
Ref : 224773FUL

Address: Brook House, 100 Gunnersbury Lane, Acton, W3 8HS

Ward: South Acton

Proposal: Demolition of existing buildings and redevelopment of the site to provide up to 102 dwellings (Use Class C3) in a building of up to 15 storeys with associated landscaping, car and cycle parking.

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

Type of Application: Full Application

Application Received: 07/11/2022 **Amended:** 22/03/2023

Report by: Gregory Gray

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

Executive Summary:

The applicant - Women's Pioneer Housing (WPH) - is a Registered Social Housing Provider and a Cooperative and Community Benefit Society, formed in 1920 to provide housing across London for single women, particularly those who face inequality, abuse and disadvantages, especially in the housing market. Since 1935 WPH has continuously owned and provided homes for its tenants at Brook House. Additional blocks were added in the 1970s. Currently the site has 38 x 1-bedroom and 1 x 2-bedroom flats, making a total of 39. WPH have always taken nominations for single women from LBE's Housing Waiting List.

The circumstances of the applicant as a specialist housing provider are a material planning consideration to this application. The proposal is to replace the existing 39 flats, with 102, 100% social rent affordable flats, for which there is a significant, strategic housing need, intended for WPH tenants. The proposed new flats will be for existing tenants wishing to return as well as for new ones.

The proposal will deliver new high-quality homes to current adopted housing standards for single women, which the London Plan recognises is a specialist form of housing need and for which there is a significant need in the Borough. The Ealing Development Strategy DPD states that a key role for the Local Plan is to improve public health and support to those with specific needs to achieve well-being and independence. As such relevant planning decisions must have regard to these material considerations.

In this context, the application scheme positively accords with estate regeneration policy for the demolition and replacement of poor-quality affordable housing with modern, high quality accessible homes. As such the application will contribute to making optimal use of housing available and suitable land, whilst having due regard to all other material considerations.

The new flats would be delivered in the form of a single, tower block typology. At a proposed height of 11-15 storeys (maximum 48m), the block exceeds the 6 storeys (18m) height threshold for a 'tall building' as defined by London Plan Policy D9A. Further, the application site has not been identified in an adopted Plan or upon any maps as an appropriate location for a tall building as required by Policy D9B.

Tall buildings are however also subject to the three criteria set out in Part C of D9, relating to visual, environmental, functional and cumulative impacts, which are assessed in the Report. As set out, it is considered the proposal will satisfactorily comply with the relevant Policy impacts criteria.

Adopted LBE Development Strategy DPD Policy 1.2(h) and DMD Policy 7.7 and London Plan Policy D9 state that tall buildings are acceptable where they contribute positively to the local context and do not cause harm to heritage assets. Design quality, especially in relation to context and accessibility, are key considerations. Regard is also had to national and London Plan policy and guidance concerning the positive contribution that tall buildings can have towards meeting objectives for the full and efficient use of small urban sites like this, especially to help meet affordable housing need.

The site also lies outside the mirroring London Plan locational and height criteria in Draft Ealing Local Plan Policy DM D9. The site is presently unallocated however the applicant has put it forward as a Regulation 18 candidate for an allocation.

Currently this Policy should generally receive moderate weight. It accords strongly with the established approach of the London Plan. However, the principle of a tall building on any given site is still subject to testing. Pending adoption of the Local Plan Sites Document there is some scope for unallocated sites still to come forward where these received planning advice prior to the publication of the Plan – which applies in this case where extensive pre-application consultation was carried out.

Whilst therefore the proposal for a tall building should be expected to come forward as a site allocation, in this case detailed design assessment of the scheme supported by GLA, DRP and CRP consultations endorses the principle of a tall building of this height on this location. In addition, there is the strong policy support for the principle of this 100% social rent affordable housing scheme. This approach is consistent, in applying the planning balance, with that to be taken in applying London Plan Policy D9 and the policies of the Plan as a whole, in cases where the tall building does not comply with the strategic locational requirement of Policy D9B.

Consideration in this context is given to the concerns of the DRP and CRP that a tall building on this site should not set an undesirable precedent for other similar schemes in the locality. The application has been assessed on its individual merits. It is concluded that the public benefits and the circumstances of the applicant as a longstanding specialist 100% affordable housing provider on this site, the exemplary design quality and absence of significant adverse impacts, including heritage impacts, make unlikely the prospect of an undesirable precedent being set as for other similar, non-allocated, tall building proposals on adjacent sites in the area.

Also weighing in favour of the application, in accordance with the Framework and development plan, the application satisfactorily demonstrates the site optimisation provided by this previously developed, small brownfield site, balancing policy, amenity with site

constraints, with the potential for significant additional affordable housing in accordance with the London Plan Policies H2 and D3 in particular.

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

Replacement and new tree and amenity planting, including for TPO trees, is proposed that increases the Biodiversity Net Gain (BNG) and Urban Greening Factor (UGF) of the site in accordance with Policy. The proposal strikes a satisfactory balance with tree protection, management and amenity and biodiversity enhancements. The development looks outwards to the surrounding area and merges well in terms of permeability, accessibility and cohesiveness.

Residential car parking is exclusively Blue Badge all with EVCPs. Long-stay cycle parking equivalent to 1:1 for each flat is considered acceptable in this case by the GLA and TfL. Vehicle parking and servicing arrangements considered acceptable.

The 100% affordable housing exceeds the minimum Policy requirement for 50% on site as well as in an acceptable tenure mix in this case, means it can be 'Fast Tracked'. Considering the Borough's current 5-year housing land supply situation, the NPPF 'tilted balance' is applied to assessment of the planning merits of the scheme.

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

It is necessary therefore to weigh the impacts on heritage assets with any public benefits of the scheme. This application delivers the following public benefits:

- a. optimisation of the regeneration of this under-utilised, sustainable urban site,
- b. significantly increase the supply of new dwellings by providing 102 (net 63) new flats in this brownfield land location,
- c. 100% social rent affordable housing (by habitable room) held in perpetuity in a range of unit types, designed specifically for single women, to help meet a significant housing need in the Borough,
- d. new accessible and adaptable affordable homes,
- e. new training and apprenticeships in construction and training,
- f. new resident's public realm and spaces,
- g. improved amenity for residents of Bronte Court facing the site in terms of daylight, overshadowing, outlook and visual amenity,
- h. improvements to management of air and environmental quality,
- i. environmental enhancements contribute to improving the character of the area, urban greening and ecological enhancements.

Collectively, the public benefits are of sufficient weight to outbalance the less than substantial harm to the significance of heritage assets. This tips the NPPF para.202 balance in favour of a grant of permission for this development.

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

In conclusion, the application will positively assist in delivering national and strategic development plan regeneration objectives. It positively contributes to requirements to ensure a significant increase in the number of new, high quality, affordable homes especially specialist housing for single women on this site that has continuously provided.

Having careful consideration to all the material planning considerations, including that contained in the National Framework and Guidance, National Design Guide, GLA and LBE development plans and taking policy as a whole and in applying the planning balance, the conclusion is that, notwithstanding the non-compliance with the locational requirements of London Plan Policy D9 and the equivalent in the Draft Local Plan, this would be a sustainable development to which Framework para.11 states planning decisions should apply a presumption in favour.

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

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

A. Non-Financial obligations:

1. 102 social rent affordable flats (100% by habitable rooms) held in perpetuity in accordance Mayor of London guidance,
2. Affordable dwellings will be prioritised by LBE for single women living and/or working in the Borough,
3. Preclude occupation or letting of any dwelling as a holiday letting or for a use other than a person's primary place of residence,
4. 19 work experience placements and a financial contribution towards monitoring of project, preparing residents for upcoming vacancies on site and other employment and skills related activities and an additional financial contribution where an apprenticeship has not been delivered by the end of the agreed period,
5. Restoration of roads and footways damaged by construction,
6. Restriction of Parking Permits - precluded from obtaining a parking permit and visitor parking vouchers to park within existing or future CPZs, nor in public car parking spaces, in the area,
7. Agreement for works in the highway under ss38 and 278 of the Highways Act in accordance with a specification to be agreed with the Council,
8. Monitoring, maintenance of renewable and low carbon equipment,
9. Payment of the Council's reasonable legal and other professional costs incurred in preparing and monitoring the s106 agreement.

B. Financial Obligations:

- a. Carbon off-set: £65,879,
- b. Post construction Energy Monitoring and Equipment: £7679,
- c. Air Quality monitoring: £10,200,
- d. CPZ Review and Measures to control Parking Stress: £10,000,
- e. Link and junction improvements to Gunnersbury Lane between A4020 and A4000: £10,000,
- f. West side of Gunnersbury Lane footway improvements: £10,000,
- g. Creation of Home Zone adjacent to Acton Town Station: £10,000,
- h. Contribution towards future off site layout and marking of 7 disability parking spaces: £7,000,
- i. Cycle Infrastructure improvements: £15,000,
- j. Travel Plan Monitoring: £3000,
- k. Regeneration: £63,000 towards town centre improvements, management and economic renewal schemes,
- l. Apprenticeships and training: £15,000 towards in the area in conjunction with Non-financial contribution Item 4 above,
- m. NHS CCG: £10,000 towards future improvement of Acton Health Centre
- n. Private and Communal Amenity space: £18,667 for Heathfield Gardens,
- o. Allotments and community gardens: £7485 for Jerome Allotments,
- p. CAVAT value of trees to be felled: £147,109,
- q. TfL contribution: £45,500 directed towards bus network improvements.

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

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

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

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

1.Site and Surrounding Area

1.1 Site

Since the 1930s the site has been in the ownership of WPH and has been continuously providing social rented housing principally in west London for single women since the Charity was formed in 1920. It is the only such property owned by WPH in LB Ealing.

It first comprised Brook House only, a white rendered 4/5 storey block of flats built in 1935 lying on the north side at right angles to Gunnersbury Lane, followed in the 1970s by two smaller, 2 and 3 brick-faced blocks, forming the current group. There are marked out areas for the parking of 8 cars on site although WPH is not aware any residents are car owners.

The site comprises a broadly level asymmetrical area of 0.21ha and contains the three residential blocks comprising 39, 1 and 2-bedroom flats, located around the site perimeter with a centrally located vehicle and pedestrian access from Gunnersbury Lane and parking area adjoining belts of mature trees. The site is also bisected by an enclosed Thames Water SW drainage culvert (dotted blue) with a 6m wide wayleave (dotted pink either side of the culvert) on the plan above below:



On Gunnersbury Lane opposite are local shops. To the north are a school, open space and high accessibility to buses and train services (PTAL 5/6a). The site also lies within the Acton Town CPZ Area J. The site lies in Flood Zone 1 (the lowest flood risk). It contains no statutory or local heritage assets or any environmental or ecological designations. The site is located within Borough-wide Air Quality Management Area (AQMA).

The locality is suburban mixed-use in character, adjoining Bronte Court (a contemporary scheme of 5 x 3-and 4-storey residential blocks) the red brick and rendered panel blocks to the right of the original Brook House block on the north side of the site. On the south and north-western boundaries Museum Way, ramps upwards leading to the London Transport Museum and Depot. Adjacent to that is the LRT underground railway, in a shallow cutting below the site, which passes under the Bollo Bridge to Acton Town Station:



Views of 1970s blocks from front courtyard and rear facing Museum Way:



1.2 Existing Flats

Supporting Statements set out the condition of the existing flats by reference to modern criteria making refurbishment unviable. Below is a breakdown of the sizes of the existing units:

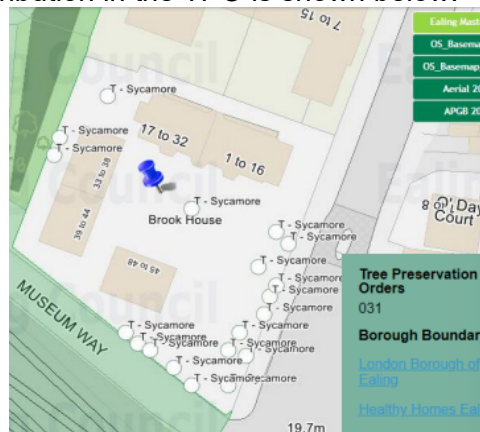
Type	1 bed										2 bed
	28.75 sq.m.	29.75 sq.m.	30 sq.m.	30.5 sq.m.	30.9 sq.m.	33 sq.m.	35.5 sq.m.	36.5 sq.m.	39 sq.m.	51 sq.m.	65 sq.m.
Total Homes	2	6	2	10	4	4	4	4	1	1	1

The principal issues are identified as:

- No cavity walls and poor insulation resulting in poor energy efficiency, heating or ventilation standards and sustainability,
- Failure to meet space standards for new build homes do not meet GLA and Nationally Defined Space Standards (NDSS) (some are only 28sqm),
- Failing to meet energy efficiency and climate change targets,
- No flats in any of the 3 blocks are wheelchair accessible or accessible by lift.

1.3 Trees

A belt of trees is located to the south and south-east and a further one to the north west boundaries, with one in the approximate centre of the site. There are 27 in total - 19 are Sycamores all comprising TPO No.31, made in 1970. The remaining 8 are of a variety of different species. Their distribution in the TPO is shown below:

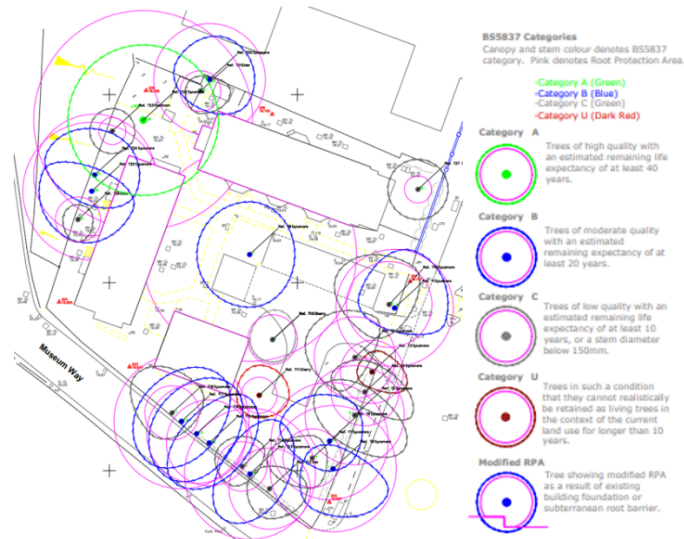


The site is not entirely self-contained by trees. Notable is the absence of any along approximately half of the southern boundary to Museum Way so that buildings Brook House are already visible from public places in Gunnersbury Lane as the photographs show:



View north of site from south side of bridge View towards Station from Museum Way

As shown by the photographs, the boundary TPO and other trees are generally tall, attenuated, with high canopies and closely intermingled with each other, giving them tight and compact crowns, especially those on the Museum Way junction. There is also significant overlap of the root protection areas of the trees:



The extent over canopy coverage, coupled with the distribution of the residential blocks to the perimeters and the central courtyard dominated by hardsurfacing and planting currently provides little if any functional amenity space for residents or visitors. Outdoor drying areas for example are in the only genuinely private space, giving little space for outdoor sitting or recreation. Overall, therefore the current level of public realm within the site is inadequate.

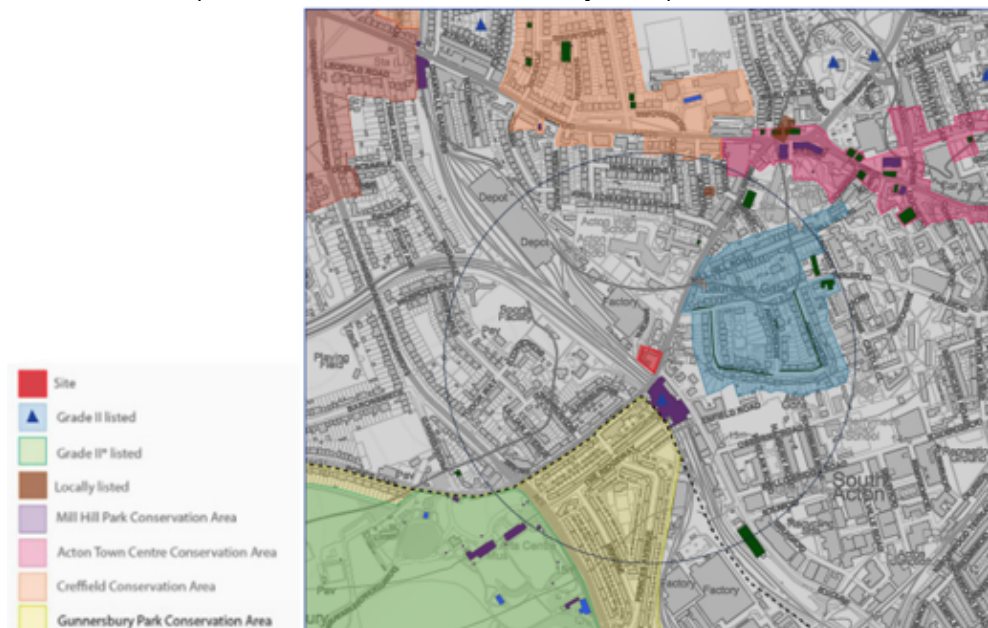
Turning to amenity, the aspect and orientation of the upper floors of two of the current Brook House blocks makes them prone to noise from the adjacent LRT railway and traffic on Museum Way, Gunnersbury Lane and from the railway. On Gunnersbury Lane, adjoining the site is Bronte Court, a contemporary residential block.

In terms of building heights, aside from the LUL Museum, the immediate Gunnersbury Lane/Bollo Lane area around the application site is characterised by mixed commercial and residential properties, the latter either as blocks or individual houses. More widely in the area, residential-led redevelopment and regeneration schemes (Acton Gardens under construction,

Bollo Lane Sidings permitted but not yet started), are increasing the scale, height and density of local housing are designed to make optimal use of available land in this highly sustainable location. Cumulative impacts are assessed in Section 7.9 below.

2.Heritage Assets

Conservation Areas and other assets, are shown below in relation to the application site, which is edged below in red (the isochrone is a 500m 'study area'):



The study area isochrone was verified on site and the HTVIA to ensure it represents the reasonable limits of intervisibility and proportionate to development scale. Assets beyond the isochrone may be affected and are assessed accordingly later in the Report.

3.Ecology & Bat Survey

A Preliminary Ecological Assessment has confirmed that trees within the site are of ecological value; the remaining habitats are of low ecological value. The buildings and trees inspected have Low Potential to support roosting bats and Moderate Potential for nesting birds.

Virginia Creeper, an invasive species, is present on site and will need to be removed in accordance with best practice. There is one statutory Local Nature Reserve (LNR) - Gunnersbury Triangle 1.06km away - and a number of SINCs within 2km of the site, the closest being the park at Heathfield Gardens. Adjoining the northern and western boundaries of the site is a Green Corridor. The scheme is designed to address the above alongside the submitted Biodiversity Enhancement Strategy, which shows the proposed Net Gain and Urban Greening uplift of the scheme.

4.Archaeology

An archaeological Desk-Based Assessment has been carried out. The site contains no designated or non-designated archaeological assets above or below ground, nor does it lie in an Archaeological Priority Area (the closest lies on the east side of Gunnersbury Lane). GLAAS considers it to have potential for finds or features of local or regional significance.

5.Application Design Development

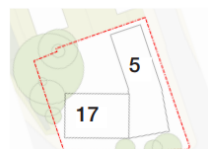
The scheme has been developed during the pre-application stage and tested in consultations with the GLA, Ealing CRP and DRP and consultation with the community, existing WPH residents of Brook House, TfL, Local Members, Mill Hill Park Conservation Area residents, Historic England, Met Police SBD and LBE Officers. Details of the pre-submission consultation and engagement undertaken are set out below.

The applicant has prepared a Design and Access Statement (DAS) to provide a discrete rationale for the development, beginning with evaluation of site and other constraints and opportunities. Design development predated the draft Local Plan but was prepared with specific regard to Council Policy and guidance, including the Core Strategy, DMDPD, London Plan, community and pre-application consultations. In addition, layout and design are informed by a Heritage Townscape and Visual Assessment (HTVIA) and DAS.

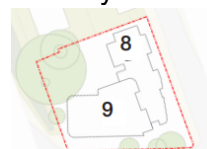
The applicant reviewed the emerging against the site and contextual analysis criteria:

- a. Site optimisation to achieve the minimum necessary number of new and replacement flats including securing GLA Grant
- b. Constraints caused by SW drainage easement/access location/railway and road noise impacts
- c. Minimising impacts on TPO and other site trees and natural features
- d. Building design including NDSS, fire safety measures and optimising dual aspect
- e. Daylight, sunlight and shadow to proposed residential units and communal areas and impacts on neighbours
- f. Residential amenity including impacts on neighbours
- g. Townscape impacts
- h. Layout and distribution of tall building height
- i. Impact on the character/settings of heritage assets
- j. Meeting sustainable design criteria e.g. Circular Economy, Whole Life Carbon Assessment
- k. Relation to the arrangement, distribution and cumulative impacts of other tall buildings developments in the area.

