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Minutes of the meeting of the Planning Committee

Date: Wednesday, 19 October 2022

Venue: Council Chamber, Ealing Town Hall, New Broadway, Ealing W5 2BY

Attendees (in person): Councillors

R Wall (Chair), L Brett, G Busuttil, J Gallant, T Mahmood (Vice-Chair), S Padda, M Hamidi, M Iqbal, A Kelly, S Khan and S Kohli

Apologies:

D Martin, G Stafford and F Mohamed

Also present: Ward Councillors

S Donnelly, A Zissimos and F Conti

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Stafford, with Councillor Gallant substituting.

Apologies were also received from Councillors Martin and Mohamed.

2 Urgent Matters

There were none.

3 Declarations of Interest

There were none.

4 Matters to be Considered in Private

There were no matters to be considered in private.

5 Minutes

RESOLVED:

That the minutes of the meeting on Wednesday, 21 September 2022 were agreed as a true and correct record.

6 Site Visit Attendance

Site visits had taken place prior to the Committee meeting, and these had

been attended by Councillors Busuttil, Mahmood, Padda, Gallant, Wall, Hamidi, Iqbal, Kelly, Khan and Kohli.

7 Planning Application - 221747HYBRID - Friary Park Estate, Joseph Avenue, Acton, W3 6NL

Chris Maltby, Planning Officer, introduced the report and explained that the application before the Committee was for the phased demolition of all existing buildings/structures on the Friary Park Estate, Acton, followed by a mixed-use re-development on the site comprising 8 blocks of varying heights, with the tallest building at 24 stories. The development was going to be comprised of up to 1228 residential units and up to 1825sqm of non-residential floorspace. The non-residential space was going to be available for a range of uses, with up to 782 sqm of this floorspace dedicated to community uses. The development was going to include associated landscaping works, replacement of trees and public realm improvements.

The site was located within Acton Central ward, approximately 800m north of Acton Town Centre. The site was bounded to the east, north and west by Friary Road, whilst the southern boundary was to the rear of the properties fronting Emmanuel Avenue. Acton Mainline station was located opposite the western most part of the application site.

The proposal followed a previous application to develop the site (193424HYBRID) which was granted in November 2020. In part due to the impact of the COVID-19 pandemic, a review of the granted scheme took place and opportunities were identified to enhance the development by increasing its provision of affordable housing and giving additional planning benefits. The nature of the changes precluded them from being considered as an amendment to the 2020 application, and therefore the new proposal had been brought to the Committee as a new application for the full development.

Mr Maltby outlined some of the improvements on the previous application, which included delivering 238 additional homes (of which 50% of the additional habitable rooms were to be delivered in affordable housing tenures), changes to the size and shape of some of the blocks, additional amenity and community facilities, and a new community square at the centre of the scheme. The Section 106 Legal Agreement contributions had also increased in comparison to those agreed for the previous application.

Mr Maltby informed the Committee that it was the opinion of Planning Officers that the proposals for the comprehensive redevelopment of the site will improve the standard of accommodation for existing residents, provide a range of affordable homes and generate over £6.1 million in Section 106 Legal Agreement Contributions (excluding carbon offsetting contributions). Planning officers therefore recommended that the Committee grant the application, subject to conditions, satisfactory completion of a Section 106 Legal Agreement, and Stage II referral to the Mayor of London.

A briefing note in respect of the application had been produced by Planning

Officers, circulated to the Committee, and published on the Council's website prior to the meeting. It had provided information corrections/clarifications to the Committee report, additional representations received (both in support and in objection), amendments to proposed conditions, and proposed additional conditions.

Sean Fletcher, an objector to the development, made a representation to the Committee which included the following key points:

- During the application process, a large section of the local community had voiced its objections to the application with over 900 objections received. It was deemed an overdevelopment on an already overdeveloped site.
- The proposal did not include sufficient open space around the blocks, with 9000sqm included in its plans. This was understood to be a quarter of what was required.
- There was only one staircase in the tall buildings proposed, and this was understood to run contrary to the advice of the London Fire Brigade. There were concerns that the design of the buildings risked a tragedy like the Grenfell tragedy.

Cecilia Aridegbe, Chair of the Friary Park Steering Group, spoke in favour of the application. The representation made the following key points:

- Residents of Friary Park were pleased with the progress which had been made on the estate since the previous application was approved and they welcomed this new application as an improvement on the original proposals. There had been around 50 letters of support from residents.
- The new application was bringing more community space, including a garden, kitchen and a cycle hub. It also included larger balconies for the flats, so that residents had more opportunity to enjoy outdoor spaces.
- The proposals had the potential to restore pride amongst residents in their estate, after a sense that such pride was being lost.

