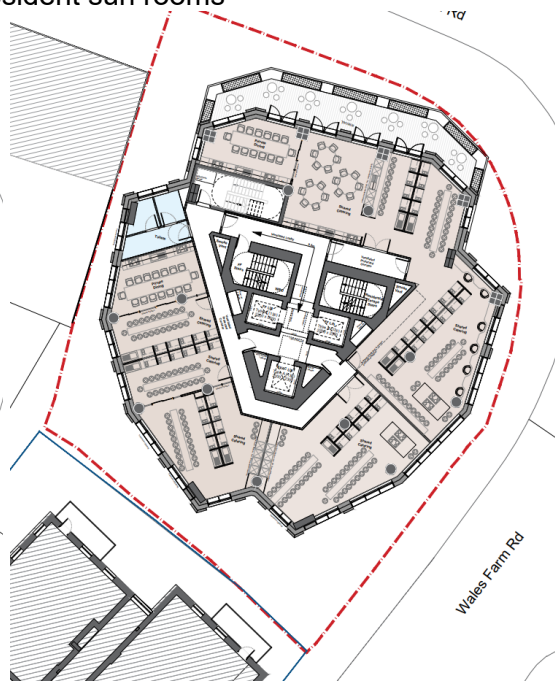
In terms of communal facilities the proposals include a total of 1,350sq.m of communal space arranged as set out below:

- 1<sup>st</sup> floor – Communal lounge, laundry, library
- 2<sup>nd</sup> floor – Dining/cooking area, flexible dining, residents terrace
- 3<sup>rd</sup> floor – Gym, games room, cinema

- 31<sup>st</sup> floor – Landscaped terrace and resident sun rooms



(Proposed First Floor Layout)



(Proposed Second Floor Layout)



(Proposed Third Floor Layout)



(Proposed Roof Top Layout)

In response to concerns raised during the consideration of the application the applicant has submitted further detailed research to demonstrate the suitability of both the quantum and quality of the shared facilities proposed. Concerns raised in respect of access to communal cooking areas have also been addressed and the proposed layout of floor 2 has been amended to remove co-working space, increasing the number of cooking stations and dining space. The proposed second floor now provides a variety of different cooking and dining options and also benefits from access to an outdoor terrace. The proposed capacity allows for 251 residents to be accommodated in a single sitting. All residents with some guests could therefore be accommodated in two sittings.

The proposed development provides a range of other communal facilities as noted above and provides for a total of 2.7sq.m per person with an additional 0.6sq.m per person of outdoor



amenity space. The building is designed to accommodate 550 people at the same time within the communal shared facilities and if using Building Regs guidance the facilities would provide accommodation for nearly 1,000 residents.

The communal facilities with the exception of the roof top landscaped terrace and sun rooms are centred around the lower floors of the proposed building. Concentrating the shared facilities in this way helps create a community hub for the building ensuring the viability and use of the spaces by sufficient numbers of residents.

The proposed development is considered to include an acceptable range, quality and quantum of shared communal space and compares favourably with other recently consented co-living scheme and provides access to a greater quantum of shared space than other schemes.

Provide an appropriate Residential Management Plan – the applicant has submitted with the application a draft Residential Management Plan that sets out details of the key principles by which the building will be managed. A final version specific to the intended operator of the proposed co-living accommodation is secured by way of the S106 agreement.

Provision of a commuted sum in lieu of affordable housing – the proposed development secures a payment of £13.1m towards off site affordable housing provision together with early and late-stage reviews. Any surplus identified at late stage review will also be retained by LBE/OPDC. The acceptability of this affordable housing offer is considered in detail later in this report.

As set out above the applicant has demonstrated that the proposed co-living accommodation will be delivered to a high standard with access to a satisfactory range, quantum and quality of both private and communal/shared accommodation. The proposals is considered to be in a sustainable and highly accessible location and given the absence of any other nearby existing co-living development will broaden the range of accommodation providing accommodation for a demographic not currently specifically catered for in North Acton. The proposal is therefore considered to facilitate mixed and balanced communities and in all other ways complies with OPDC Local Plan Policy H7 and London Plan policy H16.

#### Proposed Use – The Castle Public House

As set out above the proposed replacement The Castle Public House is considered to be an acceptable land use and will provide an acceptable replacement of the existing use. The new facility will complement the co-living use and provide a valuable community resource. The use is entirely appropriate in this Town Centre location and is supported by both OPDC Local Plan Policy TCC3 (Social Infrastructure), TCC6 (Public Houses) and London Plan Policy HC7.

#### Conclusion

Subject to the delivery of the public benefits identified and the replacement of the existing public house with a new and improved facility the proposed loss of the existing building can be considered to be acceptable in terms of both heritage and the loss of the existing pub.

The proposed replacement uses including co-living and a replacement pub are considered acceptable will help address housing need and secure valuable new social infrastructure. The proposals are therefore considered to be acceptable in terms of OPDC Local Plan policies D7, TCC3, TCC6 and H7 and London Plan policies H16 and HC7.

#### Affordable Housing

The provision of affordable housing is a key strategic objective for LBE, OPDC and the GLA. OPDC Local Plan policy H2 sets out a requirement to secure 50% affordable housing on schemes of 10 or more units or 1,000sq.m GIA of floorspace. This same objective is set out in London Plan policy H4.

In respect of co-living schemes OPDC policy H7 and London Plan policy H16 both confirm that this specific housing product is not suitable to provide affordable housing on site and therefore a payment in lieu (PIL) should be secured to enable affordable housing to be provided off site that in this case would better meet the needs of North Acton residents.

The applicant has submitted with their application a Financial Viability Assessment (FVA) and this has been independently assessed by DVS on behalf of LBE and also by the GLA's Viability Team.

The applicant originally set out an offer that 20% of the proposed co-living rooms would be provided on site at a discount of 20%. As set out above this proposal did not comply with relevant policy and the offer was subsequently revised to a PIL of £6.26m. This offer was on a without prejudice basis on the back of the applicant's viability assessment that concluded that the scheme produced a deficit below the Benchmark Site Value and was not considered to be viable even without making provision for affordable housing.

DVS were appointed by the Council to assess the applicant's FVA, whilst DVS broadly agreed with the conclusions of the applicant's FVA a number of areas of concern were identified by the GLA Viability Team.

A key issue in determining the viability of the scheme and the reliability of the applicant's FVA has been the lack of comparable robust evidence to inform values for comparison with the proposed development. Co-living is a relatively new housing product with a very low number of large schemes such as that proposed by this application having been completed within the Greater London area. The available evidence has been further limited by the Covid-19 pandemic and what data is available is open to a range of interpretations due to the unusual impacts the Covid-19 pandemic had on different markets. The lack of robust comparison data has made assessing the viability position particularly challenging.

Areas highlighted as a concern/disagreement in the assessment of the FVA by GLA Officers included the Existing Use Value (EUV) being overstated, proposed rents from the co-living being understated and the OPEX costs being overstated. In addition, the applicant's view on potential yields from the development also differed from the GLA Officer's views compounded by the lack of comparison evidence from completed development. In respect of development/construction costs GLA Officers also considered these to be high as well as the proposed level of profit on GDV put forward also considered to be high.

As a result of the concerns raised by Officer's extensive further discussion and negotiation has taken place to reach agreement on the various inputs to bring them further in line with the expectations of GLA Officers. Following this negotiation and the provision of additional information the applicant has been able to increase their PIL offer to £13.1m. In addition to the PIL (that would be paid 50% within 2 months of commencing and 50% prior to occupation) the proposed offer would also make provision for the LPA to retain 100% of any surplus that is identified at the late stage review.

The proposed PIL offer of £13.1m is considered to equate to the equivalent of 72 on site affordable co-living units or 15.5%. This assumes the rents on the notional affordable units would be 50% of the market rents and OPEX for these notional units would be 80% of the OPEX on the market units.

In respect of how much affordable housing this could potentially deliver off site the GLA have advised (using the GLA's figures provided under the Affordable Homes Programme) that the average cost in Ealing (including land costs) for a two bed social rent unit is £400k. So the £13.1m would cover the costs of providing c33 social rent homes (the cost of delivering the Castle Pub units is £274k per unit although they are obviously c50% of the size allowing for the

shared amenity so this impacts on the apparent disparity between the on- site and off- site affordable).

The lack of comparable evidence as well as the impact the Covid 19-pandemic has had on the available evidence and the differences in opinion in interpreting this data has made it difficult to reach agreement on all inputs associated with the FVA. However, a greater level of agreement has been secured sufficient to improve the affordable housing offer by over 100%.

An important part of the offer is that the LPA will secure 100% of the surplus at late stage review, this is important as by this time more data will be available allowing for more accurate comparisons to be made. The GLA have advised that taking account of rental growth forecasts and build cost inflations to 2025 (when the late stage review is likely to take place) a late stage review could result in a surplus of c£11.5m.

It is considered that given the extensive and through investigation and consideration of the viability position the offer now presented is the best that can be secured based on the available information at this time with the proviso that if the viability position improves any surplus would also be secured to be put toward off site affordable housing provision.

On balance the proposed affordable housing is considered to be acceptable and complies with OPDC Local Plan policy H2 and London Plan policy H4.

**Urban Design**

Policies within the OPDC Local Plan, London Plan and the NPPF all place a high expectation on new development to achieve the highest design standards which while maximising the beneficial use of sites also seek to ensure the design responds to local character, avoids harm to heritage assets, responds positively to its immediate surroundings and enhances the public realm. Architecture should be of the highest quality and where buildings are defined as ‘tall buildings’ such as that proposed by this application the design should be subject to additional design scrutiny.

OPDC Design Policies confirm that the OPDC will support development proposals that have been subject to a high quality and comprehensive design process resulting in high quality design out comes. As set out earlier in this report the proposals subject of this report have been the subject of an extensive pre-application process involving numerous design meeting with Officers from LBE and the OPDC. This has resulted in extensive scrutiny of the design and resulted in a number of design revisions. In addition to meeting with Officer’s the proposals have also been the subject of consideration by the OPDC’s Place Review Group and the OPDC Community Review Group. Both groups further scrutinised the design with feedback provided to the applicants design team to feed into the final design. The resultant design is considered to be one of very high quality and will be examined in detail in relation to the relevant policy requirements below.