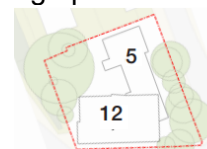
In consideration of the above, the below layout and massing options were taken forward:



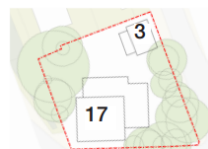
Scheme 1 Pre-App 1 proposal
 No. Dwellings: 106
 Trees at Gunnersbury Lane: Majority Lost
 Trees at Museum Way: Partially lost
 Trees at the rear: Retained
 Building Heights: 17 storeys
 Dual Aspect: Relatively low proportion



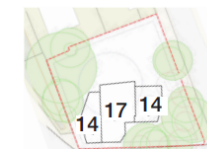
Scheme 2 Revised proposal
 No. Dwellings: 108
 Trees at Gunnersbury Lane: Majority Lost
 Trees at Museum Way: Partially lost
 Trees at the rear: Retained
 Building Heights: 9 storeys
 Dual Aspect: Relatively low proportion



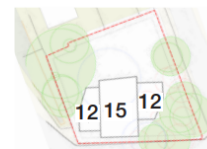
Scheme 3 Revised proposal Refining Gunnersbury Lane trees
 No. Dwellings: 99
 Trees at Gunnersbury Lane: Most Retained
 Trees at Museum Way: Partially lost
 Trees at the rear: Retained
 Building Heights: Max. 12 storeys
 Dual Aspect: Relatively low proportion



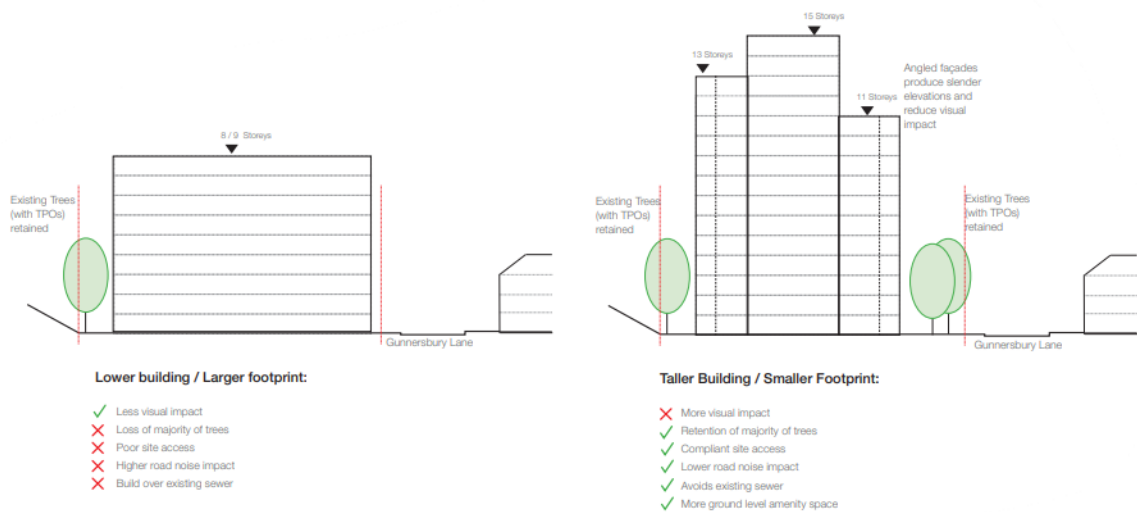
Scheme 4 Interlocking Point Block
 No. Dwellings: 104
 Trees at Gunnersbury Lane: TPO trees retained
 Trees at Museum Way: TPO trees retained
 Trees at the rear: TPO trees retained
 Building Heights: Max. 17 storeys
 Dual Aspect: Majority of apartments



Scheme 5 Central Block with lower wings avoiding TPOs
 No. Dwellings: 102
 Trees at Gunnersbury Lane: TPO trees retained
 Trees at Museum Way: TPO trees retained
 Trees at the rear: TPO trees retained
 Building Heights: Max. 17 storeys
 Dual Aspect: All apartments



Scheme 5 Central Block with lower wings increasing removal of some trees
 No. Dwellings: 102
 Trees at Gunnersbury Lane: TPO trees retained
 Trees at Museum Way: 2No. TPO trees removed
 Trees at the rear: TPO trees retained
 Building Heights: Max. 15 storeys
 Dual Aspect: All apartments



Scheme 5 was taken forward to the pre-application stage, representing the optimal layout for the required amount and distribution of development on the site, from which it was concluded the development would need to be in a tall building/tower form.

6. Pre application consultation

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

- a. LBE Officer Pre-Application Meetings: formal pre-application consultation in July 2021 and follow up consultation in July 2022
- b. GLA Officer meetings: 19th January and 9th August 2022
- c. DRP: 9th August and Chairs Review 11th October 2022
- d. CRP: 6th September 2022
- e. Public Consultation (Brook House Residents Consultation (through Source Partnership, an independent resident advisor) and Autumn 2021,
 - a. Bi-monthly advice Surgeries during 2022,
 - b. Freephone Service and
 - c. One-to-one appointments

6.1 GLA Pre-Application Consultation

a. February 2022

In pre-application consultation, GLA support was given to the scheme as summarised below: *'120. The proposed housing development could be strongly supported in land use terms, provided comments on other strategic issues are addressed and resolved. In particular, any application must ensure the like-for-like re-provision of the existing social rented floorspace. Any application should address comments regarding residential quality, the de-canting strategy, heights of the buildings, and that the scheme delivers the maximum level of affordable housing and sufficient supporting infrastructure.'*

Further information was required to: *'...address the issues raised in this report with respect to housing and affordable housing, design, sustainable development, environmental issues, and transport.'*

With regard to the principle of a tall building, it was found: *'41. The proposed development ranges in height from 12 to 15-storeys and at the meeting it was confirmed the application site*

is not located within the above specified sites suitable for tall buildings, and is contrary to the locational requirements of London Plan Policy D9. Therefore, any future application should demonstrate how it would comply with the remaining provisions of London Plan Policy D9 with regards to visual, functional, environmental, and cumulative impacts...'

With regard to layout, scale and massing the GLA noted: *'50. The design has evolved through a series of iterations which have taken into account all the constraints within the site and also how the massing could be accommodated with minimum disruption (cutting less trees possible, adjusting massing, angled facades to have a slender elevation and reduce visual impact). All these design changes are supported.'*

b. August 2022

With regard to follow-up consultation with the GLA, Officers advised in reiterating its support: *'The proposed specialist housing for women is strongly supported in land use terms, in line with London Plan Policies H8 and H12. The proposal to provide all homes at affordable levels is also strongly supported. The future application must provide further detail on the existing housing and demonstrate that all existing social rented floorspace is reprovided on the same terms. Further information should also be provided on the proposed decanting of existing tenants. In addition, the application should address comments regarding heights of the buildings, in line with Policy D9...'*

'...The future application will need to address the issues raised in this and the previous reports with respect to housing and affordable housing, design, sustainable development, environmental issues, and transport.'

6.2 LBE Officers Pre-Application Consultation

Pre-application meetings were held with Officers in 2021, in respect of development principles, design, heritage, transport, massing and scale, affordable housing, visual impact, trees, and amenity, community engagement, as well as EIA scoping, followed by a formal pre-application letter. A further pre application meeting was held in June 2022 to review the community and other consultations and the applicant's response to them in developing the application scheme.

6.3 Engagement with Brook House Residents

There are 39 flats (38 x 1bed and 1 x 2bed) in the three Brook House blocks. 38 are social rent tenure and the 2 bedroom flat is leasehold. WPH the applicant has engaged Source Partnership, an independent resident advisor, to help Brook House tenants on its behalf. Engagement by WPH is set out in their Supporting Statement as follows:

'4.2 WPH are continually engaging with existing residents at Brook House in regard to the proposals and have offered them the option to return. We have offered alternative accommodation, are making Home Loss payments, and are providing assistance with removal costs. This offer is entirely within our long-term objectives for the site.'

'4.3 Five consultation events have taken place with existing residents at Brook House throughout the progression of the development proposals. These have kept residents updated with any meetings with the Council or with key stakeholders and especially at the concept stage of the scheme.'

'4.4 Alongside the consultation events, there have been a series of drop-in meetings and coffee mornings organised by our independent tenant advisors, Source. Meetings with individual residents have also been held. Feedback on the design has been obtained from residents as part of this process and has been incorporated into the evolving design. These'

include the incorporation of built-in storage space, more external amenity space at ground floor and roof terrace, emphasis on security, reduced overlooking, good external lighting, emphasis on sustainability, and providing some flats with separate kitchens.'

6.4. Community Review Panel (CRP)

The proposals were presented to the Ealing Community Review Panel (CRP) on 6th September 2022. The Panel concluded: *'The panel welcomes the clear presentation and is generally supportive of redevelopment of the site, particularly given the increase of high-quality, affordable housing for single women. Some initial concerns were raised in terms of a tower in this location, however the panel recognises that the case for a taller building could be justified by the benefit of retaining the protected trees, the provision of enhanced landscape areas and the additional quantum of affordable homes. However, it cautions that this approach should not set a precedent for other tall buildings on adjacent sites and it would urge the Council to clearly address this, should the scheme be approved.'*

'The panel appreciates the site constraints and feels that the proposed location of the building footprint will reduce the impact on the residential homes to the north. The panel feels that the landscape strategy and placemaking approach is successful and that the varied character areas could work well. However, the panel feels that the uses and activities proposed should be developed further, with input from the existing and new residents, to ensure that these spaces are well-used.'

'The engagement with WPH residents has been done well, and the panel acknowledges that additional sessions with the wider community and neighbouring sites is underway. It feels that discussions with these groups should focus on themes including visual impact on the nearby conservation areas, building heights, environmental concerns such as overshadowing, and construction traffic management. It is also encouraged to hear that ongoing involvement with WPH residents will continue through detail design and beyond.'

CRP concerns about the fear of the likelihood of an undesirable precedent being set for other tall buildings on adjacent sites is noted and is addressed in later in consideration of the individual merits of the application.

6.5 Design Review Panel (DRP)

1st DRP

An Ealing DRP was held on 9th August 2022. The Panel noted concluded in summary:

'The panel welcomes the clear presentation and supports the redevelopment of the site to provide additional, high-quality housing for Women's Pioneer Housing. It recognises the concerns related to proposed height of the tower, but the panel feels that on balance the smaller footprint, improved landscape amenity, and retention of protected trees outweighs the potential issues related to visual impact.'

'The visual appearance and choice of materiality is appropriate, and the panel would like to see the articulation developed in more detail. It welcomes the attention to the internal quality of the new homes, particularly the number of dual-aspect units. However, it feels that firmer sustainability targets should be adopted. A more robust energy strategy should be developed for both the architecture and landscape design, which is informed by an assessment of overheating, daylight/sunlight, acoustics, and wind modelling.'

'The landscape character areas and external amenity spaces work well, and the panel is pleased to see the design team working within the site constraints and tree protection zones.'

However, the panel suggests that the site access is too car-centric, and feels that the entrance forecourt area should be designed to be more people-friendly. The panel also suggests that there could be a missed opportunity to provide shared spaces internally, such as communal lounges or break-out spaces. Options should be explored for potential additional uses, with input from the existing and prospective residents.'

2nd DRP

A second, Chair-only DRP, to appraise the proposed application scheme, was held on 11th October 2022. The Panel again complemented the positive development of the scheme and how well the design team had responded to comments from the previous DRP.

The Report states: *'The panel is supportive of the overall site layout, building height and massing strategy (subject to detailed reservations below) and of the principle of a new development on this site to provide additional high-quality homes for Women's Pioneer Housing. However, the panel recommends further refinement, to ensure that it will continue to look good and remain durable in the long-term and provide the best possible experience for residents. The amount of green space should be increased, at both ground level and in the rooftop amenity and, as noted in the previous report, the entrance forecourt should be designed to be more people friendly. For example, the panel suggests relocating the sensory garden and giving greater prominence to a more elegant screening solution for the substation, to give prominence to the threshold between public and private space.'*

'The choice of materials is appropriate, but the panel would still like to see the articulation of the façades developed in more detail. In particular, further thought should be given to the white banding, distinguishing the top of the building, and to the window detailing. The panel supports planning officers' use of planning conditions for the specification of high-quality materials and careful detailed design, to ensure that the aspirations presented by the design team are delivered onsite.'

'Further consideration must be given to the layout of the ground floor, to the effective use of space and to how the entrance sequence can bring more joy to the residents' daily journeys. The design should also encourage informal gatherings. The layout of the units located in the angled wings of the building need further thought, including the potential to provide direct front doors from the outside and active frontage to the east wing.'

The applicant responded to these further comments, and those arising from consultations in amendments to the scheme. The amended scheme is that which is presented to Committee.

6.6 Community and Stakeholder Engagement

The applicant has undertaken the following consultation events involving:

- a. -Political representatives,
- b. -Stakeholders,
- c. - Businesses,
- d. -The community.

The applicant sent out newsletters, 1649 exhibition invitation letters to homes and businesses posted locally and workshops using in-person events and on-line consultation via a dedicated website for the application):

- a. Initial residents' drop-in session 6 September 2021
- b. Exhibition at Brook House on 7th September 2021 attended by 30 residents who were able to ask questions and complete feedback forms

- c. Design workshop 18 October 2021
- d. Workshop feedback newsletter November 2021
- e. Design workshop 15 June 2022
- f. Ward Councillors Presentation: 26th July 2022
- g. Portfolio Holders presentations: 29th June – 18th July 2022
- h. Community Groups and Associations
- i. Historic England: (who advised they did not wish to participate but would comment on the application), August 2022

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

- a. Mill Hill Park Residents' Association
- b. Acton Green Residents' Association
- c. Central Acton Neighbourhood Forum
- d. Redbrick Residents' Association
- e. South Acton Residents' Action Group
- f. Bedford Park Society
- g. Bedford Park Residents' Association
- h. Gunnersbury Park Conservation Area Residents Association
- i. Gunnersbury Court Residents
- j. West Chiswick and Gunnersbury Society
- k. Arc Acton Academy
- l. Ealing Civic Society

Meetings were arranged with:

- a. Ealing Civic Society 26 July 2022
- b. Mill Hill Park Residents' Association 4 August 2022
- c. Mill Hill Park Conservation Area Advisory Panel 4 August 2022

A public exhibition was held on 7th September at Brook House and a virtual consultation (which contained all the exhibition material available at Brook House) went live on the same day. Both methods provided for the completion of feedback forms. 14 responses were received – 10 in opposition, 3 in favour and 1 neutral.

The substance of the comments made were:

- a. Well designed, much needed affordable housing
- b. No problem with height or footprint
- c. 15 storeys a significant increase from current heights
- d. Overdevelopment
- e. Understand the need but unacceptable to cramming extra storeys to make viable
- f. Precedent for more towers
- g. Inappropriate for site and location
- h. Harm to Conservation Area
- i. Harm to Bronte Court light and an eyesore
- j. Traffic access problems
- k. Pleased with community consultation and design but too tall
- l. Will provide affordable lifetime homes
- m. Appreciate inclusion of bike storage
- n. Need package delivery/front desk
- o. Good design does not balance height objection
- p. Support tree retention

- q. Regret tree loss overwhelmed by tower
- r. External insulation to existing blocks rather than rebuild

In response to the consultation process the applicant notes the following elements are incorporated into the scheme design:

- a. the incorporation of built-in storage space,
- b. more external amenity space at ground floor and roof terrace,
- c. an emphasis on security,
- d. reduced overlooking,
- e. good external lighting,
- f. an emphasis on sustainability, and
- g. providing some flats with separate kitchens.

6.7 Brook House Residents Consultation

The applicant Statement of Community Involvement sets out the engagement so far undertaken with existing Brook House residents:

'This initial drop in meeting and survey was followed by two in-person resident design workshops, with these occurring on the 18th October 2021 and the 15th June 2022.

The meeting on 18th October 2021 was attended by 21 residents and ran for an hour and a half. Residents expressed some concerns and suggested features for the new development based on their lived experience.

'A key theme was uncertainty: over whether the regeneration would happen and also feeling unable to make an informed decision about whether to return without knowing the final designs. Residents questioned if the scheme would go ahead, and asked about the rent levels for the proposed flats.

'After this meeting, a newsletter was circulated to residents which listed the key points raised at the meeting, and laid out clearly the details regarding moving out, remaining a tenant of WPH and the next steps for the project.

'A further meeting was held on 15th June 2022. 17 residents attended the meeting, which ran for an hour and a half. Discussion was fairly positive about the plans presented, and overall comments were focussed on the granular details of the flats themselves. There was still some concern and unease about moves throughout construction and a sense that residents would like to know where they would be placed prior to making a final decision on whether to stay or go.

'The main comments expressed in the breakout groups were as follows:

- *Kitchen layout – some opposition to open plan kitchens within flats. Topic was raised on a number of breakout tables with people stating they would prefer a separate kitchen or the feeling that the spaces were more defined*
- *Bathroom – Preference for a mixed shower/bath*
- *Balconies – Demand for a large balcony space*
- *Security – Concerns regarding antisocial behaviour were raised by some respondents. It was felt that an automatic gate, fencing, and lighting at night would help residents feel safer*
- *Storage – Requests for ample storage space, with preference for fitted wardrobes in bedrooms*
- *Parking – Requests for more car parking spaces. However, during the discussion residents appeared to accept the limitations set down in planning policy*

- *Noise – Some concerns expressed regarding noise and privacy*

‘One point that was interesting to note is how some residents expressed a desire to live on higher floors to have access to views and reduced noise, whereas others wanted to be on lower floors. However, no resident expressed a concern about the height of the proposed building.

‘Residents will continue to be informed on progress and involved in every aspect of the design process.’

The applicant’s community and resident engagement is considered to satisfy the Council’s SCI requirements, both pre- and post- application submission.

7.The Application Proposals

All of the existing flats will be demolished and replaced by 102 flats, all for social rent, making this a 100% affordable housing scheme. The main details of the proposal are:

- a. Demolition of all 3 existing blocks of 39 flats,
- b. Erection of a single tower block of between 11 and 15 storeys, for 102 flats (100 x1Bed and 2 x 2Bed),
- c. Ground floor caretaker office next to the main entrance,
- d. 10 flats will be wheelchair accessible and all will be adaptable,
- e. 100% of flats will be dual-aspect and NDSS compliant,
- f. Long and short stay residential cycles and mobility scooters storage,
(N.B. Application amended 22/3/23 to increase long stay cycle storage provision from 65 to 102 spaces and enclosure for mobility scooter storage)
- g. On-site refuse store,
- h. 3 x DDA-only resident parking spaces,
- i. Residential amenity spaces on the ground floor and 11th floor podium,
- j. Current vehicle access moved 3m north of its current location and new pedestrian access, both to Gunnersbury Lane,
- k. New landscaping to the site and boundaries,
- l. New electricity substation and generator.

The overriding emphasis on 1-bedroom flats therefore reflects the ethos of WPH as a Registered Social Housing Provider and a Cooperative and Community Benefit Society. At the point of letting the focus is on single women. In addition, the applicant advises that 46% of all of its tenants are over 60 years old (twice the national average) many of whom are long-term tenants of WPH. The personal circumstances of the applicant as a specialist form of housing provider are a material planning consideration to this application in that they explain the background to and form of the intended development.



Proposed Site Layout

It is not the applicant's intention therefore to provide family housing as this is inconsistent with their limited, available housing stock. Although there is currently a 1 x 2 bedroom flat at Brook House there are in total 3 tenants with a child living with them. At present only 2 tenants have indicated a wish to return. The applicant advises that generally tenants who become pregnant for example or have a young child, are helped where they can move to another landlord. The incorporation of 2 x 2-bedroom flats in the scheme for this purpose therefore provides some flexibility for tenants.

Going forward, the new development will remain under the management and auspices of WPH as landowner and landlord. In accordance with the Mayor's Good Practice Guide to Estate Regeneration, as employed by the applicant, existing residents of Brook House will have the right of return to new flats in the scheme (or at another property elsewhere) as they wish as part of the applicant's Homes Move Decant and on the same terms that they currently have and to include reasonable displacement, removals etc costs.