Councillor Steven Donnelly, a local ward councillor, made a representation to the Committee which included the following key points:

- It appeared that the new application was an attempt by the applicant to make more money by increasing the amount of housing it was offering.
- Councillor Donnelly did not agree with the applicant's assessment that the previous application was unviable. Concerns were raised about the submission of a new application to replace the existing consent, because this risked incremental change to the proposals, with the possibility of making them slowly bigger and less beneficial to residents.
- Whilst the application may have been better than what was built originally on the site in the 1980s, the proposals appeared cramped

and lacking in space for residents.

- Councillor Donnelly believed that the Committee had reasonable grounds to reject the application, given that the existing consent was big enough already.
- The enhanced fire assessment outlined in the committee report was welcomed and noted.

The Committee asked questions and debated the proposal. In response to some of the questions and points raised, officers confirmed that:

- A viability assessment of the previous application had taken place and had shown that the previous proposals were viable in terms of the affordable housing proposed.
- For the proposal before the committee, there was going to be 46% affordable housing by habitable room. The rental levels for the social renting units were going to be £121.43 for a one-bedroom apartment, £136.83 for a two-bedroom apartment, £154.72 for a three-bedroom apartment and £178.10 for a four-bedroom apartment.
- The additional affordable workspace and community space included 440sqm of space for a community centre. A temporary community centre was going to be provided in the first stage of the development, to ensure that community spaces were available in the interim whilst the re-provision of a permanent community centre was completed. There were going to be additional community spaces in the central square, and a community kitchen.
- Thames Water had been consulted on water supply for the site and a new supply system had been included in the proposals as a result. Thames Water approved of the proposed application.
- In terms of fire-safety arrangements for the blocks, the proposals were consistent with policies D5(b) and D12 of the London Plan and had been approved by London Fire Inspectors. It had been confirmed that the provision of a second staircase was not a requirement of legislation or of policy relating to fire safety.
- All Section 106 Legal Agreement contributions for the current application had increased pro rata in comparison to the related contributions from the previous application. Some contributions had increased by more than others, for example, the uplift in contributions for local bus services. Overall, the proposal before the Committee included £8 million in Section 106 contributions, and this compared to £5.7 million for the previous scheme.
- There had been a small reduction in social rental floor space, which reflected the change in the size of some of the units. The number of social rental units had stayed the same.

The Committee proceeded to vote on the application.

RESOLVED:

That for the reasons set out in the committee report, planning permission for

application REF **221747HYBRID** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent.
2. Satisfactory completion of a Section 106 Legal Agreement.
3. A Stage II referral to the Mayor of London.

8 Planning Applications - 222378LBC and 222341FUL - Twyford Abbey, Twyford Abbey Road, Park Royal, NW10 7DR

James Young, Planning Officer, introduced the report and explained that there were two related applications before the Committee on this item, the first for listed building consent (222378LBC) and the second for full planning permission (222341FUL), for the redevelopment of the Twyford Abbey and its 5.4 hectares of surrounding grounds. The development included the restoration of the existing abbey (which was grade II listed and deemed by Heritage England to be at risk of immediate deterioration) and its walled garden, as well as extensive landscaping works in the grounds. The proposal also included the construction of 326 residential units (primarily within the Abbey itself), seven new residential blocks in the grounds, a pair of “gate house” dwellings at the entrance of the site and a terrace of 8 dwelling along the western boundary.

The application site was bounded to the north by the North Circular Road, to the south by Twyford Abbey Road and to the south east by West Twyford Primary School. To the west of the site is another Grade II listed building, St Mary’s West Twyford Church.

The grounds of site were designated Metropolitan Open Land. The Committee noted that, to establish the acceptability of the principle of the development, there needed to be “very special circumstances” to outweigh the harm the proposed development would cause to the open land. Mr Young noted that the proposal included transferring the ownership of the South Lawn (the open space between The Abbey and Twyford Abbey Road) to the London Borough of Ealing, and for access to the lawn to be secured for the public by Section 106 Legal Agreement. Community access to the principal rooms of The Abbey was going to be secured 3 days per week and Pedestrian and cycle access for the public was also going to be provided through the site. In addition to works on The Abbey and its grounds, the development was also going to provide housing provision of 36% affordable units by habitable room.

Mr Young informed the Committee that it considered that these public benefits of the proposal were sufficient to be the “very special circumstances” necessary to outweigh the harm the development was going to cause to the Metropolitan Open Land. Whilst Mr Young noted the objections which had been received relating to the proposed development, he informed the Committee that officers recommended that it grant, (1) the listed building consent, and (2) planning permission for the development, subject to conditions, Stage II referral to the Mayor of London and the completion of a Section 106 Legal Agreement.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on amendments to the recommendation made in the committee report, additional representations received, corrections/clarifications to the report and additional information on the application.