**Public Realm** – OPDC LP Policy D1 requires development to contribute to the delivery of Healthy Streets and achieve a high quality, inclusive and accessible and co-ordinated public realm. Similar themes are also set out in London Plan policy D8. The constrained nature of the site and the site coverage of the proposed building has resulted in limited opportunity to contribute significantly to the public realm, Notwithstanding this care and consideration has been given to the design of the ground floor of the building and it responds well to and enhances the public realm to the front of the building. The public house particularly has a distinctive character respecting a traditional public house typology and ensuring an active frontage. The proposal ensures safe and level access into the building with clearly identifiable entrances.

In this way and through the active frontages to Wales Farm Road the proposed building positively responds to and enhances the public realm in accordance with OPDC Local Plan policy D1 and London Plan policy D8. In addition to the benefits delivered by the proposed

development the applicant has also agreed to a financial contribution of £476,900 to fund healthy streets and public realm improvements within the North Acton Ward.

**Accessible and Inclusive Design** – OPDC Local Plan Policy D2, London Plan D3 and the Accessible London SPG requires development to comply with the latest guidance on accessible and inclusive design and ensure that new developments remove all barriers to access. The proposed development proposes a fully DDA compliant access strategy for both outside and within the proposed building. All pedestrian movements will be focused on the pavement surrounding the development that will be level with minimal trip hazards or obstructions, the building design itself has a clearly defined edge with no pinch points or other obstructions.

The proposed building entrances are legible, the main pub entrance located centrally within the plan and elevation to Victoria Road. The entrance provides a wide and level threshold. A secondary access provides a dedicated access to the first floor of the pub again a generous entrance with level threshold is proposed leading through to a stair and dedicated lift serving the first floor. The reception and main entrance to the co-living accommodation fronts Wales Farm Road, the reception being a large space again with level access, the reception provides access to the core of the building which is served by 3 lifts. One of this lifts proposed is to be an evacuation lift to be used by less mobile people in the event of an emergency. All floors and the basement are served by the lifts.

Although the rear of the building will be secure with no public access it will still benefit from level surfaces and thresholds. Two accessible parking spaces are also proposed here with convenient and close access to the core of the building.

Within the co-living part of the building the applicant has demonstrated that all areas will be fully accessible and the proposed development will deliver a fully inclusive environment for all residents and visitors. Of the proposed 462 co-living units 54 or 11.7% of the co-living homes will be fully wheelchair accessible. All shared amenity areas within the building as well as the terraces at second floor and roof levels are designed to be fully accessible.

The public house use also provides a fully accessible environment with a dedicated lift only serving the building providing access to the first floor.

Overall the proposals have been designed with a very high level of accessibility across all parts of the building. The proposals are considered to comply with OPDC Local Plan Policy D2 and London Plan policies D3, D5, D7 and the Accessible London SPG, conditions have also been imposed as requested by the GLA to ensure the measures set out within the access statement are delivered on site.

**Design Quality** – As described above all levels of planning policy seek to ensure that development proposals deliver the highest quality architecture that respects and positively contributes the character of an area. OPDC Local Plan policy D3 concerns well design buildings and sets out a series of design expectations that new development is expected to exhibit. London Plan policy D4 also concerns delivering good design highlighting the importance of design scrutiny and maintaining the design quality throughout the detailed design stages.

As previously indicated the proposals have been subject to a rigorous design process including assessment by LBE, OPDC and the GLA as well as being the subject of Design Review and Community Review. It is considered that this process has been instrumental in delivering a very high quality building that contributes positively to the emerging and existing townscape in North Acton.

The building is formed of 3 bays located together in a roughly triangular form. Each bay has its own identity, projecting slightly from the core with the bay fronting Victoria Road finished in a

distinct material contrasting with the adjacent bays. This separates the different parts of the building giving it a simple form and a slender elegant appearance.

At roof level the bay fronting Victoria Road finishes lower than the surrounding bays exposing the core. The core finished in a dark warm grey terracotta further contrasts with the bays and gives a visually interesting top to the building. The proposals include limited plant at roof level with the majority of the building plant being located within the basement levels, this ensures the top of the building has a simple uncluttered appearance.

It is considered the simple elevations which comprise contrasting high quality materials which include warm tones of red terracotta and neutral terracotta each complemented by aluminium infills will give the building a distinct appearance positively contributing towards and enhancing the streetscape and character of the area.

In respect of the base of the building and particularly the public house element which forms the lower part of the bay fronting Victoria Road, significant attention was given to this part of the building. This element projects forward slightly from the main bulk of the building to increase its prominence. This is further accentuated by the distinct architectural language adopted for the elevations of The Castle Pub to identify and celebrate its use. The elevations incorporate distinctive brickwork including glazed terracotta which reflects the historic use of materials used on pubs throughout London. This distinct architectural expression together with large window openings and recessed front entrance and sheltered terrace are considered to be of a high overall design quality and will significantly enhance this prominent corner.

Overall, the proposed building is considered to be of high-quality architecture, using distinctive architectural details and using high quality materials. The proposals respond positively to the local area complementing the emerging character of this important regeneration area. The proposals respond well to the prominent corner on which it is located, and the distinctive character of the proposed pub will provide an attractive base to the building. In this way the proposals are considered to respond positively to the requirements of OPDC Local Plan policy D3 and London Plan policy D4.



East Elevation



North Elevation



West Elevation

*(Proposed Elevations)*

**Tall Buildings** – Policy D4 of the OPDC Local Plan and Policy D9 of the London Plan both concern tall buildings. Policy SP9 of the OPDC Local Plan and figure 3.15 also confirm that the North Acton area is one that is identified as being suitable for tall buildings, policy D4 defining a tall building as one that is above 15 storeys or 48 metres above ground level. Table 4.1, which supports Policy P7, states that in North Acton and Acton Wells, it is expected that tall buildings south of the Central line will predominantly be in the range of 20 to 55 storeys. At 32 storeys the proposed building is clearly defined as a tall building and falls within this range.

A key requirement of OPDC Local Plan policy D4 is that tall buildings must undertake a rigorous design process and be subject of robust testing of its potential impacts. As noted the proposals have been subject to a robust design process involving various parties. The applicant has also submitted a detailed application that has been further comprehensively assessed by LBE, OPDC and the GLA.

The OPDC Local Plan having defined what is considered to be a tall building as well as clearly identifying in the development plan that North Acton is a location suitable for tall buildings complies with points A and B of London Plan policy D9.

Part C of policy D9 requires that an assessment of the visual, functional, environmental and cumulative impacts of tall buildings be undertaken to determine their impact and suitability in the wider context. The applicant in support of the application has submitted a detailed Townscape and Visual Impact Assessment that has considered the proposed building within its surrounding context enabling a thorough understanding and appreciation of the proposed building in respect of its relationship with existing surrounding buildings, including separation and views between the buildings as well as an appreciation of how the building will contribute to the North Acton cluster of tall buildings. The applicant's assessment has considered a variety of different views that were agreed with LBE prior to the submission of the application. These views located at various points around the site including both medium and longer distant views.

Having reviewed the applicants detailed assessment LBE Officers concur with the views of the GLA Officer in considering that the impact of the proposed development on the local townscape, in relation to immediately neighbouring buildings and the wider cluster of buildings is acceptable. The height and form of the building was subject to extensive discussion and negotiation during the pre-application process and the proposed height is well resolved and forms an appropriate transition between the lower buildings to the north of the site and the taller buildings to the south and south west. In this way the proposals also respond positively to the emerging cluster of taller buildings.

**Sunlight/Daylight** - As also required by policy D9 the environmental impact of the building has also been tested. In terms of sunlight and daylight impact the applicant has submitted a detailed assessment that considers the impact of the proposed building on the key neighbouring buildings. Given the wider context of the site including the presence of a number of existing and consented tall buildings the surrounding buildings are already impacted to some degree by these existing and approved buildings and further impacts must be considered in this context.

With reference to Holbrook House it also needs to be appreciated that the form of this building together with relatively small windows results in a number of self-obstructing impacts. The proposed development has a negative impact on just 8% of rooms in the Holbrook House development, part of this is due to the negative impact of the building itself. This is further demonstrated by the fact the building retains good levels of VSC. In this respect therefore the impact on Holbrook House is considered on balance to be acceptable.

In respect of both the Perfume Factory South and Perfume Factory North in both the existing and proposed scenarios the results showed only minor differences and so very little additional impact is down to the proposed development subject of this application.

In respect of 142-154 Victoria Road immediately adjacent to the west just two additional failures can be attributed solely to the proposed scheme.

The Portal located to the immediate south is a proposal with a resolution to grant consent subject to the completion of the S106. The assessment of this property shows that 65% of windows comply with ADF targets but as with other properties most (34 out of 36) failures occur in the existing situation so are not solely attributed to the proposed development.

The Costume Store is located beyond 142-154 Victoria Road to the west and does experience a number of failures in respect of VSC, some attributed to the proposed development and others the consented scheme, The Portal. Overall and taking a balanced view considering all relevant tests the results are good with the impact considered to perform well given the urban constraints.

The assessment considered two scenarios the first assessing the impact on the neighbouring existing building (the current situation) and the second considering the existing and emerging/consented schemes. Overall although impacts are identified in respect of VSC a large number of these are attributed to the cumulative scenario rather than caused solely by the proposed development itself.

The assessments undertaken show the proposed building performs well in respect of the relevant tests particularly given the dense urban context within which the site sits and the various constraints the site is exposed to. On balance the impacts associated with the development are considered to be acceptable.

Wind – The proposed development is supported by a Wind Micro Climate report to assess the impact of the proposed development on wind conditions in the surrounding area. The assessment predicts the portion of time an area will experience wind speeds in excess of threshold values associated with safe and comfortable pedestrian use. As a result of the assessment, it has been demonstrated that in the existing scenario there is one location to the rear of 142-152 Victoria Road where wind safety criteria is exceeded. Elsewhere in the existing condition there are some minor exceedance of comfort criteria.