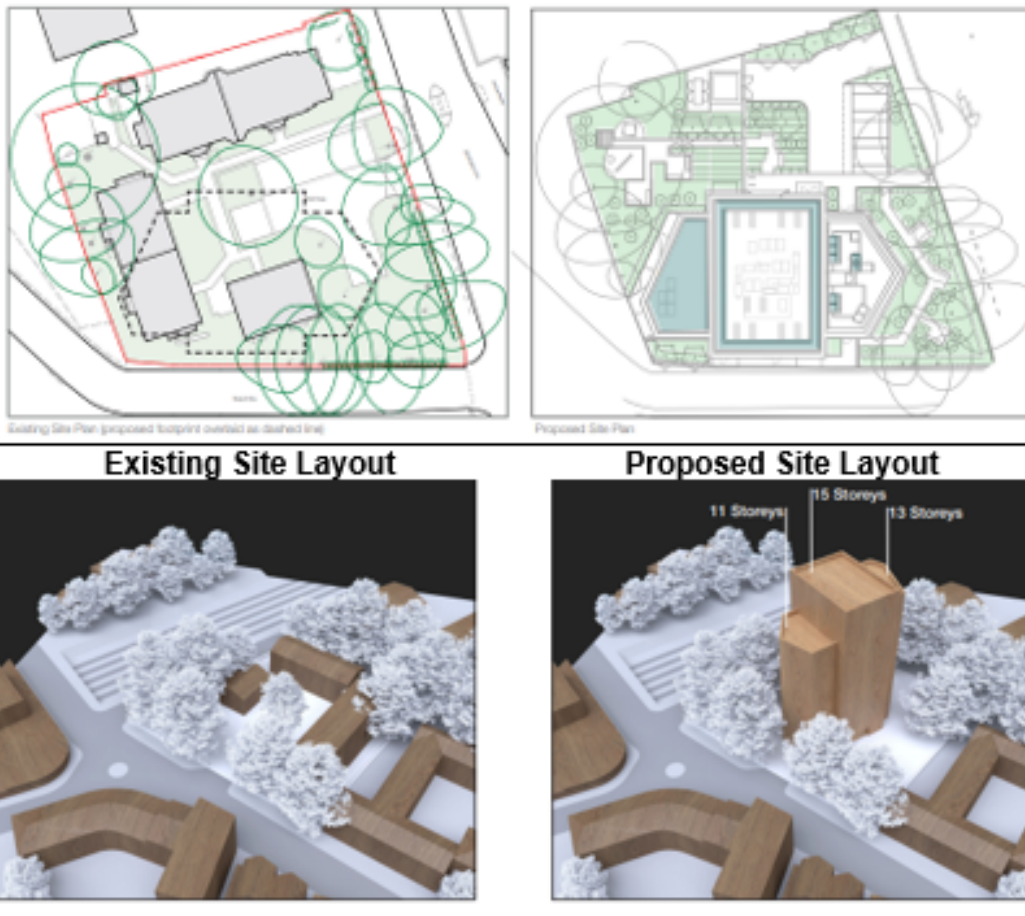
7.1 Block Design and Layout

Below is a CGI of view of block from the north side of Gunnersbury Lane. Sections 5 and 6 above explained the design development for the tower typology and position of the block taking account of site and development constraints.

The asymmetrical tower wings help to mitigate the height, graduating towards Gunnersbury Lane, neighbours and heritage assets. The wings respond also to the extent and locations of tree canopies and the shape of the site, whilst adding interest to the design and improving the outlook for flats facing the LUL Museum and Museum Way compared to the existing:



Below are plans and modelling comparing the proposed layout with existing:



In accordance with the Mayor’s Housing SPG, each core above the ground floor is accessible to no more than 8 flats per floor via an internal corridor with lifts and stairs (giving in effect 4 flats per core). The overall design will positively help to engender the sense of ownership over the whole space and a community within the block, which it is not currently possible to achieve with the three blocks distributed around the site perimeter.

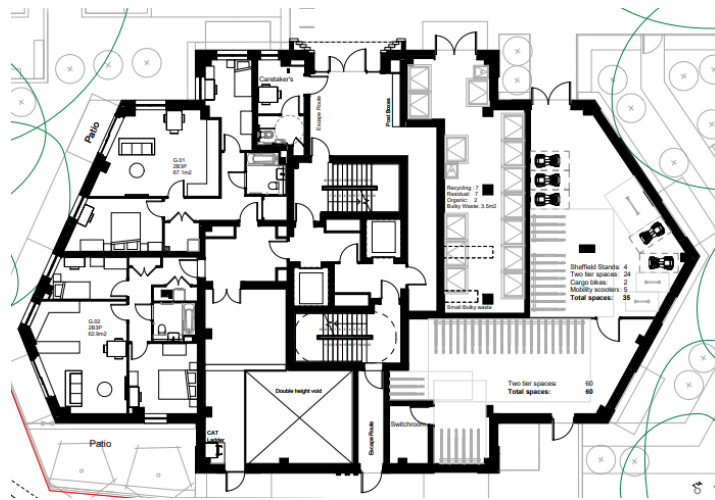
7.2 Flats Design

The scheme comprises:

- a. Dual Aspect: 102 units (100%). All have a second façade with opening windows,
- b. All flats meet or exceed NDSS/Mayoral space standards for single or two bedroom flats:

• Flat Type	1bed2p	2bed3p
• Standard	50.0m ²	61.0m ²
• Ave size	52.6m ²	65.8m ²
• Min size	50.3m ²	63.8m ²
- c. 90% (92 flats) Part M4(2) accessible for people with disabilities,
- d. 10% (10 flats) Part M4(3) to accommodate those with disabilities/wheelchair,
- e. All flats have 5sqm or 6sqm private balconies.

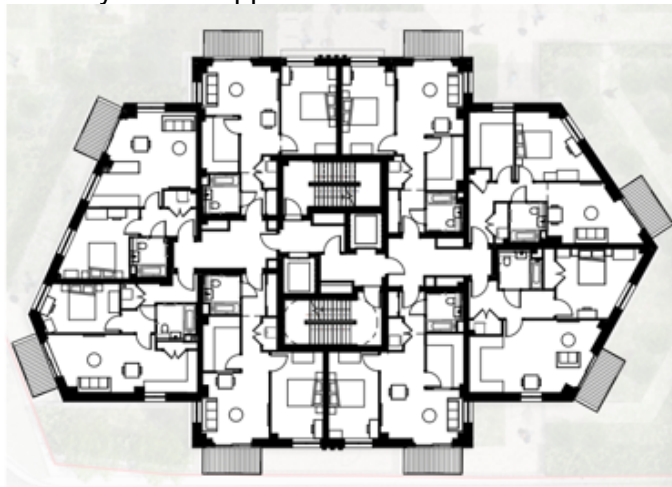
The block floor plan layouts are shown below:



Ground Floor

The ground floor provides the centrally placed main entrance, caretaker office immediately by the entrance, central stairs and lifts, on one side access to the internal bin store with doors at the front facing the turning area on site where collection will take place and to the cycle storage, on the other entrance to the two, 2-bed flats. At rear is access to the plant room and fire exits from the plant room, core and cycle store.

Below are typical flats layouts on upper floors:



Floors 1 -10



Floor 11 and podium garden

Floor 13 and Green Roof

7.3 Appearance and Materiality

The external facades appearance and materials are a key component of achieving exceptional design quality. Nodding to the pedigree of the original 1930s Brook House, the scheme takes inspiration from the 1932 Acton Station building and the 1930s mansion blocks at Gunnersbury Court below:



The DRP emphasised the need for durable materials. Below is details of the proposed palette of external materials:



North Elevation: Front facing into the site



East Flank to Gunnersbury Lane



North West Flank to LUL Museum

South West Elevation to Museum Way

(N.B. Note that variations in the colours of the stone banding on the north west and south west elevations is due to plan reproduction. The colours will match the north and east elevations).

7.4 Boundary Treatments

Illustrated on the plan below:



7.5 Trees

Of the 27 trees on site, 19 are Sycamores comprising TPO31. There are no Ancient Woodlands, Veteran Trees or Community Forests on site. No off-site trees are affected by the proposals. In terms of tree quality, there is one Category A (highest value) tree on site, a TPO Sycamore, located in the north-west corner between two of the existing blocks.

The majority of the TPO are Categories B or C, located around the site boundaries. 8 trees are proposed to be felled to accommodate the development - 4 in the TPO. Of the 8:

- a. 4 are Category B (Moderate Quality) all covered by the TPO,
- b. 3 Category C (Low Quality) and
- c. 1 Unclassified (Cannot reasonably be retained).

11 new trees are proposed to replace the 8 felled in the positions indicated below, principally to the boundary facing Bronte Court and 2 new trees (multi-stem Paperbark Maples growing to a height of 10m) on the west boundary to Museum Way that will help close part of an existing gap in the tree line on this flank of the site. Below is a plan showing the relationship between new, removed and retained trees in relation to the proposed block:



The applicant's Tree Survey (and the Planning History in Section 10 below) shows the TPO and other boundary trees have been routinely pruned and thinned over the years resulting in many cases in occluded and attenuated canopy growth, as well as suppressed growth such as those in close proximity to each other facing Gunnersbury Lane and Museum Way.

Consequently, the majority of the Category B (Moderate quality) TPO trees to be felled: T15-T18 located on the Museum Way boundary - lie in the lower B2 band of the categorisation. Photographs of the two main groups and individual trees viewed from within the site are below.

Notable is the distinct lack of under storey to their canopies (mainly from historical pruning and lifting) and good levels of daylight penetration into the site in the location where the new block is proposed:



Group facing Gunnersbury Lane containing Categories B, C and U TPO trees



Group facing south west to Museum Way containing Categories B and C TPO trees

7.6 Landscaping

The application includes a comprehensive landscape strategy for the site based on the 6 new 'character areas' identified for the site as shown below:



In addition to the 11th floor podium garden, at ground level, centred around existing trees, two landscaped residents amenity spaces are proposed: an Activity Garden on the north side and

Woodland Garden on the south side. The scheme is designed to retain and incorporate existing trees on the frontages, maintaining an existing degree of ecological value, to be supplemented with new boundary trees and under canopy hedge and ground cover planting.

The application proposes 878sqm of landscaped amenity space and 512sqm private amenity space, a shortfall of 140sqm against the Council's standard. No child play space is proposed as it is not expected that children will normally occupy any of the flats. There is a resident's activity area proposed that can be used by any children.

7.7 Highways and Parking

The development is designed to optimise its highly accessible location and prioritise pedestrian and cycle access and movement, minimising car parking provision and reliance on the private car, with emphasis placed on residents and visitors walking, cycling and using public transport.

The PTAL is 5 - 6a (very good to excellent). There is a pedestrian crossing directly outside the site. The nearest bus stops (1 minute walk) are located either side of Acton Town Station on Gunnersbury Lane and on Bollo Lane. In addition, there is a Brompton cycles hire station outside Acton Town Station.

Vehicle access will continue to be from Gunnersbury Lane. To keep clear of the entrance to the new block, it will be moved 15m north of its current location but still away from (and not affecting) the existing pedestrian island on the main road, which will also maximise frontage tree retention. In addition, a raised level 'Copenhagen-style' pedestrian priority access is proposed onto Gunnersbury Lane. Loading/unloading, turning and refuse access at the front of the block as shown below:



The applicant has prepared a Residential Travel Plan. Residential cycle and car parking will be at ground level. Resident-only car parking provision is 3 spaces, equivalent to 3% of the total number of dwellings. Currently there are 8 spaces available on site however the applicant advises they are not aware any tenants are car owners so that the presence of any cars on the site from time to time would be likely to be visitors.

A 3% DDA only provision is a reasonable quantum in accordance with policy, reflecting the provision of DDA accessible flats within the scheme which currently do not exist. All spaces will have EV charging points from the outset. In addition, the applicant will be required to contribute to the provision of 7 off-site DDA spaces as part of the s106 agreement.

A total of 102 long stay cycle spaces will be located inside the block and in an external store next to the sub-station, comprising two-tier racks for 84 cycles, 16 standard Sheffield stands, 2 large Sheffield for larger cycles and 5 spaces for mobility scooters (with charging points). 4 short stay racks are proposed next to the main entrance.

Whilst 102 spaces is below the standard TfL 154 spaces requirement for a residential development of this size, following consultation with the GLA and TfL, it has been agreed that the circumstances of this application, centred on single person social rent flats, that a 1space/flat provision is acceptable. A cycle storage condition is included in the recommendation, the wording of which has been agreed with the GLA and TfL. It is considered therefore that this allowance would not be likely to set an undesirable precedent.

7.8 Construction Management

Arrangements will be made for access, site access, demolition etc as set out in the Demolition and Construction Management Plan and Outline Construction Logistics Plan, which includes measures to regulate, dust, noise, wheel washing, waste and lighting. Deliveries will generally be out of peak hours and school hours to minimise congestion on the local road network to be agreed with the Council as part of the relevant recommended planning condition. There will be no site operatives parking other than for carrying heavy construction equipment to or from the site. They will be encouraged to use public transport, walking or cycling.

Construction vehicle traffic routing is not currently determined but the intention is to use the fastest routes to the strategic highway (A406). Entrance and exit are from Gunnersbury Lane and as the plan above shows, it is proposed that delivery and other vehicles will be parked on site and away from the public highway. Given the site immediately adjoins dwellings at Bronte Court and locally, the contractor will appoint a Neighbours and Public Liaison Officer contact for the site operations, complaints investigation and resolution, updates etc.

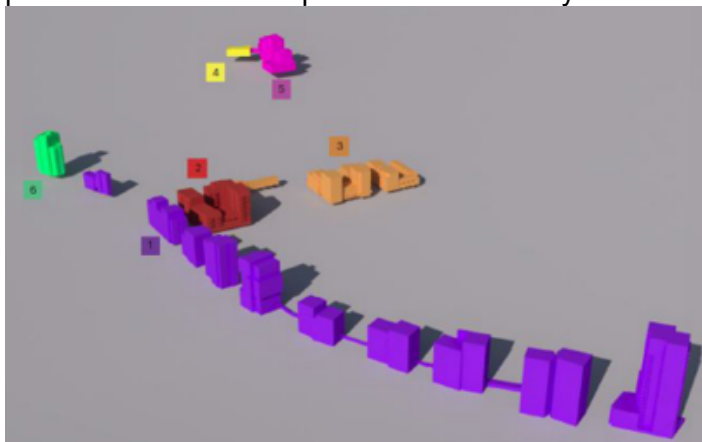
7.9 Visual Impacts

The design and layout of the proposed block has been set to ensure that the development can be optimised in a way that is cognisant of its context and the surrounding streetscape and the opportunity to make a positive contribution to local character, amenity and factors of heritage or environmental significance. In townscape terms, this is manifested in the block's orientation on site and the graduated 'rise and fall' of the block height and its shoulders between 11, 13 and 15 storeys.

This will help to minimise the significance of harm to the character, setting or significance of, or outlook from, or towards heritage assets. In relation to heritage assets, from examination of the submitted HTVIA accompanying the application the heritage assets potentially affected and assessed in the application are marked on the Plan in Section 3.

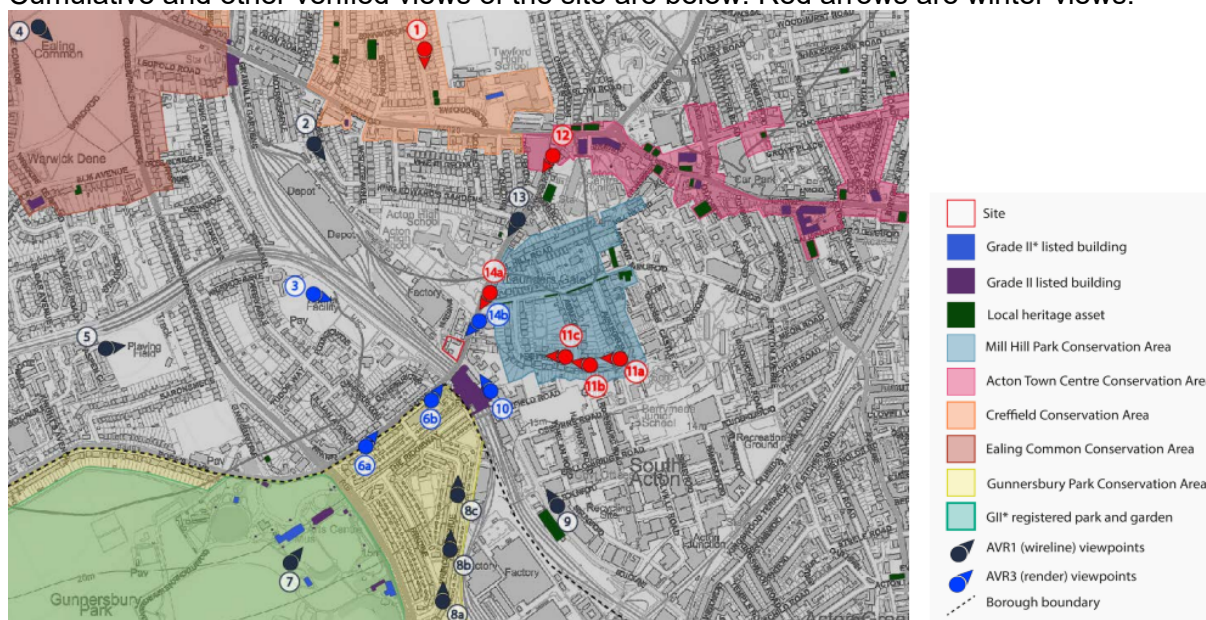
In accordance with established Historic England guidance townscape and visual impact on CAs are assessed by the applicant in an HTVIA. These are appraised in Section 14.4 below.

Views from beyond the site boundaries other than those in the immediate vicinity, relate to the impact of the tower. In this context, the HTVIA assesses the cumulative impact with other permitted tower developments in the locality as illustrated below (application site in Green):



Project Name	Model source	Reference
1 Bollo Lane Phase 1-4, Ealing, W3 8QU	Rock Hunter model based on PA drawings	201379OUT
2 Acton Gardens Phase 9.4, Ealing, W3 8TQ	Rock Hunter model based on PA drawings	192796REM
3 Acton Gardens Phase 9.3, 9.5 and 9.6, Ealing, W3 8TQ	Rock Hunter model based on PA drawings	215892REM
4 Ark Sloane Academy Phase 1, Ealing, W3 BUX	Rock Hunter model based on PA drawings	180224FUL
5 Ark Sloane Academy Phase 2, Ealing, W3 BUX	Rock Hunter model based on PA drawings	181990FUL
6 Site	Model Received	

Cumulative and other verified views of the site are below. Red arrows are winter views:



Below are Verified Views (taken from the HTVIA), using the same numbering.

Verified wireline View 1 of block (in green) within Creffield CA taken from Twyford Avenue south of Stanway Gardens:



View 3 from Old Actonians Sports Ground of proposed block (full rendered and arrowed) cumulatively with other consented schemes (coloured red and purple):



Verified wireline View 4 of block (in green) from within Ealing Common CA:



View 6B Gunnersbury Lane south-east side of proposed block (full rendered) cumulatively with Acton Station (red arrow) and consented schemes (coloured red and purple):



Verified wireline View 7 of block (in green) from Gunnersbury House and Park:



View 8B Princes Avenue south east side of Gunnersbury Park CA proposed block (green colour):



View 9 from Bollo Lane opposite Acton Gardens/Bollo Bridge Road and cumulatively with consented scheme on TfL site (coloured purple) and Acton Gardens (coloured red):



View 10 from Bollo Lane south side close to listed Acton Town Station proposed block (fully rendered) cumulatively with other consented scheme (coloured purple):



View 11C (Summer on left and Winter on right) from Heathfield Road south side of Mill Hill Park CA proposed block (green colour):



View 12 (Summer on left and Winter on right) from Gunnersbury Lane south side of Acton Town CA proposed block (green colour):



View 14B from Gunnersbury Lane south side of Acton Town CA proposed block (fully rendered) cumulatively with Bronte Court in the foreground:



7.10 Energy and Renewables

The development is designed to be served by a community heating system based on Air Source Heat Pumps (ASHP) in combination with a wastewater heat recovery to be fitted under the baths in each flat to pre-heat the shower water. At the current design stage the overall site-wide CO₂ emissions will be cut by at least 68.75%, with 17.75% carbon reduction through “Lean” efficiency measures, and 51% through “Green” renewable energy.

The size and type of development is not suitable for CHP. According to the London Heat Map, there is no available “Clean” district heat network (DHN) in the vicinity of the site, however the ground floor plant room will include space for a future heat substation that would be suitable for connection to a district heating system. Also proposed are two PV arrays – on the 11th and 15th floors. A financial contribution is proposed to address the zero-carbon shortfall of 693 tonnes (over 30 years) of CO₂ and energy monitoring by the Council’s consultant Energence.