Jean-Paul Beaini, an objector to the development, made a representation to the Committee which included the following key points:

- Mr Beaini believed there were substantial environmental concerns arising from the proposals, given that the proposal was going to lead to a 25% reduction of green space on the site and the loss of woodland.
- The site was subject to Metropolitan Open Land designation and to a site wide Tree Preservation Order. Mr Beaini raised concerns that the development was not compliant with the Environment Act 2021, the London Plan or the Council's environmental policies.
- Concerns were raised on behalf of the local primary school, West Twyford Primary School, regarding the proposed new access road which would run past the school grounds. The new road risked the health and safety of children at the school, particularly with respect to its impact on air quality in the playground and to the potential for accidents with increased traffic around the school.

David White, on behalf of the applicant, spoke in favour of the application. The representation made the following key points:

- It was a significant public benefit of the scheme that it would repair and restore Twyford Abbey, given that it had been listed as at risk of immediate deterioration by Heritage England.
- The proposal was going to preserve the south lawn of The Abbey and make it into a public park for residents of the wider community to enjoy. The ownership of the south lawn was going to be transferred to the London Borough of Ealing.
- The applicant was committed to providing 36% affordable housing as part of the scheme, with the possibility of increasing this offer with future viability assessments.

There were two local ward councillors who had registered to speak on this item and the Chair had agreed that both could speak for up to 2 ½ minutes each.

Councillor Athena Zissimos made a representation to the Committee first which included the following key points:

- Whilst the applicant had indicated that they were going to replace all trees which were felled on the site, such replacements were not going to be like-for-like and would not be of the same calibre.
- Trees which were offered by the applicant in addition to the

replacements on the site were likely going to be planted in the greener part of the ward. This risked making the provision of greenery and trees in the area unequal.

- The proposed 36% affordable housing for the scheme was not deemed enough to justify the impact the proposal was going to have on the open land.

Councillor Fabio Conti also made a representation to the Committee. In his representation, the following points were made:

- In Councillor Conti's opinion, it was not true that very special circumstances had been demonstrated as required by policy 147 of the National Planning Policy Framework (NPPF) in considering this proposed development on Metropolitan Open Land.
- Councillor Conti did not agree that this proposal met any of the exceptions outlined in paragraph 149 of the NPPF, particularly given that development was going to lead to a large increase of buildings on the site, with only a minimum of affordable housing offered.
- There were significant concerns raised by the local primary school regarding the development. These concerns in addition to the impact of the proposals on the local environment made the scheme unacceptable. The environmental impact of the proposals appeared to be contrary to the Council's commitments to regrowing and rewilding.

The Committee asked questions and debated the proposal. In response to some of the questions and points raised, officers confirmed that:

- The proposal included provision of electrical charging points for cars, with the possibility of increasing the provision if demand increased in the future.
- In addition to the replacement of all trees felled during the development, the applicant was going to contribute to the Council's tree department for tree planting in the local area. The additional trees were included to offset the loss of the existing trees in the grounds.
- Thames Water had been consulted with regard to drainage and flooding on the site. Only a part of the north-western corner of the site was deemed at risk of flooding.
- The Metropolitan Police had been consulted on the proposal. In response to concerns the police raised regarding the risk of anti-social behaviour in the walled garden, there was going to be a lockable gate to the garden which was going to be locked at night.
- The applicant was going to make financial contributions to road improvements in the area. To ensure that the road next to the school was safe, there were going to be raised tables at the entrance and exit to the site.
- The distances between block A and the North Circular Road were between 50m and 43m. The distance between block K and the North Circular Road were 28m and 38m.

- In relation to the Stage 1 Consultation with the Greater London Authority (GLA) and special circumstances, the GLA had wanted further clarity on the question of whether the public benefits of the scheme satisfactorily invoked special circumstances to allow development on the Metropolitan Open Land. Overall, it was the opinion of the Planning Officers that the public benefits did invoke the necessary special circumstances.
- The air quality department of the Council had reviewed and accepted the proposal. The development was going to have a neutral impact on the surrounding area.
- The proposal was likely to bring public benefits not just to local residents but to the wider community too. The use of the walled gardens, principal rooms and the new public park was going to be available for use by all.
- In developing their proposals, the applicant had consulted with local residents by way of design review panels and community review panels. Such reviews had brought about change in the proposals.
- An estate management condition was included in the officer's recommendation for the application. It set out the requirements for the developer to maintain the estate, including maintenance of the house, maintenance of trees and security of the grounds.
- The applicant had undertaken surveys to understand the extent of the repairs which were necessary for The Abbey.