Through wind tunnel modelling it has been shown that with the introduction of the proposed building wind conditions within the site and surrounds actually improve such that all locations around the building become comfortable and safe with the introduction of the proposed building. The cumulative impact when all future development are added to the modelling results in little change with all areas remaining comfortable and safe. There are therefore no concerns in respect of the impact on wind microclimate condition caused by the proposed development.

Summary – overall the proposals have been subject to a rigorous design process including a detailed consideration of the impact of the building. The proposals have been demonstrated to have acceptable impacts on neighbouring buildings and it has been shown to complement the existing and emerging townscape. The proposals are considered to be of a high architectural quality that has been thoroughly scrutinised and improved through a collaborative approach. The scheme is therefore considered to be of a high quality and given the site is identified as being one suitable for tall building it is considered the proposals comply with OPDC Local Plan policy D4 and London Plan policy D9.

Amenity – OPDC Local Plan policy D5 considers the impacts of development on amenity as well as the amenity afforded by the development itself. London Plan policies D6 (Housing standards), D13 (agent of change) and D14 (noise) also consider the amenity aspects of proposed development.

Amenity impacts in respect of microclimate and sunlight and daylight have been considered above in respect of tall building policy and generally found to be acceptable. The amenity offered by the building itself in respect of future residents, access to amenity spaces and internal levels

of sunlight and daylight have also been considered above in respect of considering shared housing/co-living policy and also found to offer future residents a high-quality residential environment. Compliance with OPDC Local Plan policy D5 and London Plan policy D6 is therefore considered to be achieved in respect of these considerations.

The remainder of this section considers amenity impacts in terms of noise, air quality and also privacy for neighbouring occupiers.

Noise – The applicant has submitted in support of the application a Noise Impact Report the report has been assessed by the Council's Regulatory Services Team and comments provided. The results of the noise assessment are accepted and they demonstrate an acceptable noise environment for the proposed development. A number of conditions are proposed to secure additional information to ensure the proposed development provides appropriate levels of mitigation through careful detailing and specification of materials. It is also necessary for the applicant to consider mitigation measures to ensure the pub use can accommodate live music events as has been accommodated historically in the existing pub. A planning condition to ensure appropriate sound insulation and other mitigation measures is therefore proposed.

Other conditions are proposed to ensure the glazing specification and insulation specification around sensitive parts of the building are also submitted for approval by the local planning authority. Subject to compliance with these conditions no concerns are raised in terms of noise impacts and the proposals are considered to comply with OPDC Local Plan policy EU5 and London Plan policies D13 and D14.

Air Quality – the applicants Air Quality Assessment (AQA) has been assessed by the Council's Regulatory Services Team. It is noted that the AQA confirms that the proposed development is 'air quality neutral' and is demonstrated that the building omissions for the proposed development are below the relevant air quality neutral benchmarks. This has been accepted by the GLA. Notwithstanding this the Council's Regulatory Services Team raise a concern with the proposals due to its partial reliance on gas fed boilers and the resultant impacts on air quality. The site is located in an Air Quality Focus Area and in close proximity to a number of other developments where air quality issues have been identified.

The applicant team has considered these concerns and detailed discussion have taken place, the proposed development as confirmed by the AQA has minimal other air quality impacts arising during operation. In addition, the proposed build method helps ensure air quality impacts arising from the construction process are also significantly reduced.

The proposed energy strategy is predominantly led by air source heat pumps which heats the water to 55<sup>o</sup>, any higher than this the pumps become inefficient. The gas boilers are therefore only used to raise the temperature up a final 8<sup>o</sup> to 63<sup>o</sup>. Due to changes to the Building Regs expected soon the gas boiler will only need to raise the temperature to 60<sup>o</sup> resulting in even less use. Given this marginal use of gas boilers on the site and the inefficiency of other options that have been considered on balance the use of gas boiler in this development is considered to be acceptable. The applicant has agreed to the funding of air quality monitoring in the North Acton Area and this is secured within the S106. On Balance the proposals are considered to be broadly acceptable.

Privacy – Achieving appropriate levels of privacy for both future and existing residents is an essential requirement of good planning as confirmed in OPDC Local Plan policy D5 and London Plan policies D3 and D6.

The layout of the building has been carefully considered to ensure site optimisation whilst protecting the amenity of existing and future residents. Pre-application discussions resulted in re-siting of the building to ensure appropriate levels of separation between the proposed building and The Portal scheme subject of a resolution to grant and located south of the site. The shape



of the footprint of the building ensures there are minimal instances of windows directly overlooking this proposed building. Where there is a relationship involving directly overlooking windows the scheme incorporates an oriel style window design to prevent direct overlooking. In other instances where a direct overlooking relationship is possible, the room in question has dual aspect which allows the overlooking window to be obscure glazed.

At first, second and third levels where the communal shared spaces are proposed the spaces are much larger and benefit from dual and triple aspect. In these areas obscure glazing is proposed to any windows where separation distances fall short. This solution is considered acceptable and would not significantly impact on the quality of these spaces.

Through careful and considered design the relationship with The Portal as proposed is acceptable and will ensure an acceptable residential environment for future occupiers of both building.

In respect of 142-154 Victoria Road concerns were raised by the owner of this property during the consultation period due to the impact the proposed development could have on the future development prospects for this site. It was considered that the proximity of windows in the proposed development could lead to privacy issues or prevent development coming forward on this site. These concerns were raised with the applicant and as a result amendments have been secured to overcome these concerns. The proposed west facing elevation now includes oriel windows to prevent potential future overlooking and the use of obscure glazing. It is considered these treatments still retain acceptable levels of natural light and outlook to future occupiers and will enable the neighbouring site to come forward for development. It is understood that pre-application discussions are soon to re-commence on this site.

Generally, and as a result of a careful and considered design process and further detailed amendments the scheme will achieve good levels of privacy for all future residents. In this way the proposals are considered to comply with OPDC Local Plan policy D5 and London Plan policies D3 and D6.

### **Green Infrastructure**

The OPDC seeks to ensure that all new development secures an overall increase in green cover and a net gain in biodiversity. OPDC Local Plan policy EU2 seeks to ensure new development maximises opportunities for greening of development sites and the delivery of high quality green infrastructure. London Plan policy G5 confirms that applicants should calculate and provide the Urban Greening Factor (UGF) score for the proposed development and meet a minimum target of 0.4. Policy G6 confirms that development proposals should aim to secure biodiversity net gain.

The proposed development presents limited opportunity for urban greening within the boundaries of the site due to the space constraints and the form of the proposed building. The scheme does include pockets of green landscaping at ground floor level and accommodates the planting of 5 trees. At roof level the proposed development incorporates areas of green roof as well as raised planters. As a result of the proposed landscaping at ground and roof levels the scheme achieves an overall UGF of 0.17. Whilst this is below the policy expectation the urban nature of the site and constraints posed by the size of the site limit opportunities for further greening. The proposed development does include a financial contribution of £476,900 towards public realm improvements to include tree planting and a further £300,000 towards parks and open spaces.

On balance given the constraints posed by the site and the financial contributions proposed to improve greening and access to open space off site the proposals are considered to be acceptable and comply with the intentions of policy.

**Sustainable Development**

Both OPDC policy EU9 and EU10 and London Plan policies S12 and S13 require all new development to be zero carbon and in line with the London Energy Hierarchy, buildings should be designed to reduce energy demand and to promote the delivery of low carbon, energy efficient and integrated electricity.

**Energy Strategy / Over Heating / Monitoring**

The proposed energy strategy is generally considered to be acceptable it has been assessed against the draft SAP10 benchmark and follows the standard energy hierarchy of “Lean, Clean, Green”, and is therefore in line with OPDC Local Plan policy EU9 and London Plan policy S12 & S13.

An Overheating/Cooling analysis has been carried out on a range of different co-living units throughout the development together with communal spaces and non-domestic spaces. All spaces have been found to comply with the relevant overheating criteria in line with London Plan’s Cooling Hierarchy as a result of passive design measures and the proposed ventilation strategy.

The size and type of development is not suitable for CHP and the Council confirms that there is no available “Clean” district heat network (DHN), the energy plant room will however be futureproofed for connection to any future DHN through the installation of a valve and heat exchanger, by demonstrating, if required, that sufficient space is available for the installation.

The submitted version of the Energy Strategy proposes two parallel communal site-wide heat distribution loops using (air-to-water) Air Source Heat Pumps with a backup gas boiler. The ASHPs will provide approximately 70% of the annual energy demand with the gas backup boiler supplying the remaining 30%.

The loop flow/return temperatures are 55/37°. The loop will feed oversized panel radiators. DHW will be on a separate pipe system with back-up gas boilers lifting the temperature up the final 8° from 55° to 63°. In view of this, the 70/30% ASHP/boiler split is considered to be realistic and is accepted – particularly as the DHW tap temperatures are likely to drop in the future due to expected revision to Building Regulations.

The projected seasonal efficiency (SCOP) of the heat pumps should be around 2.5.

The proposed development also secures 2.04 kWp of PV on the roof.

The Council understands that there may be minor design changes to the energy systems prior to commencement of Construction and therefore a final Energy Strategy is secured via a planning condition.

As proposed the overall site-wide CO<sub>2</sub> emissions will be cut by at least 44.81%, with 12.96% carbon reduction through “Lean” efficiency measures and 31.85% through “Green” renewable energy measures.

There is a shortfall of 5,682 tonnes CO<sub>2</sub> (over 30 years) to zero-carbon that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £539,750. This figure may be subject to revision prior to the completion of the Legal Agreement. The carbon offset amount saved through the Clean/Green energy equipment is £311,451.

If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver the carbon reductions predicted in the final approved Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate any shortfall this will be secured via clauses within the S106 agreement. The applicant recommends a target COP for the system to be agreed, and if during monitoring it is identified that the system is underperforming, then the automated monitoring system will allow the occupier to be informed so that they can attend site and perform system troubleshooting as required. This approach would help ensure compliance with the predicted and target carbon savings and efficiency and avoid the likelihood of additional carbon offset payments as an alternative.