7.11. Whole Lifecycle Carbon

A Whole Life-Cycle Carbon Assessment (WLC) has been prepared and submitted to the GLA in accordance with London Plan Policy SI2. As noted above, the applicant intends to address the zero-carbon shortfall by way of a financial contribution, which accords with current policy. A condition to secure compliance is included in the recommendation.

The applicant has, through the submission generally, demonstrated why it is neither feasible nor practical to retain or retrofit the existing residential blocks to meet current and future housing need. Further, to retain them would be inconsistent with national, strategic and local policy and guidance on sustainable and inclusive building design and dwelling sizes and to make full and optimal use of residential land in an established urban area to meet the identified need for more affordable housing.

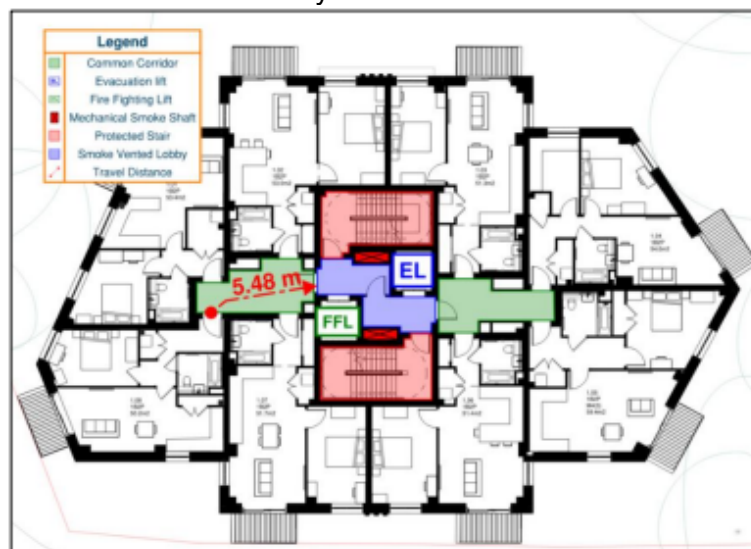
Regarding demolition materials, a Site Waste Management Plan (SWMP) will be prepared to manage the disposal and reuse/recycling of materials generated by the site in accordance with the Waste Hierarchy and Government Regulations. sets a minimum target of 95% waste not going to landfill i.e. being reused or recycled.

In addition, the Whole Life-cycle Carbon planning condition will be employed to reduce carbon emissions. It includes waste as well as the long-term performance of the new development, which overall will be a significant improvement on the existing flats.

7.12. Fire Strategy

In accordance with London Plan Fire Safety Policy D12B and associated Policies D5, D9 and D11 and the Mayor's Fire Safety LPG, the applicant has produced a Planning Fire Safety Statement, prepared by a Chartered Engineer with the Institute of Fire Engineers. It sets out the measures for building construction, means of escape, passive and active fire safety systems and access and facilities for firefighting services.

As the block exceeds 30m in height, the applicant has followed the Government Consultation Proposal (published 23rd December 2022 - since adopted by the Mayor) to design the block with 2 fire-protected staircases as well as 2 lifts. Below are details of arrangements in the block in compliance as set out in the Fire Safety Statement:



8. APPLICATION NOTIFICATION

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



9. EIA SCOPING

An Environmental Impact Assessment (EIA) Screening Request (ref 224084SCE) was submitted in September 2022. It was determined:

1. The proposed development falls outside of the definition of 'Schedule 2 Development' as this 'Urban Development Project,' proposes less than 150 dwellings and is not located within a 'sensitive area' defined within the Town and Country Planning (Environmental Impact Assessment) Regulations, 2017 (as amended) (the Regulations).
2. On this basis the Local Planning Authority is of the opinion that the proposed development will not be likely to have significant effects on the environment as interpreted by the Regulations and thereby does not constitute Environmental Impact Assessment (EIA) development requiring an Environmental Statement. This is not to say that the proposed development will not have environmental effects of a localised nature which will need to be considered in determining any planning application(s).

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

10. PLANNING HISTORY

App Number	Proposal	Decision	Date
224084S CE	Request for an Environmental Impact Assessment (EIA) Screening Opinion under Regulations 5 and 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') (as amended) for The proposed development seeks to redevelop the site to provide up to 102 new homes in a building up to 15 storeys in height (71.5 metres AOD) with associated car parking and landscaping. All existing buildings on the site will be demolished as part of the proposals.	EIA Not Required	10.10.22
223520P TT	TPO 031 Crowning, pruning, thinning to 10 mature/mature sycamore trees	APP	28.09.22
215783P TT	There are three trees that are touching the building and require cutting back about 2-3 metres. There is a third	APP	12.11.21

	tree (tree touching building 3) that is not featured on the TPO map that we would also like to cut back. Sketch plan and photos attached. TPO/2008/0031.		
165009P TT	Sycamore (T1) (<i>Acer pseudoplatanus</i>) (Approximate height 20m) Front garden boundary corner of Museum Way Remove 1 x large dead stem on road side to make safe Sycamore (T2) and (T3) (<i>Acer pseudoplatanus</i>) (Approximate height 20m) Front garden front boundary Reduce branches away from street light to provide 3m clearance as part of continued maintenance Sycamore (<i>Acer pseudoplatanus</i>) and various shrubs/hedging (G1) Front garden front boundary Trim all growth back from the pavement up to a height of 2-6m to remove obstruction 3 x Elder (<i>Sambucus nigra</i>) (G2) (Approximate height 5m) Front garden right hand boundary Reduce height to 1m above fence line and crown reduce sides by 1-2m to contain as part of continued maintenance.	APP	14.11.16
P/2012/4 010	Conversion of existing roof space to form 3 flats.	APP	15.11.12
P/2011/3 247	T1 to T4 Sycamore – thin and cut crown, lift and prune back.	APP	30.11.11
P2010/30 74	Works to trees granted with conditions: T19 Sycamore – Reduce lateral crown spread all round by 2-3m to clear adjacent buildings, contain, and improve light. Thin and clean out crown, remove deadwood and suppressed branches. Lift canopy all round by 2m.	APP	14.09.10
P/2003/1 740	Crown thinning of two Sycamores covered by LBE TPO No 31.	APP	04.06.03

11. REPRESENTATIONS

Ealing Civic Society (ECS)

Objects. Disappointed that feedback provided by ECS and the public to the so-called public consultation appears to have been ignored; the many representations that the proposed height of the block was excessive have resulted in no changes whatsoever. Objections are thus primarily related to this excessive height. Contrary to what is suggested, this is completely out of context in the local area, where there are no close-by buildings of more than 6 storeys.

Street views in the application clearly show the proposed block as over-dominant and towering over neighbours. The new block would dominate the adjacent flats to the northeast and have many windows and balconies on this elevation - mitigation would be necessary to reduce the overlooking from living rooms, even at lower levels, in the new block.

Very close to the listed Acton Town station and would be harmful to its setting. The yet to be constructed TfL development cited as a precedent does include some tall buildings, but these are some way away along Bollo Lane and the development steps down towards the station specifically to mitigate any harm to its setting. Views from Mill Hill Park Conservation Area would also be significantly adversely affected.

Provision of accommodation for women, possibly including some identified as vulnerable, does not outweigh these identified harms and justify the excessive height. Also question whether a high-rise model offers good living conditions for future residents, some of whom may be isolated and some may have children, lacking as it does a sense of community and raising possible safety concerns.

(Officer Note. Impacts and merits of the development are assessed below).

Acton Park CA, Acton Town Centre CA and Mill Hill Park CA Conservation Area Advisory Panel (CAAP)

CAAP objects on the grounds that: the height of this particular proposed tall building, in this particular location would have significant, adverse effects on the environment; in particular, that it would irreversibly damage the location of the Grade II Listed Acton Town Station to the enduring detriment of everyone approaching or leaving it for decades to come: and that it is inconsistent with both the existing (2012) Local Plan and the proposed Local Plan (TBC) as this is not an area designated for tall buildings.

The argument that the 15 storey Brook House would be joining a host of other tall buildings nearby does not bear scrutiny.

Repeatedly the PA refers to the height of buildings in the Acton Gardens development and the proposed Bollo Lane TfL developments. The PA fails to mention that there are no 15-storey developments near or planned to be in Gunnersbury Lane or near Acton Town Tube Station. In fact, the buildings planned for the end of Bollo Lane near the Tube Station are 2, 4, or 7 storeys high. The buildings in the area approaching that height (15 storeys) are differently, remotely – and largely sensitively – located. CAAP does not object to tall buildings as such, only to – in this case – a proposal for one insensitively located.

Need it be so tall?

The documentation argues that the number of flats is a balance of possible and desirable provision of homes, and costs. Among the factors affecting costs is the presence of a Thames Water sewer running across the site. They have elected not to build over the sewer, making the footprint of the building smaller than it might otherwise be, and so the building, taller. This, according to the architect, is the cheapest option. Alternatives would be prohibitively expensive.

Yet, the sewer could be culverted over and built on. This is technically possible and practical. It would increase the footprint of the building and thus reduce its height. The argument that, because of the extra costs, the economics would not work, is irrelevant. It is a matter for the developers to resolve.

The proposed building would cause damage to heritage because of its height.

It was notable that the yellow paper site notices which went up read:

“The proposals comprise a Major Development that may be likely to affect the character or setting of listed buildings and/or of a Conservation Area.”

It would.

The “Heritage Townscape and Visual Impact Report” concedes in paragraph 9.5 that the development would damage the setting of Acton Town Station, a Grade II listed building by the distinguished architect Charles Holden:

“It was found that the proposed development would [arguably] cause no harm to the significance of the heritage receptors [sic] scoped into the assessment, other than to Acton Town Station (Grade II listed) where a very minor level of less than substantial harm [specialist criterion noted] has been assessed to occur to the setting and so significance of the designated heritage asset.”

On that at least, save in the matter of degree, we are agreed. Less plausibly, the report continues:

“The scale of the harm is considered [by Savills] to be negligible, as the harm arises to the

setting of the heritage asset which is not where is draws the majority [but obviously, some] of its significance from, and only occurs in a very minor manner with the majority of its setting being preserved under the scheme. This harm will have to be weighed against the public benefits arising from the proposed development, as required by paragraph 202 of the NPPF.”

No matter how well-informed or expert, these are subjective judgements. And it must be borne in mind, the “public benefits” might be achieved through other, less damaging developments. We live here. We are entitled to express our own subjective judgements. We are the people who will be living with the adverse consequences of the “minor level of less than substantial harm”, long after these experts have moved onto their next commission.

Will the building make “contributions” to the area?

It says in the documentation that:

“The development improves on the architectural character of the area of the building”

This is a vague, subjective and near meaningless judgement.

“It would provide a “legible way find marker”

No one needs a tall building to guide them to Acton Town Station.

That it will be:

“Bookending the proposed Bollo Lane element”

This last is a bizarre assertion which, based on no evidence whatsoever, save for some imagined, abstract ideal, assumes that TWO very tall buildings (the other planned for the area near the pedestrian crossing at the eastern end of Bollo Lane) are better than one. In this, the PA fails to acknowledge that the planned Bollo Lane development near the Tube Station is much lower, as explained above.

Women’s Pioneer Housing have obviously invested a great deal in preparing this PA.

For all the purchased expertise deployed to support this PA, we think objections to the building from those, like us, who are already living in the area and who will – if it is approved – live for decades with its adverse consequences ought to carry more weight than comments from those who, however well-qualified, do not.

(Officer Note. Impacts and merits of the development are assessed below).

Mill Hill Park Residents Association

Support applicant aims and recognise the need for the redevelopment as the existing accommodation does not meet today's required standards. Concerned about massing and the height of the proposed building, and particularly its 15-storey.

Proposed development would have little visual impact on the Mill Hill Park CA, but would have a significant adverse visual effect on Gunnersbury Lane and the area surrounding Acton Town Tube Station. Existing and proposed views from Gunnersbury Lane provide a good illustration of the height and types of existing buildings and dominating and out of character the proposed development.

The D&A Statement, implies that a large development on the Brook House site would thus be acceptable. However, the sites and surroundings are quite different in character. Acton Gardens is replacing the mostly high-rise buildings of the South Acton Estate while the TfL Bollo Lane ribbon development along the tube line, faces, in most part, an industrial estate and other new high-rise developments being constructed within the estate. Additionally, the buildings in the proposed Bollo Lane development close to Acton Town Tube Station will be very much lower (4-7 storeys) so as not to dominate the setting of the Station or the Art Deco Gunnersbury Court flats. The D&A Statement also refers to an application at 83-85 Gunnersbury Lane to build a 33 unit apartment block. However, this application submitted in January 2018 to construct a much lower building was subsequently withdrawn.

Disagree on the secondary roles of the proposed development. There is no need "to create a legible wayfinder marker on the horizon", nor "to present an opportunity to 'book-end' the

regeneration area" nor to "introduce another landmark building on the junction of Bollo Lane and Gunnersbury Lane, creating another positive twenty first century addition to the local skyline". Disagree "this development improves on the architectural character of the area". Heritage Statement concludes that the harm arising from the demolition of Brook House is considered minimal. Not the demolition of the existing three buildings and their contribution to the station's immediate setting which will have an adverse impact but their replacement with a 13-15-11 storey building.

Request that this application be refused.

(Officer Note. Impacts and merits of the development are assessed below).

Neighbour Representations

At the time of preparing this report 56 objections (including ECS, CAAP and Mill Hill RA above), 8 support 2 neutral (a total of 69) received, summarised as follows:

Support

- Live in a comfortable house. We need cheaper housing especially for women. Will have to build taller. Will improve the area.
- Well-designed providing desperately needed housing for vulnerable people. Need more projects like this to address London's profound housing crisis. High density close to existing transport.
- Affordable housing is good. NIMBYs are bad.
- Environmental disbenefit v housing gain. As Mill Hill Park residents agree it will not change its character. As a car-free development should not add to congestion/pollution. Mature aged residents should be able to walk to transport links/shops. Design should focus on minimising overshadowing and positively contribute to local character/Gunnersbury Lane crossing. Option of 8/9 storeys on a larger footprint may not be as aesthetically pleasing as the application. Possible concern of departure from mixed community as a 'women's high rise'. If public funding not forthcoming, then design and composition may change.
- Fair and reasonable development. Meets urgent housing need. Minimal intrusion. Looks over railway lines, main road and transport museum. Hard to think of a better location in a built-up area. Impact and inconvenience minimal. Area needs improvement and enhancement. Will add to character of the area. Applicant is genuinely committed to the area. Demographics will add to the richness and diversity of local community.
- WPH rescued me from abusive and controlling relationships. Happier and more confident now. Without this housing, women like me face an almost impossible challenge. Proposal provides 100 light and spacious homes for those who need it. Life circumstances can change so the plan to offer 100 women renewed lives must be good. Wholehearted support.
- Site needs re-developing. Beneficiaries will be women who experience difficulties. London housing market almost out of reach for minimum wage earners. Greenery around the building and bigger flats will be beneficial.
- Support energy efficient homes for women. A tenant of WPH since 1983 - attest to ongoing adherence to original mission - safe, affordable and habitable homes for women. Landlords strive for excellence in their housing stock. Often a challenge when much of that stock is 150 years old. Applaud plan to demolish outdated, cramped and damp housing stock and replace it with housing fit for 21st century. Opportunity to build exemplary social housing not just fit for purpose but leads the way in energy efficiency, health and wellbeing and financial security. Have been able to have a career in a low paid sector and live safely and affordably in my home city for nearly 40 years because of the homes provided to me by WPH. Rental landscape has changed beyond

recognition. Fully support proposal for more and better quality homes for women. Women still likely to be paid less and have smaller pensions than men. Many more face single parenthood and caring responsibilities compared to men.

- Going to be great for Acton Town. Used to live at Brook House. The building is very old and in need of knocking down. Will help house more people and great look for the area.
- Will provide affordable housing to women in the area. Much needed as current building has many problems - mould, asbestos, flats that are too small and not enough. Plans for the new building are in keeping with the area and are a great improvement on the present situation. New building will be more eco-friendly, meet social housing space standards and have green spaces, making it far more pleasant for tenants to live in.

Object or Neutral

- Too high.
- A disaster adjacent to Conservation Areas and listed buildings.
- Appalling, not in keeping. Infrastructure could not support.
- In a good cause but ruin Acton Town.
- Destroying the neighbourhood.
- Need more free green space. Overwhelmed by new build. Strain on schools and surgeries.
- 15 storeys too aggressive for Acton Town. Making it women only is divisive and discriminatory. Will be visible from a long way.
- Out of keeping and overshadow next door flats.
- Building here out of place. Subjects neighbourhood to unhealthy dust, noise, erection of formidable dangerous 'Crates'. Loss of child play space. Loss of Art Deco building. Applicant can do internal alterations to the existing building. Refurbishment is cheaper. Applicant demolishing other flats to give way to high rise in Du Cane Road - could raise that building. Why vast increase in population. Alternatively find another more suitable spot in Ealing.
- Height not in keeping with the area. Should be graduated to relate to the listed station.
- Height conflicts with the area, unsuitable site and London Plan. Not the right location. Should be considered at a Planning Hearing.
- Services in Acton reduced. Recycling centre closed. Too high and over development. Impact on the infrastructure of Mill Hill CA including damage by piling from construction.
- Should build over sewer crossing the site and make the block lower rather than radically change the area/listed station. In favour of WPH housing on site but not in this form. Eyesore.
- No set back from Gunnersbury Lane/LUL lines has maximum townscape impact. Contrary to Draft Local Plan Policy SP4.1E detracts from the character of the area and distinctive differences of Acton Town, South Acton, Gunnersbury Lane and Mill Hill Park CA. Disproportionate tower height. Scale of block overshadows street level. Sets a precedent e.g. Halfords site opposite. Not part of Acton Masterplan. Contrary to LBE Tall Buildings Policy. Noise mitigation required from LUL will considerable. Will not be able to have west opening windows. Design and appearance unsuitable for the area. Should be low density/rise. Underpinning of block next to LUL lines. May delay construction to night working. Loss of mature trees and character to more rural nature of Gunnersbury Park. Impact setting of Acton Station. Increased traffic impact on Gunnersbury Lane/Bollo Lane junction. Aging physical and mental impairment of residents will require support/care. What safeguards for residents from abusive

partners? Does this meet NPPF/NPPG guidance for older care? No consideration in design for communal activity for residents. No mention of Government policy for older persons housing. High level flats may affect social mobility and interaction or mental well-being of tenants above 5 storeys. No mention of HAPPI standards.

(Officer Note: Housing our Ageing Population Panel Innovation (HAPPI) was formulated by the Housing Learning and Improvement Network, a 'knowledge hub' to provide specialist advice for extra care, sheltered, senior living, retirement and supported housing. In terms of the general approach to, inter alia, those in need of support the Ealing Development Strategy 2026 DPD Chapter 1 states that a key role for the Local Plan is to improve public health and support those with specific needs to achieve well-being and independence. As such all relevant planning decisions have due regard to these considerations. In this regard the applicant has submitted a Health Impact Assessment, which is referred in this Report).

- Generally in support but not 15 storeys. Will tower over Mill Hill CA. Already considerable development in the area. Area overrun with traffic. Lack of parking, High street and parks busy and unclean. Excessive litter. Lack of services and public transport. Businesses converted into flats exacerbates the problem.
- Horrible tower will blight the area.
- Understand social aims but object to tower. Against the common interest and will damage local environment. Could build over culvert for a lower development. Object to tree loss.
- Too high. Brook House is tallest building on Gunnersbury Lane. Excessive density. Insufficient open space and access for service/delivery.
- Ill-considered. Will dominate the area on a high point in Acton and deprive neighbours of light and compromise privacy. Applicant is a very negligent landlord. No way of knowing if new building will be kept any better.
- Adverse effect on residential amenity and loss of light. Nothing else this high and will be anomalous. Dwarf architecture if historic local area and Conservation Area. New building should maintain existing heights. Not a positive environment for vulnerable women. How will older residents cope with stairs and lifts. High concentration will put the women at risk. Support aims but not at expense of existing residents.
- Residents will need a safe and amenable environment not met in this dense overdevelopment. Interests better served with greater amenity. High rise development is now utterly discredited.
- Too high for the neighbourhood. Will stick out like a sore thumb. Should keep to existing height. Increased traffic and pollution next to busy road junction.
- Not in keeping with the area. Out of synch with surroundings and conservation area.
- Visual Impact Assessment misleading as does not include closer views from Mill Hill CA. Building would be highly visible.
- Will overshadow the Tube Station.
- Design does not utilise the site. Cannot the existing footprints be used?
- Negative impact on the environment. New TfL development will be lower in the vicinity of the station. Needlessly large. Laudable aims could be met by building over the sewer.
- Safer housing for women should be spread across a wider geographical area.
- Contrary to Ealing development plans.
- Will set undesirable precedent.
- Inconsiderate for existing people. An eyesore. 1032 flats a problem in the area.
- Building is no doubt for a good cause; however, this should not be used as an excuse to negatively affect the local conservation area.