The Committee proceeded to vote on the application.

RESOLVED:

That for the reasons set out in the committee report:

1. listed building consent for the application REF **222378LBC** be **GRANTED**, and
2. planning permission for the application REF **222341FUL** be **GRANTED** subject to:
 - a. Successful resolution of Planning Conditions of Consent.
 - b. Satisfactory completion of a Section 106 Legal Agreement.
 - c. A Stage II referral to the Mayor of London.

9 Planning Application - 223203FUL - Steyne Estate, Steyne Road, W3 9NF

Marile van Eeden, Planning Officer, introduced the report and explained that the application before the Committee was for the construction of 3 buildings, ranging from 4 to 20 storeys, to provide 188 mixed tenure residential units and ground floor community space, with associated infrastructure works. 85.6% of the proposed 188 residential units were going to be affordable. The 3 buildings were Blocks A, B and C. Block A was going to provide 111 homes

of a mix of 1-, 2- and 3-bedroom units. Block B was going to provide 71 1-bedroom units for older persons. Block C was going to be 3 storeys and located to the north of the site, providing 6 3-bedroom market sale units.

The 1.42ha application site was located to the north of Acton town centre, on the corner of Steyne and Lexden Roads. It currently contained two tower blocks, the Rufford and Moreton Towers. Ms van Eeden informed the Committee that the site was well served for transport links, given that Steyne Road and Uxbridge Road to the south of the site linked it to the Acton Main Line station to the north, Acton Town station to the south, Ealing Broadway station to the west and Acton Central station to the east.

Ms van Eeden informed the Committee that it was Planning Officers' opinion that the proposal represented a high-quality development, with high levels of affordable housing in a highly accessible location. Overall, Planning Officers recommended that the application be approved, subject to conditions and satisfactory completion of a Section 106 Legal Agreement.

A briefing note in respect of the application had been produced by Planning Officers, circulated to the Committee and published on the Council's website prior to the meeting. It had provided information on amendments to the committee report, an amendment to one of the proposed conditions, and an additional proposed condition.

Richard Stonor, an objector to the development, made a representation to the Committee which included the following key points:

- Given the height and shape of the buildings, residents of local roads were likely to be badly impacted by the proposal, with a loss of light to their houses.
- The proposed towers were deemed too close together, and there was concern that if there was a fire in one, it could spread to the other easily.
- The buildings were intrusive in the local area and lacked aesthetic appeal.

Adam Towle, on behalf of the applicant, made a representation to the Committee which included the following key points:

- This application had been formed with a view to tackling the housing crisis by contributing to the supply of high quality, affordable accommodation in the Borough.
- Given that the London Borough of Ealing had an increasingly aging population, the proposal included a large quantity of affordable provision specifically for older people (aged over 55).
- The proposals included new community space, additional cycle storage and carefully considered building and estate design to make the area a safe place to live.

The Committee asked questions and debated the proposal. In response to

some of the questions and points raised, officers confirmed that:

- Although 34 trees were going to be felled during the proposed development, it was proposed that 91 trees were going to be planted in their place, with additional shrubs and plants planted also. The Section 106 Legal Agreement specified that contributions were going to be made to off-set the calibre loss of trees in the area.
- Daylight and sunlight reports were carried out and demonstrated that there was not going to be a major difference in daylight and sunlight on the site with the new developments. Most parts of the site were going to have more than two hours of sunlight a day.
- The refurbishment of neighbouring towers was not part of the application before the Committee.
- Consultation had taken place on the risk of flooding on the site, but no risk was identified.
- Family units had been integrated into blocks A and C of the development, and these units were not overshadowed by other buildings in the area.
- Given that the proposal was for 188 residential units, 85.6% of which were going to be affordable, the development was likely to have a positive impact on the housing waiting list.
- Two staircases were going to be included in each of the blocks.
- The road running along the perimeter of the estate was going to be a one-way road.

The Committee then proceeded to vote on the Application.

RESOLVED:

That for the reasons set out in the committee report, planning permission for application REF **223203FUL** be **GRANTED** subject to:

1. Successful resolution of Planning Conditions of Consent.
2. Satisfactory completion of Section 106 and Section 278 Legal Agreements.
3. A Stage II referral to the Mayor of London.

10 Date of the Next Meeting

The next meeting was scheduled for Wednesday, 23 November 2022.

Meeting commenced: 7.07 pm

Meeting finished: 9.55 pm

Signed:

R Wall (Chair)

Dated: Wednesday, 23 November
2022