The London Plan (policy S12) introduces a fourth step to the existing (be Lean, Clean, Green) energy hierarchy of “be Seen”. This 'be Seen' stage requires the physical monitoring and performance analysis of the energy equipment and systems. Ealing already implements a “be Seen” requirement through its 2013 DPD policy E5.2.3. The monitoring is carried out by the Council’s chosen provider (Energence Ltd) using the Automated Energy Monitoring Platform (AEMP). A S106 payment is to be secured for the implementation of the energy monitoring policy.

In line with this Ealing Council will require the monitoring of the PV array and the two communal Air Source Heat Pump loops to identify their performance efficiency. Monitoring the two heat pump loops will involve metering the heat output and the combined parasitic loads of each. Suitable monitoring devices must be fitted by the Applicant to achieve this. Ealing Council will supply the monitoring equipment (through the S106 contribution), and the Developer must liaise with Ealing/Energence at Commencement of construction and at all relevant times.

The energy monitoring devices to be supplied by Ealing/Energence through the S106 contribution (subject to final confirmation) are:

- PV (GPRS) smart meter x 1.
- ASHP (loop heat meter) datalogger x 2.
- ASHP electric parasitic load (GPRS) smart meter(s) x 2.
  - If it requires more than two (x2) meters to identify the combined ASHP parasitic load(s) then the Applicant must source the appropriate (compatible with the Council’s AEMP) additional meters.
- SIM card and data processing (4 years) x 10.

The energy monitoring devices to be sourced by the Applicant are:

- ASHP loop heat meter (M-Bus connect) x 2.

Overall the energy strategy is supported and has demonstrated good levels of compliance with OPDC Local Plan policy EU9 and London Plan policies S12 and S13

**Transport**

The OPDC Local Plan sets out transport considerations in polices T1 to T9. The general overarching objective of these polices is to create high quality, safe and accessible movement networks that reduce the need to travel and the prioritisation of sustainable transport modes. Similar policy objectives are set out in the London Plan.

Overall, the proposed development supports these policy objectives, it is located in a highly sustainable location with access to a wide range of public transport options, it is car free with the exception of 2 disabled pays and therefore does not encourage the use of non-sustainable transport modes. Further consideration of the proposed development in respect of the relevant polices is set out below:

Walking - In terms of the existing condition an Active Travel Zone Assessment has been undertaken that demonstrates that the existing assessment routes are in a good state of repair and provide good and safe routes to and from the development with little improvement needed. Notwithstanding the proposed development is supported by a financial contribution of £476,900 towards public realm works and cycle infrastructure improvements that will further improve the overall accessibility of the proposed development improving both cycling and walking routes. In this way the proposals are compliant with OPDC Local Plan policies T1 and T2 which concern roads and streets and walking respectively.

Cycling – OPDC Local Plan policy T3 and London Plan T5 concern cycling both have the overall objective of encourage cycling as a sustainable mode of transport by providing appropriate infrastructure and facilities.

The proposed development provides a total of 434 cycle parking spaces consisting of 414 long-stay spaces at basement level 1 and 2, and 20 short-stay cycle parking spaces in the public realm areas on Wales Farm Road and Victoria Road.

The long stay spaces are located in separate secure areas accessed via a dedicated lift and accessed via a dedicated lobby area just for cyclists. The layout and details of the cycle storage and associated facilities are to be secured by condition to ensure compliance with LCDS guidance and to include provision for wider bicycles.

Short stay parking is proposed at street level in the public realm to accommodate a further 20 bicycles, again further details of the parking is secured by condition to ensure it is of a suitable standard and located appropriately.

The total cycle provision falls short of that required by London Plan policy T5 which requires the provision of 474 cycle parking spaces, in lieu of the shortfall the applicant proposes an in house cycle hire scheme that will enable co-living residents to hire a bike when required. This proposal is supported in principle as it is considered it open up cycle use to those who might not wish to invest in a bike. The details of how the scheme would work in practice are to be secure via the S106 agreement.

The overall cycle provision proposed is acceptable and complies with both OPDC Local Plan policy T3 and London Plan T5.

Parking – in terms of parking the proposed development is car free which given its access to a wide range of public transport option in close proximity to the site is supported. The proposed development does make provision for 2 disabled bays. The parking strategy is supported by OPDC Local Plan policy T4 and London Plan policy T6.

Trip Generation and Public Transport Impacts – OPDC Local Plan policy T5 and T6 concerns impact on rails and bus services and London Plan policy T3 concerns transport capacity. A multi model trip generation assessment has been undertaken to assess the potential impacts of the proposed development on the local public transport and highways network. Although the results of the assessment show that there will not be an unacceptable adverse effect on the public transport network or highway this fails to recognise the existing capacity issues associated with North Acton Station.

The station cannot cater for the planned growth in demand and requires substantial improvements. TfL, LBE and OPDC have undertaken a feasibility study, which indicates a cost in excess of £20 million for the required improvements. As such, financial contributions have been agreed for all recent developments in this locality using a standard methodology. It has been agreed with the applicant that a contribution of £508,200 will be secured towards funding of these station improvements.

The car free nature of the proposed development ensures there are no adverse traffic impacts generated by the development. In addition no concerns have been identified in respect of the impact of the proposed development on the capacity of local bus services.

Overall the proposed development is considered to have acceptable transport impacts subject to the mitigation outlined and funding towards North Acton station improvements.

Servicing and Deliveries – OPDC Local Plan policy T7 described the OPDC's approach and requirements in respect of the servicing of new developments. Key requirements including the need to provide off street serving where possible and the providing scope for the provision of click and collect. Similarly London Plan policy T7 confirms *'Development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for*

*servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible'.*

The application site is located on the busy junction of Wales Farm Road and Victoria Road and there is therefore no scope for safe of site servicing to the front of the development. As such it has been an essential requirement and integral to the layout of the proposed scheme that an off street serving solution is provided. The proposal makes use of its corner location and provides an efficient servicing solution that allows vehicle to enter the site from Wales farm Road via a new vehicle cross over and exit onto Victoria Road. This ensures all servicing can be undertaken via this service route to the rear of the building and ensures vehicles can exit the site in a forward gear. This servicing arrangement is supported.

The servicing route provides sufficient area to accommodate all of the buildings servicing requirements including both the co-living space and pub use. Scope would also be provided for dot com deliveries to be made via the service route and convenient direct access to the reception area for the co-living spaces is provided.

Refuse collection would also take place via the service route. Bin would be stored at basement level in a dedicated bin store and would be brought to the rear service yard on bin collections days by the building management team. Refuse collection would be via a private collection company.

The servicing strategy for the proposed development is supported and complies with both OPDC and London Plan policy. A draft Servicing and Delivery Plan was submitted with the planning application demonstrating how delivery and servicing movements could be managed a final version of the plan is secured by planning conditions so that the plan can be updated and modified once operators of the proposed uses are known and the plan can be adapted to suit their specific servicing requirements.

Travel Plan – The Residential Travel Plan submitted with the application is generally considered to be acceptable and sets out measures to enable future residents to make informed decisions about their travel. It also confirms that the management company who will operate the co-living accommodation will be expected to appoint a Travel Plan Co-ordinator. The plan is accepted in principle and is generally in accordance with OPDC Local Plan policy T9 and London Plan policy T4.

#### Construction Management and Construction Logistics -

A Construction Environmental Management Plan (CEMP) has been submitted with the application which out details of the applicant's Environmental policy, competence and training, communication, operational control and site waste management. The proposed development will benefit from adopting a modular construction method which helps ensure the project timescale is reduced (22 months) and the amount of disruption on site is also significantly reduced when compared with a traditional build. The principles set out in the CEMP are accepted and final version of the document is secured by a planning condition to enable it to be updated to reflect other concurrent developments in the North Acton area.

A Construction Logistics Plan (CLP) is also submitted in support of the application demonstrating how the development will manage all types of construction vehicle activity. The CLP sets out guidance which will improve the safety and reliability of construction related vehicle movement in relation to the site, minimise any potential impacts on local traffic conditions and mitigate any potential for adverse environmental impacts.

The report identifies the key construction routing to avoid the use of residential roads as far as practicable and to avoid roads with HGV and / or width restrictions. The CLP also provides a number of safety measures that seek to reduce potential impacts to existing residents and services in the site's vicinity. The CLP is acceptable in principle and like with the CEMP a final

version of the CLP is secured via planning condition to enable it to be updated to reflect other concurrent developments in the North Acton area.

Both documents are in accordance with the requirements of OPDC Local Plan policies T7 and T8 and London Plan policy T7.

### Flood Risk

A Flood Risk Assessment and Drainage Strategy have been submitted and conclude that:

- the proposed development is at no risk of fluvial or pluvial flooding;
- the existing building and neighbouring properties have never flooded;
- the proposed development will not increase the risk of flooding on or off site and there will be no loss of floodplain as a result of the development;
- there is a means of escape from the building;
- proposed surface water drainage for the new development will be designed in accordance with DEFRA guidance to reduce surface water discharge rates and lower the risk of flooding downstream.

The submitted Drainage Strategy for the site is accepted in principle but requires further work to bring it fully into accordance with London Plan policy SI.12. Discussions are ongoing on this matter between the applicant and the GLA and therefore a condition requiring the submission of a final detailed drainage strategy to be submitted and approved prior to the commencement of development is proposed.

Thames Water has raised no objections to the proposals on the basis that surface water would not be discharged to the public network and no objections with regard to impacts on foul water sewerage further investigation in relation to capacity has been requested by condition.

On this basis, subject to appropriate conditions being applied, the scheme is considered acceptable in its likely impact on drainage and flooding, and so accords with the NPPF, London Plan policies SI12; SI13 and SI17 and the Sustainable Design and Construction SPG (April 2014).

### Fire Safety

The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations, Approved Document B amended version (2022). These require minimum standards for any development, although the standards would 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 carry out an examination of drawings for the proposed works and make site inspections during the course of the work to ensure the works are carried out correctly. On completion of work the BCB would issue a Completion Certificate to confirm that the works comply with the requirement of the Building Regulations.