- Some of the supporting comments do not have local postcodes and would therefore be unaffected by the impact of this building.
- Far too high, out of keeping. Repeats 1960s mistakes of social isolation. Might become magnet for predators or drug dealing. Difficulty escaping fires. South Acton project already resulted in a proliferation of tower blocks. Comments that application contributes to diversity, landscaping etc wear thin when it results in a 15-story monster overshadowing the Listed Station and Conservation Area.
- As an elderly person, a 15-storey block is ridiculous. Lifts break down and power cuts leave people stranded. Photographs on the website are misleading.
- No other such development in the area. Will tower over station at the top of the hill.
- Impact unfavourably on all the buildings in the area. This part of Acton is a low rise residential. Current grouping is an attractive series of white blocks arranged in a U shape and in scale with the block of red brick flats next door. Single women would find a high rise very unpleasant. Impact of towers felt strongly by the local communities, out of scale with environment, long-term damaging effects on communities, degrading the existing built environment. Impact on Acton Town Station and Gunnersbury Court.
- South Acton Estate already resulted in a large increase in tower blocks. Another 15-storey block will adversely affect the appearance of the road. Understand the need for more housing. This part of Acton has had enough high-rise dwellings.
- Far too high and out of keeping. Too many developers trying to impose high rise buildings on this part. Main aim is profit, not creating housing in keeping with the area.
- Not in keeping with the area. Extends massive scale of Acton Gardens into a nature conservation zone. Broadly sympathetic to intention and design. Feel that single sex sheltered housing of these proportions, in the direct vicinity of a transport hub known to have its challenges, might not be in the best interests of those designed to shelter or the neighbourhood.
- Support aims but excessive height, loss of light and character and loss of trees.
- Residents and workers fed up with sky high towers blighting suburban skyline of world famous leafy Ealing.
- No objection to the re-development. Object to height. 15-storey building way too tall. West London area has small to medium sized buildings. Probability approval will be given for this building. Should approve a maximum height of 8 storeys.

(Officer Note: Representations applicable to the planning merits of the application are addressed in the Sections below.

Reference to Du Cane Road is a site owned by WPH in White City, where WPH secured 80 new affordable flats and a head office building as part of a 209 unit mixed residential scheme. Reference to an Art Deco building is Brook House built in 1935. It is not included in the Council's list of statutory or local heritage assets.

The Visual Impact Assessment comprises views from publicly accessible places. The same applies to views from and within Conservation Areas. Locations have been assessed and are considered to be accurate.

Where the social infrastructure of the area is insufficient and not wholly or partially provided on site, a financial contribution is negotiated to meet the need in accordance with the development plan and national policy guidance.

As a car-free (other than disability and car club) development the scheme promotes lower traffic generation, emissions and pollution objectives than the existing.

12. EXTERNAL CONSULTEES

Met Police Secured by Design	Reported crime in the area is high. Applicant has met with SBD. Development should be able to reach Secure by Design accreditation. <i>(Officer Note: An Informative is proposed in the recommendation).</i>
Crossrail	No comments.
HSE	Welcomes incorporation of 2 nd staircase. Satisfied with the fire safety design. <i>(Officer Note: A Fire Statement condition is recommended).</i>
NHS Property Services	Requests a financial contribution towards future redevelopment of Acton Health Centre. <i>(Officer Note: Financial contribution included in the recommendation.)</i>
Environment Agency	No comments received at the time of preparing this report.
Affinity Water	No comments received at the time of preparing this report.
GLAAS	Request condition and Informative to evaluate nature and extent of surviving archaeological remains. <i>(Officer Note: Included in recommendation)</i>
London Fire Brigade	Concerns about detailed aspects of design although the majority can be dealt with at the Building Regulations application stage. <i>(Officer Note: LFB has confirmed the matters are generally high level and not fundamental the scheme. The applicant is addressing this. An update will be included in a Briefing Note).</i>
GLA	<p>Stage 1 Report:</p> <p>Estate regeneration: The comprehensive redevelopment of the estate may be supported subject to providing further information with regards to the like for like replacement of existing affordable housing floorspace, the right to return/remain, and alternative options to demolition. <i>(Officer Note. The applicant has submitted remaining information to the GLA).</i></p> <p>Land Use Principles: The proposed re-provision and expansion of specialist accommodation for women with good access to public transport is acceptable in principle in accordance with London Plan Policies H8 and H12. <i>(Officer Note. Noted.)</i></p> <p>Affordable Housing: The proposal would deliver an affordable housing provision of 100% (habitable room) comprised solely of social rent, which is strongly supported. This should be secured via the legal agreement in line with London Plan Policy H6. <i>(Officer Note. Complies with London Plan Fast Track criteria. Affordable housing s106 clause is included in the recommendation).</i></p> <p>Urban design: The principle of tall buildings at this site could be acceptable in strategic terms, subject to fully addressing impacts. The applicant should review the proposed wheelchair accessible homes and distribute them more evenly across the floorplate. A revised fire statement is required. <i>(Officer Note. The applicant has submitted remaining matters to the GLA to LBE. The Fire Strategy has been carried out by a Chartered Engineer with the Institute of Fire Engineers and compliance with London Plan Fire Safety policy is confirmed. A Fire Safety condition is included in the recommendation).</i></p>

Heritage: The proposed development could result in less than substantial harm at a low level to designated heritage assets as a result of harm to the contribution made by setting to significance. At this stage, it is considered that the public benefits could outweigh the identified harm. A full assessment will be undertaken at Stage 2.

(Officer Note. Noted.)

Transport: Public realm/ highway improvements are expected to be secured through a s278 Agreement or other appropriate planning mechanism. Data should be provided to inform decisions around suitable improvements to improve safety. The proposal will be “car-free” in accordance with London Plan policy. 3 disabled parking spaces proposed represents 3% of spaces. Locations for a further 7% of spaces offsite to account for future provision should be identified. All car parking spaces fitted with active charging from the outset is welcomed. The site is located within a controlled parking zone (CPZ) and the proposal will be permit-free should be secured via the appropriate legal mechanism. In view of the circumstances, 102 long-stay cycle parking spaces a 1-for-1 long stay provision, plus short stay and mobility scooter storage is accepted. Contribution towards bus capacity mitigation requested. Travel Plan should be secured by a legal agreement. Expect a full delivery and servicing plan and full construction logistics plan to be secured through condition

(Officer Note. Comments addressed in this Report. A condition to provide the requisite cycle storage has been agreed with the GLA and TfL and is included in the recommendation along with highways conditions, travel plan, logistics and delivery conditions and s106 clauses).

Sustainable development: Further information required on energy with respect to Be Lean/Green, Be Seen, Energy Infrastructure, Managing Heat risk. Further information in relation to Whole Life Carbon and Circular Economy is required.

(Officer Note. The applicant has submitted remaining information to the GLA. Appropriate conditions are included in the recommendation).

Environmental issues: Air Quality conditions recommended. Proposed UGF exceeds London Plan target supported. Assessment required of CAVAT value of trees to be felled. LPA should secure AIA recommendations for tree protection. Diverse range of trees recommended including large canopies to target urban heat island effects. CEMP should set out how ecological impacts can be avoided and impacts on SINC. BNG net gain rules should be demonstrated. Ecological Management Plan should be secured.

(Officer Note. The applicant has settled remaining sustainability matters with the GLA to LBE Officers’ satisfaction. Conditions and planning obligations in accordance with the above are included in the recommendation).

Transport for
London (TfL)

It has been confirmed that the S106 will secure the delivery of 102 social rent affordable flats to be held in perpetuity and the affordable dwellings will be prioritised by LBE for people living and/or working in the Borough. S106 is yet to be drafted however the above forms part of the S106 Heads of Terms to be presented at committee stage. Although the provided quantum is still below London Plan policy compliant levels (a minimum of 154 spaces), the revised offer of 102 spaces represents an 56.9% increase from the 65 stands previously proposed. The cycle parking provision at this site is now broadly acceptable with London Cycle Design standards, with 17.6% of the cycle parking provision taking the form of Sheffield Stands. The applicant is also seeking to provide 5 mobility scooter bays (swept path analysis has been provided).

This revised arrangement provides a more favourable approach from the first offer of 65 long-stay spaces. This approach would equate to 1 space per dwelling, which would match the applicant’s assumption (based on the Charity’s tenant

demographics) that flats will be used by a single resident. Whilst the preference is for full London Plan compliance, TfL could accept this revised arrangement based on the provision that the Travel Plan that has a stronger cycle parking review mechanism to ensure needs of future residents are catered for and improvements being secured towards the cycling environment.

Request financial contribution to bus service enhancements. Request further information to address the Healthy Streets and Vision Zero.

(Officer Note. The s106 clauses referred to concerning use and occupancy are included in the recommendation along with Travel Plan and Cycle Parking conditions. The applicant has provided additional information to the GLA.)

Transport for London (TfL) Infrastructure Protection	No objection in principle. Number of potential constraints adjacent to rail infrastructure. Request condition and Informative concerning engineering details. <i>(Officer Note. Included in recommendation)</i>
MoD Estates Assets	No safeguarding objections. <i>(Officer Note. Bird Hazard Management Plan condition included in the recommendation)</i>
Natural England	No comments received at the time of preparing this report.
NATS/Heathrow Safeguarding	No safeguarding objection. Request crane obstacle lighting Informative. <i>(Officer Note. Included in recommendation)</i>
Network Rail	No objections.
Thames Water	No comments received at the time of preparing this report.
London Wildlife Trust	Does not currently have the capacity to the majority of applications.
Highways England	No objections.
LB Hounslow	Does not wish to comment.
Historic England	Does not wish to offer advice.

13. INTERNALCONSULTEES

Housing and Regeneration	The housing is being provided by Women's Pioneer Housing (WPH), a 'specialist' HA which, since 1920, has provides homes for single women who are unable to access the London housing market to privately rent or buy due to their sex, disability, ethnicity and age and who may also have been victims of domestic violence. As stated in the application documentation, WPH has existed on this same site since 1930 providing the same type of social rented housing to its tenants. the proposal will be supported in part by GLA grant-aid if permission is granted. These circumstances are a highly important consideration to Housing Supply given that WPH will continue in its commitment to provide these homes for the tenants at Brook House,
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a number of whom we understand wish to be re-housed here in the new scheme as well as benefiting those who will be eligible to be housed from the Council's Waiting List in brand new housing to replace the existing rundown and inefficient units.

Policy H4 of the 2021 London Plan says that "the strategic target is for 50 per cent of all new homes across London to be genuinely affordable" and that all major developments of more than ten units trigger an affordable housing requirement. As this site is providing 102 homes (a net increase of 63 over the existing, albeit all 102 will be new flats) then it should be providing affordable homes. This development is providing 100% affordable homes, and, as all homes provided are for London Affordable Rent it satisfies the criterion of "genuinely affordable".

This site is providing 100% affordable social rented homes that is in accordance with specialised accommodation Policy H12 of the London Plan 2021.

Would usually ask for a range of bed sizes but these homes are for a specialist housing association who has provided housing for single women in housing need on this site for the past 90 years. Provision of primarily one bed accommodation is acceptable and will contribute positively towards meeting the needs of a cohort of the Borough's housing that is generally underprovided.

In these circumstances Housing Supply strongly support this specialised housing scheme including the 100% social rent affordable housing tenure and bed size proposed, that will give modern new homes to tenants. *(Officer Note. Housing Services advises that as of 2nd March 2023 there are currently 2303 single women applicants on the LBE Housing Register. Recommendation includes s106 clause to restrict occupancy to 100% social rent)*

Transport Services	Request conditions and legal agreement clauses for highway improvements, parking permit restrictions in the CPZ consultation, Travel Plan and monitoring, 7 future off-site disabled parking bays, cycling and public transport. <i>(Officer Note: Requirements included in the recommendation. GLA Stage 1 request for a 7% future disability car spaces would be addressed by Transport's requested financial contribution).</i>
Environmental Services (Refuse Team)	No comments to make.
Energy & Sustainability	Good strategy that will deliver a highly effective all-electric development. Request conditions/s106 obligations. <i>(Officer Note: Included in the recommendation).</i>
Education	Not intended for family occupation. In these circumstances do not seek a contribution.
Pollution Technical (Air Quality)	Request conditions, informatives and s106 clauses to cover noise mitigation and separation, dust monitoring, odours, hours of operation, installation of emergency generator, air quality, construction and demolition, contaminated land, external lighting, bonfires, removal of asbestos. <i>(Officer Note: Conditions and financial contribution requested are included in the recommendation).</i>
Pollution Technical (Contamination)	Remediation condition to remove any material from former pond and asbestos requested. <i>(Officer Note: Included in the recommendation)</i>
Pollution Technical (Noise)	

Mitigation measures required in relation to substantial road and rail noise and for potential structure borne noise. Request conditions and Informatives. *(Officer Note: Included in the recommendation)*

Tree Service	Most of the protected trees retained. Concerns for remainder from demolition and construction. Would like to see footprint rotated 90 degrees to retain more trees. Area where trees are removed (facing Museum Way) could be used for tree planting and to screen the building. Request tree protection conditions requested during construction and compensatory planting and conditions and CAVAT compensation for tree loss. <i>(Officer Note: New and replacement tree planting is proposed. Tree protection conditions and a CAVAT contribution included in the recommendation).</i>
Leisure & Parks	Landscape masterplan, planting and materials palettes are good and make best use of a shaded site. Small increase in BNG and UGF with wider wildlife habitats. Ecology Strategy good. Doubts new trees will mitigate for removal of existing. Concern construction will require ongoing tree pruning and tree damage. Good range of resident community garden space. Financial contributions required to shortfalls in amenity, allotments and for new soft and hard landscaping, boundary treatments, management, Green/Brown roofs, SUDS and ecology strategy. <i>(Officer Note: Increase in new and replacement tree planting proposed. Planting and management, habitat creation, bird boxes, further bat surveys etc conditions included in the recommendation and financial contribution to amenity and other space shortfalls. Tree Service has not expressed concerns re construction damage. Conditions are recommended to secure appropriate tree protection).</i>
Sport & Leisure	Welcome inclusion of resident's activity/fitness area in the scheme. Request condition to approve equipment. <i>(Officer Note: Included in the recommendation).</i>
Regeneration and Economic Growth	Support scheme for affordable housing. Request contribution to Acton town centre responsive retail projects to deliver improved local parades with associated public realm areas to boost local use, business turnover and support enterprise into vacant units in the area. <i>(Officer Note: Contributions included in the recommendation).</i>
Economic Development Employment Learning and Skills LLFA	Request 19 work experience placements and a financial contribution towards monitoring of project, preparing residents for upcoming vacancies on site and other employment and skills related activities and an additional financial contribution where an apprenticeship has not been delivered by the end of the agreed period. <i>(Officer Note: Included in the recommendation).</i> Satisfactory surface water drainage strategy. Infiltration is not feasible on site, so soft landscaped areas would potentially be saturated in a 'worst case scenario', therefore we require total site area be used in calcs Applicant should produce a total site area calculation. <i>(Officer Note: Drainage conditions include harvesting measures in the recommendation).</i>

14. Reasoned Justification:

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

- Compliance with development plan policies and national guidance
- Residential use

- Affordable housing
- Scale of development, loss of existing housing and estate redevelopment
- Impact on neighbouring properties
- Tall Buildings
- Design
- Heritage Assets and Public Benefits
- Highways, transport and parking
- Amenity/open space
- Environment
- Equal Opportunities
- Energy
- Environmental Health, noise, air quality
- Fire safety
- s106 agreement and Community Infrastructure Levy.

14.1 National and Local Planning Policies - Analysis of Policy and Guidance

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

- d. National Planning Policy Framework (NPPF), NPPG and National Design Guide (NDG)
- e. London Plan
- f. Ealing Development (Core) Strategy
- g. Development Management DPD
- h. Development Sites DPD
- i. Draft Ealing Local Plan
- j. Other Ealing Supplementary Planning Guidance/Documents
- k. Mayoral Supplementary Policy guidance

14.2 NPPF

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

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

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

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

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

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

'12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making....Local planning authorities

may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

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

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

In meeting the housing needs of a range groups in the community para 62 states:
'62...*the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing,... older people, ..., people with disabilities,..., people who rent their homes...)*

The applicant WPH explains that a significant proportion of their tenants are older persons. The Framework Annex 2:Glossary defines older people as:
'*People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.'*

Whilst this application is not designed as an older persons residential development or care home, it will contribute towards helping meet the housing needs of older single women, be they existing residents of Brook House wishing to return to better quality and accessible dwellings, those on the Council's Housing Register or known the WPH and eligible tenants. In this regard as was noted above in relation to comments from Housing Supply, as of 2nd March 2023 there are currently 2303 single women applicants on the LBE Housing Register, which represents a significant need from this section of the community.

With regard to regeneration projects, para 94 (and para 124 below) states:
'94. *'Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.'*

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

120. *Planning policies should*
a) *encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation...;*

...

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

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

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

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

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

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

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

...; and

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

On design quality, the Framework states:

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

Lastly, in achieving well designed places, the Framework states:

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

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

14.3 Housing Land Supply

NPPF para.74 advises that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing (the ‘5-year housing land supply’) against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old.

The Council is currently compiling the evidence needed to confirm its position regarding the level of deliverable supply, and once completed this will be documented in an update to the latest Annual Monitoring Report (AMR) (October 2021). For reasons outside the Council’s control the completion of this exercise has been delayed awaiting the migration of missing pipeline data into the GLA’s Planning London Datahub, which replaced the GLA’s London Development Database in 2020.

During this transition between databases, there was a gap in coverage where neither database was operational and this prevented permission data being captured for a significant period, which has given rise to the incomplete pipeline. This incomplete pipeline poses a significant barrier to establishing a 5-year land supply, most of which is expected to be derived from the pipeline of permissions.

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

Whilst the possibility of a shortfall pertains, the NPPF presumption in favour of sustainable development – the so-called ‘tilted balance’ – is engaged in dealing with applications for residential-led development such as this application. NPPF paragraph 11d)ii states that in these circumstances the development plan policies most important for determining the application are to be treated as out-of-date.

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

1. assets of particular importance (such as for example, heritage, environment, flood risk, ecology, protected countryside) provide a clear refusal reason or

2. any adverse impacts of the development would significantly and demonstrably outweigh the benefits of granting permission, when assessed against the policies in the NPPF considered as a whole.

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

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

Regarding environmental benefits, the landscaping scheme in the Design Statement has been prepared to demonstrate that known constraints have been taken into account. The biodiversity enhancements will make a positive and permanent local contribution, including the provision of areas of green infrastructure and increase in tree planting, which should also be given weight.

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

The official measure of housing delivery in this context is the Government's Housing Delivery Test (HDT). Ealing has comfortably and consistently passed this test since its introduction in 2018. The latest results record that the Council has delivered a total of 5,359 (against a requirement of 4,395) between April 2018 and March 2021, which equates to 122% of its housing requirement. It should be noted however that given the different periods covered by the HDT and a 5-year housing land supply, different requirement figures may be employed for the two measures. So direct comparisons should be avoided, although the general positive direction of performance is an important indicator.

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

14.4 Strategic Housing Policy

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

The London Plan identifies a very substantial need for housing growth. It passed its examination without fundamental changes to these aspects of the spatial strategy, however the Secretary

of State remained concerned about the levels of growth set out in the Plan and directed changes to increase housing growth.

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

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

Set out principally in Policy H1, the strategy of the London Plan identifies an increase in development needs necessitates a progressive densification across Boroughs. Allied to this, the key housing policies relevant to this application are:

GG1 (Building strong and inclusive communities) encourages Good Growth building on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities, support and promote the creation of an inclusive London where all can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

GG2 (Making the best use of land) encourages developments to actively explore the potential to intensify the use of land to support additional homes, promoting higher density development, particularly in locations that are well-connected. The same policy encourages the adoption of a design-led approach to determine the optimum capacity of a site.

GG4 (Delivering the homes Londoners need) seeks to create a housing market that works better for all Londoners and create mixed and inclusive communities that meet high standards of design and provide for identified housing needs

D3 (Optimising site capacity through the design-led approach) states the design of development must optimise site capacity. This means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling and that where there are clusters of high-density buildings, expansion of the clusters should be positively considered.

D4 (Delivering Good Design) states the higher the density of a development, the greater the level of design scrutiny that is required, particularly qualitative aspects of the development design.

H2 (Small Sites) states Boroughs should actively support well-designed new homes on small sites (defined as below 0.25ha in size – the application site is 0.21ha) as a strategic priority. The policy seeks incremental intensification in PTAL3-6 areas or within 800m of a station. The application site satisfies both criteria.

H4 (Delivering affordable housing) of the London Plan sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable.

H6 (Affordable housing tenure) of the London Plan describes the preferred affordable housing tenure arrangements across London, which comprises 30% low-cost rented homes, 30% intermediate products and 40% to be determined by the borough. All affordable homes are expected to meet the Mayor's definition of 'genuinely affordable homes.' The provision of 100% social rent affordable housing meets the tenure requirements of Policy H6 Part A, and Part B which allows flexibility of tenure above 35% affordable housing where the homes are genuinely affordable.

H8 (Loss of existing housing and estate redevelopment) relates to the loss of existing housing and estate regeneration proposals. It states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. The Mayor's Good Practice Guide to Estate Regeneration (GPGER) also sets out the following principles for estate regeneration projects:

- a. Increase the amount of affordable housing
- b. Provide a full right of return to existing social housing tenants and
- c. A fair deal for leaseholders and freeholders.

H10 (Housing site mix) encourages a choice of housing based on local needs with regard given to robust local evidence of need, including the nature and location of a site. It states that a higher proportion of 1- and 2-bed units may be more appropriate in locations like the application site with higher public transport access and connectivity.

H12 (Supported and specialised accommodation) supports the delivery, retention and refurbishment of supported and specialised housing which meets an identified need ed need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London's population, including disabled Londoners, victims of domestic abuse or violence against women and girls. The GLA has confirmed this application is classified as a form of specialist housing and is eligible for Grant aid.

Acton is identified as a key location for sustainable growth within the Borough and an essential part of the spatial strategy for London's growth as a whole, as enunciated in the London Plan and in accordance with national policy guidance.

The development balance should have regard to the growing development needs of the Borough as identified in the London Plan and the desirability of achieving these on this sustainable site and the positive contribution it will bring towards meeting the contribution small sites can make and the objective of specialised housing needs through the current and emerging Local Plans. Both positively support increasing the provision of residential development in this part of the Borough.

14.5 Ealing Core Strategy/Local Plan

The site has the following designations:

- i) Developed Area
- ii) Air Quality Management Area
- iii) Area of Local and District Park Deficiency
and it adjoins:
- iv) SINC
- vi) Green Corridor
- v) Archaeological Interest Area

14.6 Draft Ealing Local Plan, 2022

The following Policies are relevant to this site and scheme:

SP.2 Tackling the Climate Crisis

SP2.2A making the best use of land

SP3 fighting inequality

SP3.1A spatial inequalities

SP3.1B equal and affordable borough

SP31C safe and secure environments

SP3.3 I specialist housing

SP.4.1 Good Growth

SP4.3 Genuinely affordable homes

D9 Tall buildings

DAA – Design and Amenity

HOU Affordable Housing

G5 Urban Greening

CO Carbon Offsetting

FLP Funding the Local Plan

A.1 Acton Spatial Strategy

A - significant investment opportunity to increase affordable homes

C - growth focussed around transport interchanges such as Acton Town

I - delivering more genuinely affordable homes

K(ii) - improving living conditions alongside Gunnersbury Lane

L(iii) - ensuring development achieves highest design standards

The applicant has submitted a Draft Ealing Local Plan Regulation 18 'Call for Sites' Submission Form seeking an allocation for the application site.

Adjoining the northern boundary of Brook House, the LUL Museum and depot has been identified in the Draft Local Plan as suitable for residential-led, mixed use scheme and potential re-provision of the Museum (Site: Acton-AC06).

14.7 Principle of Residential Development on this site

Policy objectives are expressed in terms of achieving optimum, rather than maximum development potential. The site provides the opportunity to make full and efficient use of a sustainable brownfield site to significantly boost the supply of housing, four square with Framework and development policy and guidance. Relevant also is the Mayoral LPF on Optimising Site Capacity.

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

The site is located in an established suburban, mainly housing, area. It has been in residential use by the same applicant, WPH, for some 90 years. The principle of residential use therefore is not in dispute. The increase in housing proposed will contribute to policy objectives to secure mixed and inclusive communities as set out in London Plan Policies GG4 and D5, with an emphasis on single women's housing, to help address housing need in the area. It will also help assist in meeting a recognised need for single women's housing, which is strongly supported by LBE Housing Team.

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

In terms of the general approach those in need of support the Ealing Development Strategy 2026 DPD Chapter 1 states that a key role for the Local Plan is to improve public health and support to those with specific needs to achieve well-being and independence. As such all relevant planning decisions have due regard to these considerations. In this regard the applicant has submitted a Health Impact Assessment.

The proposal will therefore help to retain and enhance the objectives of mixed communities, which is a key plank of national and local housing policy. There is no rational basis to conclude, as suggested in representations, that the continued use of this land to provide accommodation for single women, as it has by WPH for the past 90 years, is likely to give rise to unsafe housing, drug risk or the predation of vulnerable women. No evidence is brought that Brook House is already a 'magnet' for such behaviour, as would be expected if it was a realistic likelihood over so many years.

The Metropolitan Police Secured by Design consultation in Section 12 above, advises there is a high crime risk in the area, albeit that area extends over a 1km radius either side of the site and does not indicate that Brook House is a source. Concerning consultations with Brook House residents, concerns regarding antisocial behaviour were raised by some respondents, it was felt that an automatic gate, fencing, and lighting at night would help residents feel safer. The proposal includes a caretaker's office located at the front entrance to the new block and a condition is included in the recommendation to incorporate appropriate resident security measures in the design.

14.8 Equalities Analysis

The 2010 Equality Act places a duty on public bodies, in the exercise of their functions to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The applicant has submitted an Equalities Impact Assessment (EqIA).

This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics, which includes age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

As the development involves the redevelopment of an existing housing estate including affordable housing the EqIA provides the basis to assess the potential impact of the proposal on equalities target groups particularly around age, disability, pregnancy and maternity, race, religion or belief, sex and sexual orientation and the wider community (London Plan Policy D5). The WPH Supporting Statement also notes:

'1.7 The situation is worsened for women who are older, have a disability, or are BAME women. For example, when the average hourly pay gap for women was 18.2%, it was 26% for Bangladeshi and Pakistani women.'

'1.8 Income equalities build up over a lifetime. The private pension pots of women in their 60s are on average a third of the size of men's. Older women are three times more likely to retire on just the basic state pension.'

The applicant has also prepared a Health Impact Assessment (HIA) in line with London Plan Policy GG3 (Creating a Healthy City), NHS best practice guidance and the LBE Annual Public Health Reports on System Wide Principles of Working on Health Inequalities.

The key conclusions of the HIA are summarised as: *'The proposed development at 100 Gunnersbury Lane provides opportunities to positively impact upon the health and wellbeing of future residents. A large proportion of the site is to be provided as landscaped amenity space, accessible to all residents in a safe and secure environment. The amenity spaces will promote activity and support the reduction of isolation. Well-constructed affordable homes will minimise the risk of fuel poverty and associated illnesses while the highly sustainable location of the development will allow future residents to access key places benefitting and supporting health and mental wellbeing.'*

Current Brook House residents who wish to move into the new housing would be able to do so on the same tenure terms that they currently have.

Further, as noted in the Community Consultation section of this report, extensive pre-application consultation has been undertaken during the preparation of the application and that process continues including with statutory bodies such as the Metropolitan Police SBD.

A total of 10 different flat types are proposed, including 8 different one-bedroom types ranging from 50.1sqm to 59sqm. Five types would have a separate kitchen, which would increase the number of habitable rooms for 66 of the 100 units to 3hab rooms. These unit sizes will help the Council to meet an identified need for single person housing, directly specifically for women, as indicated in the Housing Supply Team consultation response to this application.

Turning to people with disabilities, the application proposes 10 flats specifically designed for wheelchair users (M4(3) compliant). Besides that, all Blocks provide level, gently sloping of step free access to communal areas.

All 102 flats are designed to meet the requirements of Approved Document Part M (2015 edition incorporating 2016 amendments), which incorporates the previous requirement for Lifetime Homes Standards as Category 2 'Accessible and Adaptable Dwellings' M4(2) for the other 90% of the units. The layouts for each unit will also adhere to the requirements set out in the GLA London Housing Design Guide.

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

14.9 Loss of Existing Housing and estate redevelopment

The site in its present form and layout and currently fails to contribute positively to the permeability, legibility, and identity of the local area overall and the proposed scheme provides considerable potential to address these issues.

The development proposes the demolition of Brook House which currently comprises 38 affordable units in social rent tenure and 1 unit is leasehold. The proposal would replace them all (in accordance with strategic policies and planning guidance) as well as providing a further 63 social rent affordable flats for WPH tenants; making a total of 102 flats. No new flats would be leasehold.

As already noted, London Plan Policy H8 (Loss of existing housing and estate redevelopment) relates to the loss of existing housing and estate regeneration proposals. The policy states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. The existing floorspace is 1595sqm; the proposed is 7462sqm, resulting in a higher density and a significantly more that existing replacement floorspace.

The Mayor's Good Practice Guide to Estate Regeneration (GPGER) also sets out the following principles for estate regeneration projects:

- a. Increase the amount of affordable housing
- b. Provide a full right of return to existing social housing tenants and
- c. A fair deal for leaseholders and freeholders

The existing 39 flats are small, sub-standard in quality and no longer fit for purpose. The unit sizes average approximately 29 sqm. equivalent to the size of a studio unit. The size of the units falls below the current minimum national and London Plan space standard of 37 sqm.

The Applicant has set out that the three blocks built between the 1930s and 1970s need significant repair and investment to bring the site up to modern standards, improve their environmental performance and to provide additional high-quality new affordable homes. The replacement affordable housing will comprise larger and modern rented housing, with better energy efficiency, balconies, step free access and lift.

All the units would be retained in social rent tenure for perpetuity. 10% (610units) of all the homes would be wheelchair accessible homes; all units would be wheelchair adaptable. A total of 10 different flat types are proposed: 8 different 1-bedroom types ranging from 50.1sqm. to 59sqm. Five flat types would have a separate kitchen, which would increase the number of habitable rooms for 66 of the 100 units to 3.

By the same token, the proposal will positively support the provision of increased specialised accommodation for single and vulnerable women in accordance with London Plan Policy H12. Therefore, whilst the dwelling size range of the proposed new and replacement units does not target family provision (other than in the 2 x 2-bedroom flats), Housing Supply considers that the significant opportunity provided by this application to a specialist housing need in the Borough, for which there is current under provision is welcomed.

Further, with regard to representations stating that high rise flats would be unsuitable or inappropriate for – especially older - WPH tenants, as noted in Section 6.7 above regarding consultation between WPH with existing Brook House residents, the following was noted: *'One point that was interesting to note is how some residents expressed a desire to live on higher floors to have access to views and reduced noise, whereas others wanted to be on lower floors. However, no resident expressed a concern about the height of the proposed building.'* Plainly, this does not indicate any reticence amongst the applicant's tenants towards living in this tower block.

14.10 Affordable Housing Policy

Current Core Strategy Policy 1.2(a) and DMD Policy 3A seek affordable housing at a level equivalent to 35% of new residential development on private land. The draft Ealing Local Plan Policy HOU seeks a step change increase to the London Plan strategic target of 50% in response to the significant need in the Borough. The application proposes 100% social rent affordable housing.

The GLA's strategic target is also 50%. The GLA operates a fast-track route (FTR) whereby applications are not required to be accompanied by a Financial Viability Assessment (FVA) where a scheme exceeds certain threshold levels for affordable provision. The scheme proposes 100% by habitable room, making it eligible for the fast-track route.

The applicant is receiving GLA grant funding to support the delivery of 100% affordable housing by habitable room. The scheme as proposed exceeds the 50% threshold level and uses grant to increase affordable housing delivery in line with London Plan Policy H4. This is strongly supported including by the GLA in the Stage 1 referral. The affordable housing in perpetuity would be secured through a s106 agreement.

Mayoral commitment to the delivery of genuinely affordable housing, London Plan Policy H6, the Mayor's Affordable Housing and Viability SPG and his Affordable Homes Programme 2021-26 Funding Guidance set out the Mayor's preferred affordable housing products. Furthermore, London Plan Policy H8 makes clear that replacement affordable housing must be provided at social rent levels where it is being provided to facilitate a right of return for existing social rent tenants as proposed in this application. Social rent levels are based on the formulas in the Social Housing Regulator's Rent Standard Guidance. The rent levels for social rent homes use a capped formula and are significantly less than 80% of market rents, which is the maximum for affordable rent permitted in the NPPF.

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

'The housing is being provided by Women's Pioneer Housing (WPH), a 'specialist' housing association which, since 1920, has provides homes for single women who are unable to access the London housing market to privately rent or buy due to their sex, disability, ethnicity and age and who may also have been victims of domestic violence. As stated in the application documentation, WPH has existed on this same site since 1930 providing the same type of social rented housing to its tenants.

'Noteworthy as well is that the proposal will be supported in part by GLA grant-aid if permission is granted. These circumstances are a highly important consideration to Housing Supply given that WPH will continue in its commitment to provide these homes for the tenants at Brook House, a number of whom we understand wish to be re-housed here in the new scheme as well as benefiting those who will be eligible to be housed from the Council's Waiting List in brand new housing to replace the existing rundown and inefficient units.

'Policy H4 of the 2021 London Plan says that "the strategic target is for 50 per cent of all new homes across London to be genuinely affordable" and that all major developments of more than ten units trigger an affordable housing requirement. As this site is providing 102 homes (a net increase of 63 over the existing, albeit all 102 will be new flats) then it should be providing affordable homes. This development is providing 100% affordable homes, and, as all homes provided are for London Affordable Rent it satisfies the criterion of "genuinely affordable".

'There are no 'Intermediate' homes in this development and although the Ealing policy is for a 60/40% split of rented and intermediate housing, this site is providing 100% affordable social rented homes that is in accordance with specialised accommodation Policy H12 of the London Plan 2021.

'The new development will contain mainly one bedroom accommodation. Again, although we would usually ask for a range of bed sizes in a development, these homes are being provided by a specialist housing association who has provided housing for single women in housing need on this site for the past 90 years. Therefore the provision of primarily one bed (100 x 1bed and 2 x 2bed) accommodation is acceptable and will contribute positively towards meeting the needs of a cohort of the Borough's housing that is generally underprovided.

'The current scheme provides 39 homes for rent so the increase in supply of 63 flats also for rent will increase the provision of housing for women on this site. There will be 2 x 2B units to replace the existing 1 x 2B flat. This will give WPH the flexibility to enable a tenant to rent a flat if they have a family dependent, such as a child, although this is the exception, rather than the rule.

'I can confirm therefore that in these circumstances Housing Supply can strongly support this specialised housing scheme including the 100% social rent affordable housing tenure and bed size proposed on this site, that will give modern new homes to tenants.'

The 100% social rent meets the requirements of London Plan Policy H6 Part A, and Part B which allows flexibility of tenure above 35% affordable housing. As noted above, whilst the scheme involves the demolition and replacement of affordable housing, the proposed provision of 100% affordable housing enables the application to follow the FTR subject to confirming the tenure mix is acceptable, which it is in this case.

14.11 Tall Buildings Policy

Current adopted LBE Development Strategy DPD Policy 1.2(h) and DMD Policy 7.7 and London Plan Policy D9 (excluding in this section those functional or operational aspects of the development which are assessed under appropriate headings below in Section 14), state that tall buildings are acceptable where they contribute positively to the local context and do not cause harm to heritage assets. The quality of the design, especially in relation to context and accessibility, are the overriding considerations.

Regard must also be had to national and London Plan policy and guidance concerning the positive contribution that tall buildings can have towards meeting objectives for the full and efficient use of small and other urban sites to meet housing need, especially for affordable housing, which this application wholly comprises.

A 'tall building' is defined by London Plan Policy D9A as:

'Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.' At 11-15 storeys, the application scheme exceeds this height threshold.

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

- a. In locations determined by Boroughs to be an appropriate form of development and subject to meeting other requirements of the Plan,

- b. In any such locations identified on Development Plan maps
- c. Should only be in locations identified as suitable in a Development Plan.

Policy D9 para.3.9.2 sets out that Boroughs should employ a sieving exercise form of evidence gathering to identify areas for growth including the locations where tall buildings could have a role to play *'in contributing to the emerging character and vision for a place'* within the Borough.

The application site has not been identified in an adopted Plan or upon any maps, as an appropriate location for a tall building.

Locations for tall buildings would be defined in the adopted Local Plan. In preparation for this, LBE prepared a Character Study and Housing Design Guide to inform this approach to identifying locations to be included in the development plan. They informed the preparation of Draft Local Plan DM Policy D9, which states:

'E. The definition of a tall building in different parts of Ealing is set out in Figure DMP1.

F. Tall buildings above this threshold should be located upon allocated development sites defined in the development plan.

G. Tall buildings on designated industrial sites will be subject to agreed masterplans and based upon local impacts and sensitivity.'

In Figure DMP1 the application site is in Acton Area A5, where a tall building equates to 24.5m high or to 7 storeys.

The application scheme is a maximum of 48m high (excluding the rooftop plant room) and 15 storeys. Nor is not on an allocated development site in the Draft Plan. Therefore, it is not in compliance with the draft policy (although the owner has submitted a request under the Reg.18 consultation for it to be allocated). In applying this DM Policy D9 and other relevant draft Local Plan Policy, the approach is that this policy should generally receive moderate weight; the policy itself accords strongly with the established approach of the London Plan, however, the principle of a tall building on any given site is still subject to testing, and a proportionate approach should be taken to proposals already under development.

Pending full adoption of the Local Plan Sites Document there is some scope for unallocated sites still to come forward where these received planning advice prior to the publication of the Plan. Extensive pre-application consultation was carried out for this scheme prior to publication of the draft Plan. In addition, there is the strong policy support for the principle of this 100% social rent affordable specialist housing scheme and the significant contribution it will make to help meet the Borough's needs.

Accordingly, whilst, in development plan-making terms the application site proposal for a tall building should be expected to come forward as a site allocation, in this case detailed design assessment of the scheme supported by GLA, DRP and CRP consultations endorses the principle of a tall building of this height on this location. This approach is consistent with that to be taken in applying London Plan Policy D9, where the proposed tall building would not comply with the strategic locational requirement of Policy D9B. Tall buildings are however also subject to the criteria set out in Part C of D9, relating to visual, environmental, functional and cumulative impacts which are assessed in Section 15.2 below.

15. ASSESSMENT OF THE MERITS

15.1 Scale and Site Capacity

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

The NDG also says:

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

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

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

Taking these principles on board, it has been noted this site is a highly sustainable PTAL 5/6a location, a short walk from bus stops and Acton Town Station, for higher density development. The London Plan seeks to secure the delivery of good design in a variety of ways. Policies D3 (Optimising Site Capacity through the Design-Led Approach), D4 (Delivering Good Design), D6 (Housing Quality and Standards), D8 (Public Realm) and D9 (Tall Buildings) are particularly relevant to the consideration of this application. Policy D3 highlights that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, through careful consideration of issues such as form and layout, experience, alongside consideration of quality and character.

Policy D4 highlights that where appropriate, visual, environmental and movement modelling/assessments should be undertaken to analyse potential design options for an area, site, or development proposal. Both methods have been employed by the applicant in preparing this application as shown by the Design Development in Section 5 and the TVHIA in Section 7.9.

The application scheme also represents a positive example of site optimisation, balancing design, amenity and site constraints, whilst maximising the potential for significant additional affordable housing for which there is an established need. As required by Policy D4, it has been developed in consultation with and by scrutiny from LBE Officers, the GLA, CRP and DRPs. Through this process, the scale of development in relation to delivering optimal site capacity in a tower typology is found to be an acceptable approach in principle. Regarding whether the scale and arrangement of the development gives rise to significant adverse impact on the character of the area and residential amenity is addressed later.

15.2 Tall Building

National Design Guide (NDG) gives advice on appropriateness of tall buildings typologies in para. 69. It states: *'well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline'*.

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

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

In the context of the impacts criteria of Policy D9, the applicant has provided a detailed and rational assessment of the case for the distribution of height within the scheme. Nevertheless, having established the adopted strategic and draft local plan policy criteria for the location of tall buildings do not currently allocate this site for a tall building, attention must necessarily turn to the applicable development management impacts criteria of London Plan Policy D9C as follows.