Submitted with the application and in accordance with policy D12 of the London Plan (2021) a Fire Statement prepared by suitably qualified person considers the fire safety objectives and performance requirements of the development.

During the course of the application consideration the applicant made the decision to amend the scheme to introduce a second set of stairs that could be used for escape. This exceeds the minimum requirements of current Building Regulations.

Other aspects of the fire strategy include:

- Enhanced smoke control in communal corridors

- Fire and smoke detection systems
- Commercial sprinkler system provided throughout the building
- Provision of evacuation lift
- The building will benefit from 24/7 management who will be trained by experienced operator with full knowledge of the building management

The fire strategy will be subject of further review during the detailed design stages to ensure compliance with relevant building design requirements including the relevant Building Regulations and other recommendations set out in BS9991:2015, Fire safety in the design, management and use of residential buildings – Code of practice and BS 9999: 2017, Fire safety in the design, management and use of buildings - Code of practice.

**Conclusion:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where regard is to be had to the development plan for the purpose of any determination of a planning application, the determination must be made in accordance with the plan unless material considerations indicate otherwise. On balance, there are material considerations which demonstrate that the application is considered to accord with many of the policies and objectives of the Development Plan and other material considerations (including the NPPF) which indicate that planning permission ought to be granted. In particular, the loss of the heritage asset and existing pub has been considered and in this case the public benefit generated by the proposed development are considered to be sufficient to outweigh the harm caused by the loss. In respect to the loss of the public house the proposals provide for a new public house which is considered to be of an appropriate quality to replace that proposed to be lost.

It is considered that the proposal for a co-living led mixed use scheme is of a suitable layout and design which responds well to the surrounding urban context and would cause minimal harm to the amenities of neighbouring residential occupiers.

The development would provide good quality residential accommodation for future occupiers with sufficient access to communal amenity spaces and provides for the efficient use of land in an urban area. Furthermore, it is considered that the proposal would not be of detriment to the surrounding road network and public transport system offering sufficient storage for cycles and refuse and recycling.

On balance, the proposals are considered to be acceptable, and it is recommended that planning permission be granted subject to any direction of the Mayor of London.

**Community Infrastructure Levy (CIL)**

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

In this case, the proposed development involves a net increase of circa 18,874 sq m GIA floorspace. This indicates a CIL payment in the order of £1,132,440 subject to indexation, but the actual amount will be calculated by the CIL officer.

**Local Finance Considerations**

Pursuant to section 70(2) of the Town and Country Planning Act 1990 (as amended) the Council is required to take into account any local finance considerations, as far as material to the application. These comprise a grant or other financial assistance that has been, or would be or could be, provided to the Council, or any sum that has been received, or would be or could be, in payment of CIL. The Mayoral CIL, collected by the Council on the Mayor's behalf, is such a

consideration. The weight to be afforded to the receipt of CIL in the context of the decision whether to grant planning permission is a matter for members.

**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.

The Council has had due regard to any potential adverse equality impacts of the proposed development, and to the extent that there are adverse impacts, which there may not be, the report should set out any mitigation proposals that would safeguard and promote the objectives protected by s149 Equality Act as far as reasonably possible if the proposal will bring about significant change.



**APPENDIX 1 - PLANNING CONDITIONS AND INFORMATIVES**

1. Time Limit – Full Planning Permission

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

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

2. Approved Plans and Documents

The development hereby approved shall be carried out in accordance with the following approved plans: and documents:

Plans:

J210-HTA-XX-XX-DR-A-085-001\_Site Location Plan  
 J210-HTA-XX-XX-DR-A-084-002\_Existing Site Plan  
 J210-HTA-XX-XX-DR-A-084-003\_Existing Site Elevations  
 J210-HTA-XX-N-DR-A-084-004\_Existing Street Elevation - Victoria Road  
 J210-HTA-XX-E-DR-A-084-005\_Existing Street Elevation - Wales Farm Road

J210-HTA-XX-XX-DR-A-085-101\_Proposed Site Plan  
 J210-HTA-XX-XX-DR-A-085-102\_Proposed Site Plan-Future  
 J210-HTA-XX-N-DR-A-088-104\_Proposed Victoria Rd Elevation  
 J210-HTA-XX-E-DR-A-088-105\_Proposed Wales Farm Rd Elevation

J210-HTA-XX-00-DR-A-086-2000\_Level 00 Floor Plan-A  
 J210-HTA-XX-01-DR-A-086-2001\_Level 01 Floor Plan-A  
 J210-HTA-XX-02-DR-A-086-2002\_Level 02 Floor Plan-A  
 J210-HTA-XX-03-DR-A-086-2003\_Level 03 Floor Plan-A  
 J210-HTA-XX-04-DR-A-086-2004\_Level 04 Floor Plan-B  
 J210-HTA-XX-09-DR-A-086-2009\_Level 09 Floor Plan-B  
 J210-HTA-XX-18-DR-A-086-2018\_Level 18 Floor Plan-A  
 J210-HTA-XX-27-DR-A-086-2027\_Level 27 Floor Plan-A  
 J210-HTA-XX-28-DR-A-086-2028\_Level 28 Floor Plan-A  
 J210-HTA-XX-31-DR-A-086-2031\_Level 31 Floor Plan-Roof Terrace-A  
 J210-HTA-XX-32-DR-A-086-2032\_Level 32 Roof Plan-A  
 J210-HTA-XX-B1-DR-A-086-2900\_Basement 01 Floor Plan-A  
 J210-HTA-XX-B2-DR-A-086-2901\_Basement 02 Floor Plan-A

J210-HTA-XX-00-DR-L-086-2900 Landscape General Arrangement Ground Floor  
 J210-HTA-XX-31-DR-L-086-2901 Landscape General Arrangement Roof Terrace  
 J210-HTA-XX-00-DR-L-086-2902 Planting Plan Ground floor  
 J210-HTA-XX-31-DR-L-086-2903 Planting plan Roof Terrace

J210-HTA-XX-XX-DR-A\_089-2200\_Proposed Section AA - East-West-A  
 J210-HTA-XX-XX-DR-A-089-2201\_Proposed Section BB - North-South-A

J210-HTA-XX-E-DR-A-088-2100\_Proposed Elevation-East-B  
 J210-HTA-XX-W-DR-A-088-2101\_Proposed Elevation-West-B

J210-HTA-XX-N-DR-A-088-2102\_Proposed Elevation-North-B

J210-HTA-XX-XX-RP-A-102-3000\_DAS  
 J210-HTA-XX-XX-RP-A-102-3001\_DAS Addendum  
 J210-HTA-XX-XX-RP-A-102-3002\_DAS Addendum  
 Documents/Reports

Planning Statement-HTA Design LLP, Viability Appraisal-DS2, Townscape & Visual Impact Assessment Montague Evans, Heritage Assessment-RPS, Historic Building Record-ASE, Statement of Community Involvement-Cratus, Sustainability/Energy Assessment-HTA Design LLP, Utilities Statement -Vector, Transport Assessment-Vectos, Travel Plan-Vectos, Cycle Parking Note-Vectos, Delivery and Servicing Management Plan-Vectos, Construction Logistics Plan-Vectos, Tree Survey and Arboriculture Report-The Ecology Consultancy, Refuse Strategy -RPS, Construction and Demolition Environmental Management (CEMP)-Tide, Construction Waste Management Strategy-Tide, Archaeological Assessment-Iceni, Demolition Method Statement-Embassy Demolition, Ecological Assessment-Arbeco, Fire Safety Statement-JGA, Drainage Strategy including SUDS-Barret Mahony, Flood Risk Assessment-Tully De'ath, Desk Study/Preliminary Risk Assessment-Jomas, Noise and Vibration Review-By Acoustics, Co-living Demand Assessment-Knight Frank, Microclimate Wind Assessment-Aeronautical Architecture, Daylight and Sunlight Report-EB7, Air Quality Assessment-Air Quality Consultants, Co-living management plan-Fresh, Health Impact Assessment-Iceni, Economic Benefits Report-Iceni

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

3. Demolition Method Statement and Construction Management Plan

Prior to commencement of the development, a demolition method statement/ construction management plan shall be submitted to the Council for approval in writing.

Details shall include control measures for:-

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

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site, in accordance with Policy EU5, T8 of the OPDC Local Plan (2022), Policy D14 of the London Plan (2021).

4. Co-living Use

The part ground floor, part first floor and floors 2 to 31 of the development hereby approved shall be used as a co-living scheme only and for no other purpose or any use cited in any provision of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (or any subsequent order revoking and re-enacting that Order with or without modifications) relevant to uses falling within Use Class Sui Generis.

Reason: To ensure that the Council retains control over the quality, impacts and provision of any change of use thereby safeguarding amenities of the occupiers of neighbouring properties and transport capacity in accordance with policies H7, T5, T6, T9 of the OPDC Local Plan (2022) and policies GC2, D14, T4 and T7 of the London Plan (2021).

5. Public House

The part ground floor and part first floor of the development hereby approved as indicated 'Castle Pub' on plan refs: J210-HTA-XX-00-DR-A-086-2000\_Rev A Level 00 Floor Plan and J210-HTA-XX-00-DR-A-086-2001 Rev A\_Level 01 Floor Plan shall be used as a Public House and for now other purpose or any use cited in any provision of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (or any subsequent order revoking and re-enacting that Order with or without modifications) relevant to uses falling within Use Class E.

Reason: To ensure that the Council retains control over the use of the ground floor of the building in order to retain the use as a Public House in accordance with policy TCC6 of the OPDC Local Plan (2022) and policy HC7 of the London Plan (2021).