A. Visual Impacts Criteria

The applicant has followed the Design Scrutiny advocated in London Plan Policy D4, Delivering Good Design. Other than in respect of its prominence in the surrounding area which is generally low scale suburban in character, GLA Officers (in both pre application consultation and via the Stage 1 referral), the CRP and DRP, raise no in-principle concerns to the provision, layout, massing strategy or height of this new tall building on the site.

The CRP was generally supportive of the concept that the proposed tower height would represent a reasonable compromise to retaining more amenity space and existing trees, that would outweigh issues around visual impact and reduce the impact on dwellings at Bronte Court (to the north). No reason is seen to disagree with these conclusions subject to satisfying the GLA requirement to meet the other relevant assessment criteria in London Plan Policy D9C and adopted Local Plan Policy 1.2(h) and DPD Policy 7.7.

As regards the D9C impacts criteria therefore the Policy states:

'1) visual impacts

a) the views of buildings from different distances:

i long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views

ii mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality

iii immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.'

The area around the application site currently features a number of mid-rise height buildings such as Acton Town Station and Bronte Court (both around a maximum of 4 storeys), Grosvenor Court and r/o O'Day Court, Gunnersbury Court (6 storeys) and at Acton Gardens (generally 4 -11 storeys). Beyond that is the permitted residential-led development on the TfL sidings land at Bollo Lane (8 – 23 storeys).

The scheme addresses the height impact by graduating the heights to the flanks of the central 15 storey element. It would be 11 storeys facing Gunnersbury Lane and heritage assets such as Acton Town Station and Mill Hill Park CA in close range views and 13 storeys facing the LUL Museum building and suburban housing beyond across the railway towards the Old Actonians Sports Ground and wider CAs beyond.

The application is supported by a detailed Heritage Townscape and Visual Impact Assessment (HTVIA) addressed in Section 7.9 above. These impacts have been tested in the applicant's HTVIA and the analysis in the DAS and in pre-application consultation as noted above.

In terms of visibility, at 11- 15 storeys the proposed development, would be likely to impact more upon immediate, long/mid-range views than from newer, tall building typologies (at Acton Gardens and the TfL land) that are less visible in large part because they are on lower lying land to the south from Bollo Lane or would be obscured by new development. Significantly however the TfL development will obscure views of the new block looking north along Bollo Lane (HTVIA Views 9 and 10 in Section 7.9 above).

In mid- to long-range views, the only place where a 'skyline impact, above the tree line, would be evident from Old Actonians Sports Ground to the north-west (View 3). Other long-range views around the compass points would be variously obscured by trees lines or intervening buildings that are not heritage assets. Close to mid-range views would be more evident from Gunnersbury Lane (north and south of the site), Acton Town Station and Mill Hill Park CA (Views 6B, 11C, 12, 13 and 14B in Section 7.9).

In these locations approaching the site from the south-west side of Gunnersbury Lane, views of the block would be primarily over the roofs of houses and boundary trees to the site, with Acton Town Station retaining its dominance in foreground. In the approach from the north of Gunnersbury Lane in the other direction (running parallel to the Mill Hill Park CA), the view is primarily of street trees and the residential blocks of Bronte Court in the nearest foreground, again with views only of the upper storeys of the new block stepping down to the Gunnersbury Lane frontage as the façade of the listed Acton Town Station is reached.

In these Views and locations it is important that the tower achieves architectural quality and that materials are of an exemplary standard, that it would cause less than substantial harm to heritage assets and is not expected to cause adverse glare or excessive light pollution, which are unlikely where as in this case, it is a residential, rather than commercial, block.

Overall, therefore in visual impact terms of Policy D9C, it is considered the location, scale and massing of the proposed tall buildings is successfully incorporated into the locality.

Spatial Hierarchy

'b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding'

The graduated massing and heights of the block have been developed by the applicant and independently assessed by the GLA, CRP and DRP in response to townscape considerations

whilst still maintaining good levels of amenity into the residential accommodation and protecting residential amenities for neighbours, especially to Bronte Court. Although reference has been made to other tall building typologies in the area, including on Allocated sites, they do not act as or should be treated as a precedent per se.

No local or strategic views have been identified as being harmfully affected by the development. There are no significant negative townscape impacts on views from publicly accessible places. The HTVIA shows that viewed from verified locations individually and cumulatively, the development will not have an overriding significant harmful impact but will contribute positively to the skyline in this area. Indirectly, it will also act as a way-finder to Acton Town Station as a transport hub as well as to the LUL Museum.

Design Quality

'c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan'

To ensure the new development is appropriate in scale and massing to its location, as part of the design development process the scheme has been independently assessed by the GLA, CRP and DRP.

As noted in Section 7.3, the new tower in its design, appearance and materiality draws on, without slavish adherence, to the traditional facing brick and stone banding colours and materials, takes motifs and design cues from the 1930s Gunnersbury Court mansion blocks and Acton Town Station that at one time shared the same space as Brook House around the Bollo Lane junction. As such the new block will relate well to its surroundings, without harmfully impacting on the traditional suburban scale and design of housing lying on Gunnersbury Lane and adjacent housing estates.

Taken together, the development proposal is considered to be suitable for tall buildings subject to heritage impacts and satisfying design policies in the development plan and national policy guidance. The use of brick as the main interface material of the development would be durable throughout its lifespan. As requested by the DRP, the details of:

- choice of specification of high-quality materials
- the white banding, distinguishing the top of the building and
- the window detailing

will be provided through the proposed external materials condition in the recommendation.

Heritage

'd) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area'

The site is not located in a Conservation Area and does not contain any heritage assets. Concerning whether *'alternatives have been explored...'* The applicant commissioned in the Design Review process a range of alternatives prior to arriving at the application proposals. In terms of policy and practice, neither the GLA (who were involved in the design development), nor HE requested a review or raised objections to the application on this matter.

Having assessed the scheme, it is also considered unnecessary in this case to consider the need to appraise alternatives in heritage impact terms. Consideration of the heritage impacts of the development is addressed in the Section below.

World Heritage Site

e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it

The proposal site is not within the setting of any World Heritage Site. Therefore, there would be no impact.

River Thames

f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river

The proposal is not located close to the River Thames. Therefore, there would be no impact.

Reflected glare

g) buildings should not cause adverse reflected glare

The scheme involves fenestration set in deep reveals. The amount of fenestration is limited to achieve thermal efficiency of individual flats units. These measures should avoid excessive or adverse reflected glare from the development upon the surrounding environment.

Light pollution

h) buildings should be designed to minimise light pollution from internal and external lighting

The existing blocks of flats will be replaced with a new but more intensive residential development. A condition is proposed in the recommendation to ensure that external illumination shall be in accordance with the recommendations of the Institution of Lighting Professionals.

B.Functional Impacts Criteria

These are assessed below in Sections 15.4 – 15.6 inclusive below. Dedicated access, entry, postal, maintenance strategies that show these concerns have been addressed during the design process. Incorporating these into the design results in a proposal that would function in a safe and efficient manner, preserving the amenity of neighbours and residents.

Additionally, a Fire Statement, produced by a suitable experienced expert, details the safety measures including the incorporation of dual stairs and lifts in this design in line with D9C2(a), (b) and (c).

Transport impacts are dealt with in D9C2(d). They demonstrate that the transport network has capacity to accommodate the development. There are no transport objections and the local transport network has sufficient capacity to accommodate the proposal. The site is located in a highly sustainable PTAL 5/6a location. The TfL scheme in Bollo Lane will improve future cycle and pedestrian access, supporting this car free (except for DDA parking) scheme.

The overall conclusion is that these impacts have been satisfactorily addressed either in the scheme design or can be by conditions and/or obligations as appropriate.

C.Environmental Impacts Criteria

These are assessed below in Sections 15.7 – 15.12 and 15.15 (as part of the Heritage Impacts assessment) below. Either no, or no significant, adverse impacts or objections are received

from consultees. The overall conclusion is that these impacts have been satisfactorily addressed either in the scheme design or can be by conditions and/or obligations as appropriate.

Cumulative Effects

As noted earlier and by reference to the applicants HTVIA, the surrounding area does not, nor is it expected to have, other tower blocks that may be likely to have some cumulative impacts, with the sole exception of Views 9 and 10 looking north from Bollo Lane, where the development will be largely obscured by permitted new buildings on the TfL site. This is not however considered to give rise to a significant adverse impact.

Public Access

It is not feasible to incorporate public access to the roof of the Block Policy as indicated by D9D, to allow wider views of London as it would compromise potentially resident security and amenity to all access to the general public, require significant design changes, including the possibility of reducing the number of flats, in order to construct a public lift access or changes to scale and massing to accommodate them, as well as conflicting with access to ground floor uses.

Further, other than the 11th floor resident's podium garden, the roofs are intended mainly for PVs and green roofs, which would also prohibit scope for public access other than those invited by the residents.

15.3 Summary and Conclusions on Tall Building Policy

The site is not allocated nor in an area identified as suitable for a tall building. The proposal does not therefore comply with current London Plan Policy D9A or B and draft Ealing Local Plan DM Policy D9.

In consideration of the impact criteria on Policy D9C, it is concluded this tall building in a tower typology will relate satisfactorily to the location, making effective and optimal use of this highly sustainable location, without giving rise to significant adverse impacts, in accordance with adopted Core Strategy and DM DPD design Policy. This conclusion is shared by the GLA Stage 1 referral and supported by views expressed by DRP and CRP consultations.

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

- GG1 – building strong and inclusive communities
- GG2 – making best use of land
- GG3 – Creating a Healthy City
- GG4 - Delivering the Homes Londoners Need
- D3 – Optimising Site Capacity
- D4 – Delivering Good Design
- D5 – Inclusive Design
- D6 – Housing Quality and Standards
- D7 - Accessible Housing
- H1 – Increasing Housing Supply
- H2 – Small Sites
- H4 – Delivering Affordable Housing
- H8 – Loss of Existing Housing and Estate Development
- H12 – Specialist Housing

G5 – Urban Greening
G7 – Trees and Woodlands.

LBE development plan policies that also give support are:

Core Strategy

1.1(b),(h),(k) - Spatial Vision for Ealing 2026

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

DMD DPD

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

7B - EALING LOCAL POLICY - DESIGN AMENITY

7C - EALING LOCAL POLICY - HERITAGE

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

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

Taking the above on board and the concerns of the DRP and CRP that a tall building tower typology on this site should not give rise to setting an undesirable precedent for other such tower buildings on adjacent sites, the following material planning considerations apply to this application:

1. the well-settled planning precept that each case should be considered on its individual merits,
2. the strong policy support for the provision of 102 new, 100% social-rent affordable flats that will continue to support the valuable local community role played by WPH in the provision of these specialist, rented homes for single women at Brook House as it has since the 1930s,
3. the replacement of substandard in terms of size and accessibility, energy inefficient, non-inclusive housing with new high-quality energy efficient, and accessible homes for WPH tenants in accordance with estate regeneration objectives,
4. the need and demand by WPH for this policy-supported, specialist form of affordable housing accommodation in this location, for single women, that can only be practically and optimally achieved on this relatively constrained site in a tower form that would not have a disruptive or harmful impact on the skyline and would comply with the impact criteria of London Plan Policy as a whole,
5. the opportunity to optimise the development of a partially vacant, small brownfield site in accordance with development policies in a new high-quality development,
6. the optimisation of this site in a tower tall building form is reasonable in weighing the policy-harm in the planning balance support for this residential development and lack of significant harmful impacts on the character and appearance of the area,
7. the building design and appearance of exemplary design quality will have a positive visual impact, the external treatment and materials complement the building and its context which would, compared to the existing buildings on site, enhance the appearance of the local area without substantially impairing surrounding heritage assets.

Going forward, tall building typologies will be identified in the emerging Ealing Local Plan, where their locations will be determined through the site allocations process.

The overall conclusion therefore is that whilst the application site should have come forward as a site allocation, the design assessment based on current adopted development plan policies, supported by the design-led process of the scheme development endorses the application scheme on its individual merits.

15.4 Architecture, Design and Materiality

London Plan Policies D1 and D2 seek to ensure that new developments are well-designed and fit into the local character of an area. Design Policy D4 states that tall buildings that are referable to the Mayor (such as this proposal) must be subject to design scrutiny.

As already noted, the proposal was developed during an extensive process of pre-application consultation with Council and GLA Officers, a CRP, two DRPs, public and community consultation. The design iterations and development process are set out in the applicant's Design and Access Statement (DAS).

London Plan Policy D9, Local Plan DM DPD Policies 7.4 and 7B relate to local character and design amenity and require, amongst other things, that development should complement scale and detailing, display high quality architecture, make a positive visual impact, with external treatment and materials that complement new buildings and context and must not impair the visual amenity of surrounding uses.

These objectives are found again in Draft Local Plan DM Policy DAA: Design and Amenity – Ealing LPA – local policy.

The proposal is of an exemplary quality design that successfully responds to the scale and character of the existing surrounding context and emerging typologies, without causing significant adverse impacts. The horizontal banding employing traditional coloured red/brown facing brick and stone coloured banding take their cues from the more prominent local buildings for example Acton Town Station, Bronte Court and Gunnersbury Court.

The GLA is supportive of the colour scheme and as the DRP concluded the success of the scheme will rely on high quality finish and materials, A condition to this effect is included in the recommendation. In this regard, the view expressed by the GLA that further consideration should be given to the appearance of the top and flanks of the tower has been reviewed but it is not considered this will be necessary in this case.

The top and flanks already have a recognisable termination point in the brick banding, whilst differentiation to the flanking blocks is achieved through their varied height and their angled articulation away from the main tower elevation. High quality and durable external materials that are 'self-cleaning' and resist staining will ensure the longevity of the block.

The scaling and graduation of the tower flanks respect the lower scale of neighbouring buildings at the junction with Bollo Lane. In mid-range views the tower emerges above the tree lines in a high-quality built form. The retained trees to the frontages, even the glimpses from the south side of Gunnersbury Lane and still respectful of the natural environment.

The present view is represented below from Gunnersbury Lane railway bridge (to the left), boundary trees and partial views of one of the existing Brook House blocks, the listed Acton Town Station (the right foreground) and Central Parade shopping parade (centre of the image) compared with the impact of the proposed block in the same location.

The impact of the development on heritage assets are assessed in the Section below. The development overall is a qualitative improvement on the present character of the site comprising the original 1930s block and a small cluster of contemporary flats of no architectural quality, which will be replaced with a high quality, design and appearance.

The CGI image below compares the current view from the railway bridge and the proposed view and demonstrates that with the graduated block heights of its flanks, down to the Gunnersbury Lane frontage, coupled with its sympathetic and high-quality design ethos to this suburban setting along with high quality and durable materials.

The listed Station building with its tall central ticket office foyer, will continue to maintain its prominence in the foreground view without its setting being substantially harmed:

Existing view of south side of site from Gunnersbury Lane:



Proposed view of south side of site from Gunnersbury Lane:



It should be noted also that other than for pedestrians waiting to cross Gunnersbury Lane at this point, the view will generally be transitory in this direction whether in a vehicle, bus, cycling or walking.

Included in this process during the design development was exploration of the scope to retain more boundary trees (as also requested by the Council Tree Services) particularly to the south-west facing Gunnersbury Lane/Museum Way and opposite Acton Town Station.

Views of the new block through the retained and flanking boundary trees show that it will be a high-quality addition to the area that does not need to be obscured from view.

As such it is not considered necessary to move the block to retain more of the boundary trees. Instead, it will add positively to the existing prevailing suburban architectural quality of the area, in a form that is well-articulated with different planes having differing prominence depending on the angle of view. The proposed development would be articulated further by the juxtaposition of windows, lintels and string courses across façades reflecting the necessarily repetitive grid of rooms consistent with building facades locally.

Overall, the block will positively contribute to the skyline without causing substantial harm to the settings of heritage assets. In relation to these assets HE has examined the scheme and has no comments to make. It can reasonably be assumed from this that HE considers the harm to heritage assets to be no more than 'less than substantial'. This too is the view of Officers and the GLA.

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

Balancing the policy considerations therefore, this scheme would be development plan policy compliant in terms of urban design (sense of place, density, landscaped areas) and optimises development potential. In its wider context no significant adverse harmful impacts are identified. Scope for cumulative impacts are few and will not harmfully lessen the sense of open sky between existing and new building so the impacts would not give rise to significant adverse harm to the suburban character of the area amenity.

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

15.5 HERITAGE ASSETS

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

A. Statutory Designated Heritage Assets and Assessment of Harms

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

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

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

Historic England (HE) has stated it wishes not to offer any comments on the application. The GLA concludes that the scheme would result in less than substantial harm – at a 'low level' - to the significance of the statutory designated, or to locally designated, assets. Plainly neither considers the development would meet the high bar of 'substantial harm.' The GLA Stage 1 analysis has been reviewed and is a reasonable analysis of the heritage impacts. It is therefore reproduced here:

Heritage asset	Level of harm	Scale	TVIA view
Gunnersbury Park House, listed Grade II*, Gunnersbury House, listed Grade II and group of 18 associated listed structures in Gunnersbury Park, a registered park and garden, Grade II* and a Conservation Area	Less than substantial	Low	Views 6a, 6b, 7, 8a, 8b, 8c and 14b
Acton Town Underground Station, listed Grade II	Less than substantial	Low	View 6a, 6b, 9, 10, 13, 14a and 14b
Acton Town Centre Conservation Area, with its associated group of 10 listed buildings	Less than substantial	Low	View 12
Ealing Common Conservation Area, with its associated group of 4 listed buildings	Less than substantial	Low	View 4
Creefield Conservation Area, with its associated group of 3 listed buildings	Less than substantial	Low	View 1
Mill Hill Park Conservation Area	Less than substantial	Low	Views 11a, 11b, 11c, 13 and 14a

The following comments are made in respect of the analysis of impacts:

- a. Acton Town Station: Some harm is caused to the setting of Acton Town Station. Compared to the application the Station is low-scale and in character with the predominant low-to mid-rise suburban architecture around it. However, the proposed development is not within a key view of the asset. It does not form a backdrop the Station in views whether from Gunnersbury Lane or Bollo Lane other than, in the case of the latter at the southern approach to the Bollo Lane/Gunnersbury Lane mini-roundabout, where the new block, largely obscured by the frontage trees would be visible as a visual 'end-stop to the junction. With the single storey Station building entrance lying to the left of that view, the tower block will neither screen the Station nor have any impact on its skyline behind, nor will it impinge on the taller, central ticket office foyer, so that the Station will retain its largely unhindered prominence in the foreground. The harm caused is therefore considered to be less than substantial. The low level of impact is therefore agreed.
- b. Gunnersbury Park: Because of the significant separation distances involved, over more than 0.5km, in conjunction with the intervention of the tree cover and topography, there is no apparent visual impact on the setting of listed buildings or Gunnersbury Park, the park or garden (located in Hounslow LB, who do not wish to offer any comments on the application). There are some impacts to the setting of the Gunnersbury Park CA in terms of some visibility of the proposed development within the streetscape albeit filtered by intervening buildings and trees making views generally transitory when travelling north

or south along Gunnersbury Lane. The harm caused is considered to be less than substantial. The low level of impact is therefore agreed.

- c. Acton Town, Creffield (and its listed buildings) and Mill Hill Park CAs: Summer and Winter views in relation to Acton Town, Creffield (and its listed buildings) and Mill Hill Park CAs are in Section 7.9 above. Winter View 1 from Creffield CA shows there is little different impact given the intervention of equally foreground tall blocks visible on Uxbridge Road that would obscure the proposal apart from a small part of its top floors. The significance of tree leaf cover in obscuring Summer views should not be disregarded as it demonstrates their mitigating effects so that any harmful impacts on setting are seasonal i.e. not all year round. The Winter view (View 11C) illustrates impacts on the CAs and Mill Hill Park in particular in this location would be generally one of a distant view of a tall and different style of building to the suburban houses, filtered by overlapping tree branches, with these houses in the middle ground limiting views to only the upper half of the block. View 12 from Gunnersbury Lane looking south from Acton Town CA, towards Mill Hill Park CA and past the local listed Acton Fire Station, shows the block to be largely obscured on the Gunnersbury Lane flank as a result of the graduated height of its wing. It shares the skyline with traditional lower scale foreground buildings and would not overpower the CAs. Overall, the seasonal views harm caused is considered to be less than substantial. The low level of impact is therefore agreed.
- d. Ealing Common CA: Impacts on the setting of Ealing Common CA and associated listed buildings is minimal, given the significant separation distances involved, the intervening tree cover and the topography. The harm caused is therefore considered to be less than substantial. The low level of impact is therefore agreed.