6. Construction Logistics Plan

Prior to the commencement of development, a site Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall take into account other major infrastructure and development projects in the area (including Old Oak Common HS2, National Rail and Crossrail Station) and shall include the following:

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;
- b) Details of construction hours;
- c) Anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- d) Delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- e) Route and location of site access for construction traffic and associated signage;
- f) Management of consolidated or re-timed trips;
- g) Details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- h) Secure, off-street loading and drop-off facilities;
- i) Wheel washing provisions;
- j) Vehicle manoeuvring and turning, including swept path diagrams to demonstrate how construction vehicles will access the site and be able to turn into and emerge from the site in forward gear and including details of any temporary vehicle access points;
- k) Details as to the location(s) for storage of building materials, plant and construction debris and contractor's welfare facilities and offices;
- l) Procedures for on-site contractors to deal with complaints from members of the public;

- m) Measures to consult cyclists, disabled people and the local schools about delivery times and necessary diversions;
- n) Details of all pedestrian and cyclist diversions;
- o) A commitment to be part of Considerate Constructors Scheme; and
- p) Confirmation of use of TfL's Fleet Operator Recognition Scheme (FORS) or similar.
- q) The submission of evidence of the condition of the highway prior to-construction and a commitment to make good any damages caused during construction.
- r) Details of parking restrictions which may need to be implemented during construction work.

Prior to the commencement of any construction work, all sensitive properties surrounding the site shall be notified in writing of the nature and duration of the works to be undertaken, and the name and address of a responsible person to whom enquiries / complaints should be directed. These details shall also be displayed at regular intervals around the site construction compound.

The development shall be carried out strictly in accordance with the details so approved. Any areas to be used for the storage of building materials or other site activities outside of the relevant phase of the development shall be returned to the original condition immediately following the practical completion of the development.

Such details shall be implemented, and phasing agreed in writing, prior to the commencement of works on site and thereafter retained for the duration of the works.

Reason: To protect the amenity of local residents and ensure adequate highway and site safety in accordance with policies EU4, EU5, T7, T8 of the OPDC Local Plan (2022) and policies D6, D11, D14, SI1, S12, T1, T2, T4 and T5 of the London Plan (2021); the Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006); and BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise and TFL Construction Logistics Planning Guidance

**7. Filtered Fresh Air Ventilation**

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

Reason: To ensure that the amenity of occupiers of the co-living scheme are not adversely affected by air pollution, in accordance with policy EU4 of the OPDC Local Plan (2022) and policies D6 and SI1 of the London Plan (2021).

**8. Air Quality and Dust Management Plan**

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

findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the site.

Reason: To ensure that the amenity of occupiers of the surrounding premises are not adversely affected by air pollution, in accordance with policies D5, EU4 of the OPDC Local Plan (2022) and policies D6 and SI1 of the London Plan (2021).

9. All Non-Road Mobile Machinery

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

Reason: To ensure that the amenity of occupiers of surrounding premises are not adversely affected by air pollution, in accordance with policies D5, EU4 of the OPDC Local Plan (2022) and policies D6 and SI1 of the London Plan (2021).

10. Energy Source for Heating

Further details of the proposed energy source for heating and hot water for the development shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The energy proposal shall demonstrate the use of the Best Available Technology that is commercially and technically viable in relation to the boilers at the time of construction of the development. Where any proposed boilers would not worsen existing air quality for occupants and neighbouring residents and that its maximum NOx emissions would be under 0.025 g/kWh. The approved plant shall be installed in accordance with the approved details.

Reason: To ensure that the amenity of occupiers and users of the area are not adversely affected by air pollution, in accordance with policies D5, EU4 of the OPDC Local Plan (2022) and policies D6 and SI1 of the London Plan (2021)

11. Delivery and Servicing Plan

Prior to first occupation of any part of the development hereby approved a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover the following:

- Vehicle tracking - Swept paths drawings for a refuse lorry vehicle, 10-metre rigid vehicle and a fire appliance vehicle;
- Deliveries and collections (both commercial and residential); including how deliveries will be scheduled to avoid several lorries arriving at the site simultaneously;
- Servicing trips (including maintenance); and measures to reduce the number of freight trips to the site (freight consolidation);
- Details for the management and receipt of deliveries for the co-living units.
- Cleaning and waste removal; including arrangements for refuse collection;
- Monitoring and review of operations.

The Delivery and Servicing Plan shall be implemented on first occupation of any part of the development hereby approved and the site shall be managed in accordance with the approved plan for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development can be adequately serviced in the interests of the amenity of occupiers of the development and neighbouring properties, local/regional strategies adopted to increase the use of sustainable modes of transport, and pedestrian and highway safety and movement, in accordance with policies D2, D3, T7 of the OPDC Local Plan (2022) and policies D4, D6, D8, SI7, T1, T2, T4, T5, T6 and T6.1 of the London Plan (2021).

12. Site Waste Management Plan (Construction)

Prior to the commencement of development, a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Waste Management Plan shall demonstrate how the procurement of materials for the development during construction would promote sustainability, including by use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste, use of local suppliers and by reference to the BRE's Green Guide Specification.

The development shall be carried out in accordance with the particulars so approved.

Reason: In the interests of safeguarding public health, reducing and managing waste generated by the development, and keeping local highways clear of visual blight and impediments to movement in accordance with, policies D2, D3, EU6, EU7, T7 of the OPDC Local Plan (2022) and policies D4, D6, D8, SI7, T1, T2, T4 and T5 of the London Plan (2021).

13. Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within an approved desk study phase 1 report) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground.

The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors updated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with policies EU13 of the OPDC Local Plan (2022) and policies SD1, D6, D11, D14 and SI1 of the London Plan (2021).

14. Remediation Scheme

Prior to the commencement of any works on site (other than demolition and site clearance), a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of

the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation works.

Reason: To ensure the land contamination issues are addressed in accordance with policy EU13 of the OPDC Local Plan (2022) and policies SD1, D6, D11, D14 and SI1, of the London Plan (2021).

15. Verification Report

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

Reason: To ensure the land contamination issues are addressed in accordance with policy EU13 of the OPDC Local Plan (2022) and policies SD1, D6, D11, D14 and SI1, of the London Plan (2021).

16. Material Samples

Samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the relevant part of the development. The submission should include full technical details and on-site sample panels and/or material samples to be viewed by officers the details/samples shall include:

- a) Full details of curtain walling system including colours of all banding and glass panels
- b) Full details of other cladding systems including colours and textures;
- c) Glazed terracotta tiles including format and colours;
- d) All metal work and decorative panels including colours and textures;
- e) All window treatments (including oriel windows) and entrance doors (including sections and reveals);
- f) Privacy/obscure glass details;
- g) Canopy details;
- h) Ventilation and extraction louvres; external doors or other openings to refuse areas, cycles stores, substations;
- i) All other external materials to be used.

The development shall be carried out strictly in accordance with the details so approved.

Reason: To ensure that the materials harmonise with the neighbouring buildings and surrounding area in accordance with policy D3 of the OPDC Local Plan (2022) and policies D3 and D4 of the London Plan (2021).

17. Hard and Soft Landscaping and Public Realm

Prior to commencement of landscaping/public realm works, and notwithstanding the indications in the submitted application; details of the hard and soft landscaping works and

boundary treatments, pedestrian routes, amenity areas, roof terraces and other areas of public realm including the details of:

- a) Planting – the location, species and densities;
- b) Trees the location, species and maturity of proposed trees; including comprehensive details of ground/tree pit preparation to include but not restricted to:
  - Plans showing adequate soil volume provision to allow the tree to grow to maturity;
  - Engineering solutions to show how the tree will not interfere with structures in the future
  - Staking/tying methods
- c) 5-year post planting maintenance schedule for all planting and trees with an agreed inspection schedule
- d) finishes to the hard-surfaced areas (including samples);
- e) boundary treatments and access gates;
- f) associated furniture (including bins, bollards, seating) and other hard landscape works
- g) disabled access
- h) security measures

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

Reason: To ensure that the materials harmonise with the surroundings in accordance with policies D1 and D2 of the OPDC Local Plan (2022) and policies D3 and D4 of the London Plan (2021).

#### 18. Transport / commercial/ industrial / cultural noise sources

Prior to completion of the ground floor slab details shall be submitted to the Council for approval in writing, in accordance with the recommendations in the acoustic report of by-Acoustics ref. 210-BYA-XX-XX-RP-Z-002-0001, dated 28 May 2021 and of the sound insulation of the building envelope including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) including acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) to achieve internal noise limits specified in SPG10. Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve noise limits specified in BS8233:2014. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policies EU5 of the OPDC Local Plan (2022) and policy D6 and D14 of The London Plan (2021).



19. Sound insulation and anti-vibration measures

Prior to completion of the ground floor slab an Acoustic Report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the amenity/social spaces/commercial space from the residential accommodation;
- the sound insulation performance between the public house use and the co-living use with specific consideration given to the ability of the public house to accommodate live music events and consideration of appropriate mitigation measures
- anti-vibration fittings and/or other mitigation measures required for the isolation of loudspeakers, or other equipment and floors for use by group exercise classes, weights, machines;
- details of sound insulation and mitigation measures to demonstrate that noise from the use of the cinema, games room and gym including music and amplified voices, instructor's voices, group exercise classes, activities and use of equipment does not exceed
- NR25 Lmax(fast) from structure borne / impact noise
- NR20 Leq,5min from general airborne activity noise (including music)

within adjoining or nearby premises.

The assessment and mitigation measures shall be based on standards of the Council's SPG10. Approved details shall be implemented prior to first occupation/use of the building and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration, in accordance with policy EU5 of the OPDC Local Plan (2022) and policy D6 and D14 of The London Plan (2021).

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

Prior to occupation of the development hereby approved details shall be submitted to the Council for approval in writing, of the external rating noise level emitted from plant/ machinery/ equipment/ ducting/ air in- and outlets/mechanical installations, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014, with all plant/equipment in any one area operating together at maximum capacity.

A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

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

accordance with policy EU5 of the OPDC Local Plan (2022) and policy D6 and D14 of The London Plan (2021).

21. Anti-vibration mounts and silencing of machinery

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with policy EU5 of the OPDC Local Plan (2022) and, policy D6 and D14 of The London Plan (2021).

22. Commercial and Communal External doors and windows to remain shut

At no time shall any external door nor windows to commercial and communal rooms where noise, smell, smoke or fumes may be emitted, be fixed in an open position.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise /odour /smoke /fumes, in accordance with policy EU4 of the OPDC Local Plan (2022) and policy D6 and D14 of The London Plan (2021).

23. Floodlights, Security lights and Decorative External Lighting

Prior to installation details of external artificial lighting shall be submitted to the Council for approval in writing. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations for Environmental Zone 3 of the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'. Details should also be submitted for approval of measures to minimise the use/hours of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation/use of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of residents in accordance with policy D3 of the OPDC Local Plan (2022) and Policy D4 of The London Plan.

24. Secured by Design

Prior to the commencement of the superstructure, a statement shall be submitted for the approval of the Local Planning Authority to demonstrate how Secured by Design accreditation will be achieved.

The development shall be implemented only in accordance with the approved details, which shall be completed prior to the first occupation of the development hereby approved and thereafter permanently retained.

Within three (3) months of first occupation, evidence that Secure by Design Accreditation has been achieved shall be provided in writing to the Local Planning Authority.

Reason: To ensure a safe and secure environment and reduce the fear of crime in accordance with policy D1 and D3 of the OPDC Local Plan (2022) and policies D3 and D11 of the London Plan (2021).

25. Cycle Parking

Prior to the commencement of the superstructure of the development, details of all cycle parking spaces, with long and short stay cycle parking spaces separated, shall be submitted to the local planning authority for written approval. The approved cycle parking facilities shall be fully implemented in accordance with Council standards and as shown on the approved plans and made operational before the first occupation of the development, and permanently retained thereafter.

Reason: To promote sustainable patterns of transport, in accordance with policy T3 of the OPDC Local Plan (2022) and policy T5 of the London Plan (2021).

26. Cycle Management Plan

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

Reason: To promote sustainable patterns of transport, in accordance with policies T3 and T9 of the OPDC Local Plan (2022) and policy T5 of the London Plan (2021).

27. Travel Plan

An updated Green Travel Plans for:

- A) The co-living use
- B) The public house use

Designed to manage the transport needs of the occupiers of the development, including measures to minimise car usage and promote alternative modes of transport, shall be submitted to the Local Planning Authority before the first occupation of the respective parts of the development, and the approved Green Travel Plans shall be fully implemented in compliance with the approved document.

Reason: To promote sustainable patterns of transport to safeguard the living and working conditions of local people and in the interest of highway and pedestrian safety, in accordance with policy T9 of the OPDC Local Plan (2022), policies T2 and T4 of the London Plan (2021).

28. Accessible Units

Prior to first occupation of the co-living scheme, details of the appropriate number and design of accessible units shall be submitted to and approved in writing by the Local Planning Authority. The details must demonstrate that:

- A. Ten percent (10%) of the approved private bedrooms shall be designed and constructed to meet Approved Document M (Volume 1 Dwellings), Part M4(3) (Wheelchair user dwellings) of Building Regulations 2015, or other such relevant technical standards in use at the time of the construction of the development; and
- B. Ninety percent (90%) of the approved private bedrooms shall be designed and constructed to meet Approved Document M (Volume 1: Dwellings), Part M4(2)(Accessible and adaptable dwellings) of building Regulations 2015, or other such relevant technical standards in use at the time of the construction of the development;

Reason: To ensure that the development is adaptable, flexible, convenient and appropriate to the changing needs of the future occupiers, as well as, the provision of wheelchair housing in a timely fashion and address the current unmet housing need, production of a sustainable mix of accommodation, provision of an appropriate choice and housing opportunity for wheelchair users and their families in accordance with policies D2 and D3 of the OPDC Local Plan (2022) and policies D5, D6, D7 and GG4 of the London Plan (2021).

29. Sustainable drainage

No development shall commence, (except for demolition, site clearance and preparation works), until a drainage strategy detailing any on/off site drainage works, has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To reduce the risk of the flooding of the application property, neighbouring properties, and local area in accordance with policy EU3 of the OPDC Local Plan (2022) and policies SI12 and SI13 of the London Plan (2021).

30. Water Supply (Thames Water)

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

- a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with policy EU3 of the OPDC Local Plan (2022) and policies SI 5 of the London Plan (2021).

31. Piling Method Statement

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

Reason: The proposed works would be in close proximity to underground water and sewerage utility infrastructure, which needs to be safeguarded in accordance with policies 5.14 and 5.15 of the adopted London Plan (2021).

32. Community Use

Prior to the commencement of the use hereby approved a community use agreement (CUA) shall be submitted and approved in writing by the Local Planning Authority. The CUA shall apply to the proposed first floor of the public/house and shall include details of pricing policy,

hours of use by the community, details of the advertising of the space to the local community, management responsibilities, a mechanism for review and a programme for implementation. When in use by the community, the first floor shall not be used, occupied or operated other than in accordance with the approved CUA.

Reason: To ensure the availability of space for use by the local community in accordance with policies 1.1 (e) and 1.2 (d) of the adopted Local Development Framework (Core) Strategy (2012) policy S1 of the London Plan (2021)

33. Water Efficiency for co-living units

Prior to the installation of modules , a water efficiency statement shall be submitted to the Local Planning Authority demonstrating all measures that will be incorporated to ensure that the residential units will meet water efficiency standards with a maximum water use target of 105 litres of water per person per day. Development shall proceed in accordance with the approved water efficiency statement.

Reason: To ensure the sustainable use of water, in accordance with policy EU3 of the OPDC Local Plan (2022) and policy SI 5 of the London Plan (2021).

34. Energy and CO2

- a) Subject to final agreement on the energy strategy, the Development shall prior to construction completion and occupation, implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve the sitewide carbon reduction savings as detailed in the Energy Statement prepared by HTA Design LLP (issue 2) in June 2021, or in any later final approved energy strategy. The current (issue 2) predicts a sitewide reduction in regulated CO2 emissions against SAP10 standards of at least 44.81% (equating to 153.74 tonnes of CO2 per year) beyond Building Regulations Part L 2013 including:
  - i. Lean, passive design measures to achieve an annual reduction of at least 12.13% equating to at least 31.08 tonnes in regulated carbon dioxide (CO2) emissions over BR Part L 2013 for the residential development, and at least 15.40%, equating to at least 13.38 tonnes, over Part L 2013 for the non-residential space.
  - ii. Green, renewable energy equipment including the incorporation of a photovoltaic array with a capacity of at least 2.04 kWp, and Air Source Heat Pump(s) to achieve an annual reduction of at least 31.85%, equating to 109.74 tonnes, in regulated carbon dioxide (CO2) emissions over Part L 2013.
  - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.
- b) Prior to the installation of the renewable/low-carbon energy equipment, details of the specifications including manufacturers performance data sheets, design, and layout of the proposed low and zero-carbon (LZC) energy equipment, and the associated monitoring devices required to identify their performance/efficiency (COP), shall be submitted, to and approved in writing, by the Council. The development shall be implemented only in accordance with the approved details.

- c) Prior to the installation of the renewable/low-carbon energy equipment technical details of the equipment shall be submitted to the Council for approval. The details shall include the exact heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact kWp capacity of the PV array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.
- d) On completion of the installation of the LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- e) All boilers to serve the energy requirements of the development detailed in the approved energy strategy should be specified with NOx emissions (g/m<sup>2</sup>) that are compliant with or better than the ultra-low NOx (g/m<sup>2</sup>) benchmarks as set out at Appendix 5 of the Mayor’s Sustainable Design and Construction SPG.
- f) Details of the layout of the energy plant room and equipment and the method of how the facility shall be designed to connect to, or allow for future connection to, an offsite district heating network, if an on-site energy centre is provided;
- g) Within three months of the occupation/first use of the co-living development and within three months of occupation/first use of the pub, the relevant Energy Performance Certificate (EPC) and detailed SAP Worksheets showing clearly the TER and DER, and/or the Display Energy Certificates (DEC's), accompanying Advisory Reports and detailed BRUKL modelling output reports showing clearly the TER and BER from the ‘as built stage’ following completion of the development, shall be submitted to, and approved by, the Local Authority in order to confirm compliance with the energy efficiency measures detailed in the approved Energy Strategy. The development shall be carried out strictly in accordance with the approved details.

Reason: In the interest of addressing climate change and to secure environmentally sustainable development in accordance with policy EU9 of the OPDC Local Plan (2022) and policies SI2 and SI3 of the London Plan (2021), and the relevant guidance notes in the GLA Energy Assessment Guidance 2020.

35. Overheating and Cooling

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE TM59 and/or TM52 guidance and detailed in the Overheating Assessment submitted by HTA Design LLP (issue 2) in June 2021.

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy EU9 of the OPDC Local Plan (2022) and policy 5.9 of the London Plan (2021).

36. Post-construction energy equipment monitoring

In order to implement OPDC Local Plan policy EU9 (post-construction energy equipment monitoring), and key parts of London Plan (2021) policy SI2 (“be Seen”), the developer shall:

- a) Enter into a legal agreement with the Council to secure a S106 financial contribution for the post-construction monitoring of the renewable/low carbon technologies to be

incorporated into the development and/or the energy use of the development as per energy and CO2 Condition(s).

- b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency (COP) of any renewable/low-carbon energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of four years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council's chosen AEMP supplier (Emergence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational.

Reason: To monitor the effectiveness and continued operation of the renewable/low carbon energy equipment in order to confirm compliance with energy policies and establish an in-situ evidence base on the performance of such equipment in accordance with policy EU9 of the OPDC Local Plan (2022) and London Plan (2021) policy SI2 ("Be Seen" stage of the energy hierarchy), and Policy 2.5.36 (Best Practice) of the Mayor's Sustainable Design & Construction SPG.

37. Post-construction energy use monitoring ("be Seen")

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

- a) Within eight weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. In consultation with the Council's chosen Automated Energy Monitoring Platform provider the owner should also confirm that

suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following three years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least four years.

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

Reason: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of policy EU9 of the OPDC Local Plan (2022) and Policy SI 2 of the London Plan (2021).

38. Whole life-cycle carbon

Within 8 weeks of the completion of the development hereby approved the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in line with policy EU9 of the OPDC Local Plan (2022) and Policy SI2 of the London Plan (2021).

39. Circular economy

No development shall take place until a detailed Circular Economy Statement and Operational Waste Management Strategy in line with the GLA's Circular Economy Statement Guidance is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.



Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with policy EU7 of the OPDC Local Plan (2022) and Policy SI7 of the London Plan (2021).

40. Circular economy monitoring

Prior to the occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: [circulareconomystatements@london.gov.uk](mailto:circulareconomystatements@london.gov.uk), along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with policy EU7 of the OPDC Local Plan (2022) and Policy SI7 of the London Plan (2021).

41. Fire Statement and Evacuation Lifts

The development shall be implemented strictly in accordance with the approved Outline Fire Strategy (Ref: EL7235/R1 Issue 7 dated 15th February 2022) prepared by Jensen and retained as such for the lifetime of the development. In accordance with the Outline Fire Strategy fire evacuation lifts suitable to be used to evacuate people who require level access from the building to serve both the co-living and public house parts of the development shall be installed prior to the occupation of the development retained in perpetuity.

Reason: In order to achieve the highest standards of fire safety and ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

42. Archaeology

No demolition or development shall take place until a Stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by Stage 1 then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the Stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits.
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the

condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England’s Guidelines for Archaeological Projects in Greater London.

Reason: To safeguard the archaeological interest of the site in accordance with policy D7 of the OPDC Local Plan (2022) and Policy HC1 of the London Plan (2021).

**Informatives:**

1. The decision to grant planning permission has been taken in accordance with the statutory duty under section 38(6) Planning and Compulsory Purchase Act 2004 that the application must be determined in accordance with the development plan unless material considerations indicate otherwise; and in accordance with the statutory duty under section 70(2) Town and Country Planning Act 1990 (as amended) to have regard to the provisions of the development plan, so far as material, any local finance considerations so far as material, and to all other material considerations. The decision to grant planning permission has been taken having regard to the formal comments received by the Greater London Authority, OPDC and other representations received; and after considering the National Planning Policy Framework (2021), the policies and proposals in the London Plan (2021), the OPDC Local Plan (2022) and all relevant material considerations including Supplementary Planning Documents/Guidance, and the following:

National Planning Policy Framework (2021)

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

London Plan (2021)

- Policy GG1 Building Strong and Inclusive Communities
- Policy GG2 Making the Best Use of Land
- Policy GG3 Creating a Healthy City
- Policy GG4 Delivering the Homes Londoners Need
- Policy GG5 Growing a Good Economy
- Policy GG6 Increasing Efficiency and Resilience
- Policy SD10 Strategic and Local Regeneration
- Policy D1 London’s Form, Character and Capacity for Growth
- Policy D2 Infrastructure Requirements for Sustainable Densities
- Policy D3 Optimising Site Capacity Through the Design-Led Approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D6 Housing Quality and Standards
- Policy D7 Accessible Housing

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| Policy D8   | Public Realm                                       |
| Policy D10  | Basement Development                               |
| Policy D11  | Safety, Security and Resilience to Emergency       |
| Policy D12  | Fire Safety  |
| Policy D14  | Noise  |
| Policy H1   | Increasing Housing Supply                          |
| Policy H2   | Small Site   |
| Policy H4   | Delivering Affordable Housing                      |
| Policy H5   | Threshold Approach to Applications                 |
| Policy H6   | Affordable Housing Tenure                          |
| Policy H7   | Monitoring of Affordable Housing                   |
| Policy H10  | Housing Size Mix                                   |
| Policy H11  | Build to Rent                                      |
| Policy H16  | Large-Scale Purpose-Built Shared Living            |
| Policy S3   | Education and Childcare Facilities                 |
| Policy S5   | Sports and Recreation Facilities                   |
| Policy E11  | Skills and Opportunities for All                   |
| Policy HC1  | Heritage Conservation and Growth                   |
| Policy HC6  | Supporting the night-time economy                  |
| Policy HC7  | Protecting public houses                           |
| Policy G1   | Green Infrastructure                               |
| Policy G4   | Open Space   |
| Policy G5   | Urban Greening                                     |
| Policy G6   | Biodiversity and Access to Nature                  |
| Policy SI1  | Improving Air Quality                              |
| Policy SI2  | Minimising Greenhouse Gas Emissions                |
| Policy SI3  | Energy Infrastructure                              |
| Policy SI4  | Managing Heat Risk                                 |
| Policy SI5  | Water Infrastructure                               |
| Policy SI7  | Reducing Waste and Supporting the Circular Economy |
| Policy SI12 | Flood Risk Management                              |
| Policy SI13 | Sustainable Drainage                               |
| Policy T1   | Strategic Approach to Transport                    |
| Policy T2   | Healthy Streets                                    |
| Policy T3   | Transport Capacity, Connectivity and Safeguarding  |
| Policy T4   | Assessing and Mitigating Transport Impacts         |
| Policy T5   | Cycling  |
| Policy T6   | Car Parking  |
| Policy T6.1 | Residential Parking                                |
| Policy T7   | Deliveries, Servicing and Construction             |
| Policy T9   | Funding Transport Infrastructure Through Planning  |
| Policy DF1  | Delivery of the Plan and Planning Obligations      |

Old Oak and Park Royal Mayoral Development Corporation

Old Oak and Park Royal Opportunity Area Planning Framework (November 2015)

Old Oak Park Royal Development Corporation (OPDC) Local Plan (June 2022)

SP1: Catalyst for Growth

SP2: Good Growth  
SP3: Improving health and reducing health inequalities  
SP4: Thriving communities  
SP5: Economic resilience  
SP6: Places and destinations  
SP7: Connecting places and people  
SP8: green infrastructure and open spaces  
SP9: Built environment  
SP10: Integrated delivery

P7 North Acton and North Wells  
P7C1: North Acton Town Centre Cluster  
Principles for securing high quality design  
D1: Public realm  
D2: Accessible and inclusive design  
D3: Well-designed buildings  
D4: Tall buildings  
D5: Amenity  
D6: Key views  
D7: Heritage  
D8: Play space  
EU1: Open Space  
EU2: Urban greening and biodiversity  
EU4: Air Quality  
EU5: Noise and Vibration  
EU6: Waste  
EU7: Circular and sharing economy  
EU8: Sustainable materials  
EU9: Minimising Carbon Emissions and Overheating  
EU10: Energy Systems  
T1: Roads and Streets  
T2: Walking  
T3: Cycling  
T4: Parking  
T5: Rail  
T6: Buses  
T8: Construction  
T9: Transport Assessments and Travel Plans  
H1: Housing Supply  
H2: Affordable Housing  
H3: Housing Mix  
H6: Build to rent sector

In reaching this decision, specific consideration was given to the information contained in the applicant's submission including detailed plans, supporting statements and technical reports submitted with the application. The principle of the proposed land uses has been considered against relevant policies, the public benefits generated by the proposed development and the needs of the local area. Consideration was also given to the impact of the proposed development on the amenities of neighbouring residential properties and the character and

appearance of the area. The principle of tall buildings on this site and its appropriateness in terms of its form, scale, layout and appearance and contribution that it makes to place making and the quality of the proposed residential environment and the amenity of future residents. The level of affordable housing is supported as is the re-provision of a public house on the site. The loss of the locally listed building has been fully considered and the public benefits associated with the quantum of affordable housing, the supply of housing, the re-provision of a new public house together with the economic benefits are considered to outweigh the loss of the heritage asset. Access, traffic, parking and servicing implications have all been assessed and found to be acceptable as has the provision of quality hard and soft landscaping and public and private amenity spaces.

It was considered that subject to appropriate safeguarding conditions, given the nature of the proposed development and having considered all objections and comments received from stakeholders and interested parties to date, that on balance the proposals would accord with the relevant planning policies and guidance. It is therefore considered that planning permission should be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application.

2. This development is the subject of an Agreement under Section 106 of the Town and Country Planning Act (as amended).
3. The Mayor's Community Infrastructure Levy (CIL) was adopted on 01/04/2012 and later revised on 01/04/2019 (MCIL 2) This has introduced a charging system within Ealing of £60 per sqm of gross internal area to be paid to the GLA. On the basis of the information submitted with the application, the proposed development would be liable to pay CIL due to the development comprising of new residential uses and development of over 100sq.m which is not exempt from the Mayors CIL.
4. To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, and offers and encourages a comprehensive pre-application advice service, all of which is available on the Council's website and outlined in a 24 hours automated telephone system. The scheme complied with policy and guidance. The Local Planning Authority delivered the decision proactively in accordance with requirements of the National Planning Policy Framework.
5. The applicant is reminded that they would be required to enter into a Section 38 / 278 Agreement with the Local Highways Authority in relation to any proposed alterations to the public highway.
6. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
7. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted.

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

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

8. Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection ([plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)) before any works are carried out to ensure the apparatus is not affected by any of the proposed works.
9. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome/airport before erecting a crane in close proximity to an aerodrome/airport. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
10. Permitted hours for building work - Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays.
11. Notification to neighbours of demolition/ building works - At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
12. Dust - Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition.
13. Dark smoke and nuisance - No waste materials should be burnt on site of the development hereby approved.
14. Noise and Vibration from demolition, construction, piling, concrete crushing, drilling, excavating, etc. - Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-

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

15. Prior to commencement of construction and demolition works, involving materials containing asbestos, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval. The Health and Safety Executive shall be consulted with regard to the safe handling and disposal of asbestos during the demolition phase. Telephone: (020) 8825 6666.
16. The applicant is advised that the application site is adjacent to land that may be required to construct and/or operate Phase One of a high-speed rail line between London and the West Midlands, known as High Speed Two. Powers to construct and operate High Speed Two were secured on 23 February 2017 when Royal Assent was granted for Phase One of HS2. Accordingly, the applicant is advised to follow ongoing progress of the HS2 project at: <https://www.gov.uk/government/collections/high-speed-rail-london-west-midlands-bill> and active engagement is encouraged between all parties on respective construction programmes
17. Construction Aviation Warning Lights - Although it is not anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096. <https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>