B. Non statutory (Locally Listed) Heritage Assets

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

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

- a. Acton Fire Station
- b. Passmore Edwards Cottage Hospital
- c. Frank Pick House.

There will be no direct harmful impacts to the assets themselves; any harm would be in relation to their settings. Passmore Edwards Cottage Hospital and Acton Fire Station derive their setting from their location of Gunnersbury Lane. The proposed building will not diminish their significance and they will continue to be the dominant buildings locally.

Given the significant visual separation between the assets from the application site, the set back from the road in the case of Acton Fire Station and the permitted demolition of Frank Pick House (in conjunction with the TfL redevelopment in Bollo Lane) along with intervening buildings and the proposed scheme and the oblique middle distant views between them, then the harm to these assets is also considered to be less than substantial.

C. Overall conclusion on impacts on heritage assets

Core Strategy Policy 1.1 1.2g, DM DPD Policy 7C, London Plan Policies HC1, D9C state that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Proposals resulting in harm require clear and convincing justification and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area. These requirements are tested in this Report.

The applicant's HTVIA assessment and conclusions, along with those of the GLA, have been reviewed and the conclusions on matters of harm are accepted as set out above. Consideration therefore must be given to whether there are substantial planning benefits that outweigh the identified harm. This is addressed below in Section 16.

15.6 Highways/Transport

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

The site is in a high accessibility PTAL 5/6a location for pedestrian and cycle accessibility. Local shops are immediately opposite the site and the edge of Acton town centre is a reasonably level walk of 600m from the site. In addition, there is a Brompton cycle hire located outside Acton Town Station on Gunnersbury Lane. Restricted DDA on-site parking and the Travel Plan put emphasis on promoting the car-free objectives of the scheme.

Taken together with this highly accessible location and following discussion with the GLA and TfL it is considered that the particular and individual circumstances of the application, focussed fundamentally on single person occupancy of the 102 flats, the provision of 102 long-stay cycle spaces, in conjunction with mobility scooter parking and charging points and more accessible stands for cycles for older residents, is reasonable in this case.

In addition, the applicant has prepared an Outline Framework Travel Plan that will be provided by the Coordinator to residents of the scheme to help them source sustainable travel modes. Through the Travel Plan as a condition of permission the scope to keep the under regular review and promote the future need and demand for resident cycle parking represents a reasonable approach towards encouraging increased future cycle usage.

Delivery and Servicing Plan conditions are recommended. No highways or pedestrian safety issues are raised by Transport, nor in relation to the servicing and delivery strategy. Transport and TfL request financial contribution for bus improvements, highways improvement and undertakings, including CPZ review, restrictions on new residents obtaining future parking permits and appropriate conditions including a Construction Management Plan.

15.7 Trees and Landscaping

Tree Service expressed concern about the loss of the TPO trees and the proximity to other trees from demolition and construction and requests the block be relocated to the middle of the site to avoid them. Otherwise, a CAVAT-based tree replacement financial contribution is sought and standard conditions in respect of tree protection/monitoring during construction and new planting as set out in the applicant's Arboricultural Method Statement.

As noted in Section 5 above, alternative locations for the block were assessed as part of the design development. The submitted location is considered to be the optimal in terms of optimising tree retention, avoiding the SW culvert landscaping provision and safeguarding residential amenity and the character of the area.

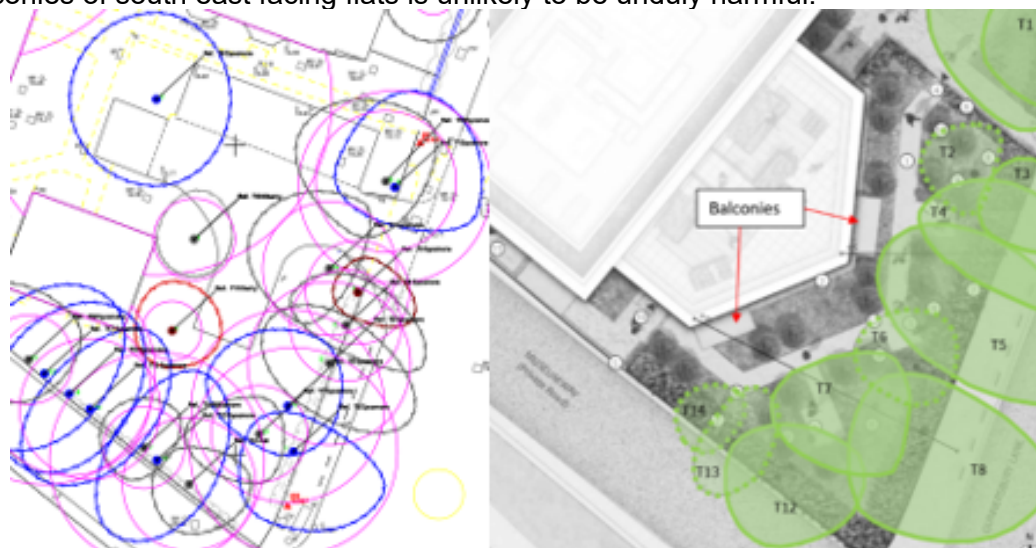
As such, the limited extent of localised tree loss to accommodate the new development on the south-west side facing Museum Way will not be likely to give rise to any significant adverse harm to the visual amenities of the area.

Regarding impacts on retained trees from the new development, those on the perimeter are already subject to an ongoing process of routine management to minimise their impacts on the existing flats. Additional tree planting on the Museum Way frontage will visually enhance views of the site from Gunnersbury Lane whilst softening any impacts of the new block from this side.

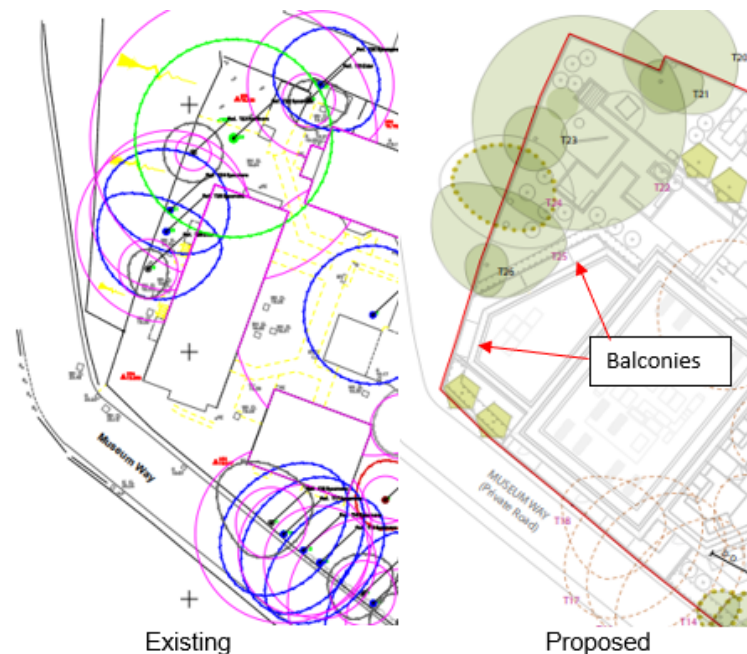
Whilst the TPO trees have a statutory amenity value and frontage ones to Gunnersbury Lane are prominent in the street scene along with a number that are not protected; on the other hand many have grown to a height where they offer no significant street level screening or amenity. As part of the ongoing maintenance, recently, the Council granted TPO consent to prune the crowns of trees overhanging the existing blocks. It is understood the works have not yet been carried out.

The applicant's Tree Survey states that the block will not impinge on new balconies and will provide sufficient construction and building separation space for the new façade lines of the block and balconies facing Gunnersbury Lane, as illustrated below in comparison to the existing. It should be noted in this context that there are no ground floor flats facing Gunnersbury Lane. Tree Services request conditions to control tree works during construction.

Furthermore, given the roadside trees are generally around 20m in height, the balconies of flats at, or over, the 7th floor would be above the tree canopies. Accordingly, any impacts to windows or balconies of south east facing flats is unlikely to be unduly harmful:



On the north-west boundary facing the LUL Museum, comparing the existing layout with the proposed, the relationship and separation of the new block to trees will be significantly improved as illustrated below so that the need for future pruning is likely to be reduced:



The applicant's Arboricultural Impact Assessment (AIA) anticipates only light pruning will be needed in the future as part of regular management. It should be noted that any future pruning of TPO trees would still require the Council's consent in the normal way.

On balance, taking account of all the above considerations, whilst the removal of a 20m long section of TPO trees will have some degree of harmful impact in terms of a resulting loss of amenity to Museum Way near its junction with Gunnersbury Lane (leaving a 20m gap as exists to the north west boundary to Museum Way), 2 new trees will be planted at the north west end of the block where currently are none, which in time will reduce the present openness of this part of the site and the view of the building, reducing the remaining unplanted gap to about 10m.

In this context it should be noted that there is already a view of the end wall of one of the, albeit smaller, three blocks visible from Gunnersbury Lane so that the presence of the attractive new and taller block will not be a fundamental change to the current view of the site or its sylvan character.

Therefore, it is considered that the introduction of new trees will:

- a. avoid the necessity for material changes to and diminution of the number and quality of the affordable housing proposed,
- a. enhance biodiversity of the frontage, in conjunction with retained trees
- a. in association with new planting,
- b. enables the high-quality design of the new housing to be better appreciated

tips the balance in this case in favour of their removal and replacement with new trees that will positively contribute to the long-term amenity of this part of Gunnersbury Lane to existing, as well as new, residents.

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

15.8 Amenity Space

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

LBE Core Strategy Policy 5.5 supports healthy communities by setting out the importance of addressing deficiencies in the provision of parks and local green space. The site is in an area of Local Park deficiency. Landscape Services request contributions in respect of:

- c. Private and communal outdoor amenity space – all flats have balconies of 5sqm or patios of 6sqm plus ground floor gardens and roof terrace residents' space of 1390sqm. 1530sqm required so a shortfall of 140sqm; s106 contribution of £18,620 required for Heathfield Gardens,
- d. Allotment and community gardening space – 4.5sqm gardening space on 11th floor podium proposed, 254sqm required; s106 contribution £7485 required for Jerome Allotments,
- e. Sports – Active Ealing request condition to approve proposed exercise equipment in the Activity area,
- f. Play space shortfall – accept that as a single women's housing scheme then no contribution required in this case.

The Landscape Officer is content with the applicant's design approach. Landscape Services commends the landscape masterplan and planting and materials palettes, stating the proposed are all very good and will create an attractive setting for the development and much needed local green infrastructure and habitat for wildlife. The overall landscaping strategy is positive, providing a variety of spaces for residents to use with consideration to adjacent noise constraints to facilitate a more welcome and attractive environment than is currently the case. These improvements should be capable of accommodating the increased demand arising from the proposal, as well as improving the quality of the public realm in the wider area.

Concerns about the size of new/replacement trees, impact of construction works and the laying out of the proposed fitness area, on root protection zones and the size of the 'community growing space' on the 11th floor podium are addressed. The applicant advises these areas were agreed in consultation with Brook House residents and are designed in the case of the growing space to enable wheelchair access that enlargement would compromise.

The applicant has also responded that the Activity fitness area location is the least intrusive in terms of impacts on trees and maintenance from leaf fall and damage from tree sap, minor root pruning and a foundation design that is sympathetic to roots will be contained in a Landscape Management Plan. Conditions and s106 contributions are recommended to secure implementation and maintenance and address the shortfalls.

15.9 Ecology

As noted earlier, a Phase 1 Habitat Survey and Desk Study have confirmed that the site is of low ecological value. The buildings and other structures potential for roosting bats. LBE Landscape and Ecology notes:

'The ecology strategy document is good and the developer must continue to follow and implement its recommendations. Further details of habitat creation, perennial and woodland planting, provision of bird and bat boxes, insect hotels etc will all be required as part of the landscape and ecology conditions...

'...Biodiversity net gain proposals will achieve a minimum biodiversity net gain of 20.22% which is welcome.'

The development achieves an Urban Greening Factor (UGF) of 0.675 and exceeds the London Plan Policy G5 requirement of 0.4. London Plan Policy G6 states that development proposals should aim to secure net biodiversity gain. The applicant has provided a Biodiversity Impact Assessment which sets out that there would be a 25.76% increase in ecological value and 84.89% increase in linear features hedgerow units. The applicant has confirmed that BNG trading rules have been met. Conditions are recommended in respect of:

- biodiverse roofs
- further bat survey and inclusion of bat boxes
- landscape and ecology
- woodland and other planting
- CEMP to demonstrate how ecological and impacts on SINC can be avoided,
- Ecological Management Plan.

No objection is raised by the MoD to the applicant's Bird Hazard Management Plan to prevent the risk of bird strike for aircraft on the Heathrow flightpath. A condition is proposed to secure implementation and retention of its objectives. An emergence survey/mitigation, compensatory planting and a bat sensitive lighting strategy can be secured by conditions of permission as part of a Construction Management Plan (CEMP).

15.10 Privacy and Overlooking

Neighbours concerns regarding the prospect of overlooking and loss of privacy are noted. London Plan Policy D8 reiterates the importance of ensuring that tall buildings do not compromise the comfort and enjoyment of neighbours and open spaces. LBE Development plan policies and guidelines seek minimum distances of between 18 and 21m.

The plan below gives separation distances from existing and proposed neighbouring residential buildings at Bronte Court, assumed residential uses above shops on Central Parade (as well as from the LUL Museum and Acton Town Station).

The separation distances generally exceed the minimum. They range from 22.5m to 33.1m to Bronte Court, comparing favourably with the current Brook House separation of 7-16m, which also has balcony walkways on the rear elevation directly facing Bronte Court:



The proposed elevated position of the 11th floor amenity area to the new block could allow overlooking, or the perception of same, for residents of dwellings in Bronte Court (albeit at a significantly greater distance away than existing) or above shops in Central Parade. A condition for boundary screens to control and minimise this potential impact is proposed.

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

15.11 Sunlight, Daylight and Overshadowing

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

The Report makes clear: *'In accordance with the BRE guidelines detailed assessments have not been carried out to the surrounding commercial or non-habitable room windows as they are not considered to have a reasonable expectation of daylight or sunlight.'* Therefore only impacts on residential properties are addressed.

A.Impacts on existing neighbouring and proposed dwellings

The Report concludes overall in terms of impact on neighbours from the development:

'1.5 The results show that a number of windows within Bronte Court are likely to experience gains in daylight, sunlight and overshadowing which is a beneficial effect.'

'1.6 Where reductions do occur, the results show that any daylight or sunlight effects to the surrounding residential properties are generally within the BRE guidelines and therefore likely to be un-noticeable to the occupants.'

'1.1 Where reductions beyond the BRE guidelines do occur, the effects are considered small and/or due to other factors such as being located in the corner of a building.'

In terms of daylight impacts to the block of flats at Bronte Court, the Report finds:

'7.3 Due to the fact that the existing block adjacent to this building is due to be demolished and the proposed development is set further back, 13 windows will experience better levels of daylight when using the VSC (Vertical Sky Component) test than in the existing condition. This is considered a beneficial effect.'

'7.4 Of the remaining 23 windows, 19 will experience reductions in VSC that are within the BRE guidelines and therefore considered a negligible effect. 2 of the remaining windows are located on the western flank elevation... and the last 2 are located in the corner of the building...'

It continues:

'7.7 The daylight distribution results show that of the 30 rooms, 3 will experience reductions beyond the BRE guidelines but 10 will experience gains. The 3 rooms that experience reductions beyond the BRE guidelines (sic) are not considered significant as each room will retained daylight distribution to more than 50% of the room's area. Putting this in context, the windows in question already experience a reduction because of their locations on the inside corner of the block.'

'7.8 Whilst unrelated to the daylight and sunlight tests, it is also clear that any sense of enclosure and outlook should be improved to this building given the existing building built at the end of the gardens is due to be demolished and the proposed building will be set further back.'

'7.9 Overall, the daylight effects are beneficial to a number of windows. Where certain windows experience reductions beyond the BRE guidelines the effects are not considered material.'

In terms of overshadowing impacts to Bronte Court, the Report finds:

'7.12 The results show that the garden located immediately to the Site will experience some noticeable gains (less overshadowing), which is beneficial.'

'7.13 The main courtyard located beyond this garden will experience some additional overshadowing, however it will still retain levels of sunshine that are in accordance with the BRE guideline criteria. The overall effects are therefore considered negligible.'

Turning to the block of flats at 105-107 Gunnersbury Lane the Report concludes (acknowledging the author did not have access to floorplans so that a reasonable assumption about room layouts was made):

7.15 Of 18 windows assessed, all windows will experience small VSC daylight reductions which are well within the BRE guidelines recommended criteria. In relation to daylight distribution, the NSL reductions are also well within the BRE guidelines recommended criteria.'

7.16 Overall, the results of our daylight assessments (VSC and NSL) indicate that any reductions to this building should be within the BRE guidelines and therefore any reduction is unlikely to be notable.'

7.17 This property does not have any site facing rooms which have site facing windows that are orientated within 90 degrees of due south. Sunlight assessments have therefore not been undertaken.'

7.18 This property does not have any spaces that require overshadowing assessments.'

Turning to the block of flats at O'Day Court Gunnersbury Lane (acknowledging the author did not have access to floorplans other than some sales particulars so that a reasonable assumption about some room layouts was made) the Report concludes:

'7.22 The results of our VSC assessments indicate that of the 19 windows assessed, 12 will experience VSC reductions that are within the BRE guidelines.'

'7.23 The remaining 7 windows serve 4 living rooms, which all have 3 windows serving each living room. In each case, the main window to each living room experiences a reduction of up to 25.17% which is only marginally beyond the BRE guidelines recommendations. In addition, each main window will retain a VSC of at least 19% which is considered to be good for an urban area and above the alternative target value.'

'7.24 In terms of daylight distribution, all rooms will experience small NSL reductions which are in accordance with the BRE guidelines criteria.'

'7.25 Given the NSL (No Sky Line) results are all within the BRE guidelines and the main living room windows, whilst slightly beyond guidance, retain good level of daylight for an urban area, the overall effect to this property are not considered significant.'

'7.26 This property does not have any site facing rooms which have site facing windows that are orientated within 90 degrees of due south. Sunlight assessments have therefore not been undertaken.'

'7.27 This property does not have any spaces that require overshadowing assessments.'

Turning to the block of flats at 1-16 Central Parade, Gunnersbury Lane (acknowledging the author did not have access to floorplans so that a reasonable assumption about whether they are in residential use and some room layouts was made) the Report concludes:

'7.31 The results of our VSC assessments indicate that of the 37 windows assessed, 31 windows will experience VSC reductions that are within the BRE guidelines. The remaining 6 windows will experience VSC alterations beyond the BRE guidelines.

7.32 Of 6 windows, 5 windows will experience VSC reductions slightly below the BRE recommended criteria between 24.77% and 25.09%. However, they will retain VSC values between 25.26% and 26.03% VSC which is just below the BRE criterion and which is considered very good for an urban area.

'7.33 The remaining window ... is located on the second floor, in the corner of the building and beneath the roof overhang, therefore lower daylight values are expected. This window serves a room ... with two other windows. Whilst this assessed window will experience VSC alterations below the BRE guidelines criteria, the remaining two windows will retain VSC values of 25.68% and 27.84% which are considered very good for an urban area. The overall effect on the room is therefore considered negligible.

'7.34 In terms of daylight distribution, all rooms will experience small NSL reductions which are in accordance with the BRE guidelines criteria.

'7.35 Overall, the results show that any (loss of daylight) effect is likely to be small and non-material.

'7.36 Of the 9 rooms that have a site facing window which is orientated within 90 degrees due south. Our results show that each room will experience a reduction which is within the BRE guidelines.

'7.37 This property does not have any spaces that require overshadowing assessments.

'7.38 Overall, the daylight effects to this property as a result of the Proposed Development are considered to be acceptable. Where minor adverse effects are experienced, the retained levels of daylight are considered good for an urban area and therefore the impacts are not considered material.'

Lastly, turning to the two dwellings 122 Gunnersbury Lane and 37, Gunnersbury Crescent, (acknowledging the author did not have access to floorplans so that a reasonable assumption about room layouts was made) the Report concludes:

'7.1 Of the 7 windows assessed, all will experience small VSC daylight reductions which are well within the BRE guidelines recommended criteria. In relation to daylight distribution, the NSL reductions are also well within the BRE guidelines recommended criteria.

'7.2 Overall, the results of our daylight assessments (VSC and NSL) indicate that any reductions to this building should be within the BRE guidelines and therefore any reduction is unlikely to be notable.

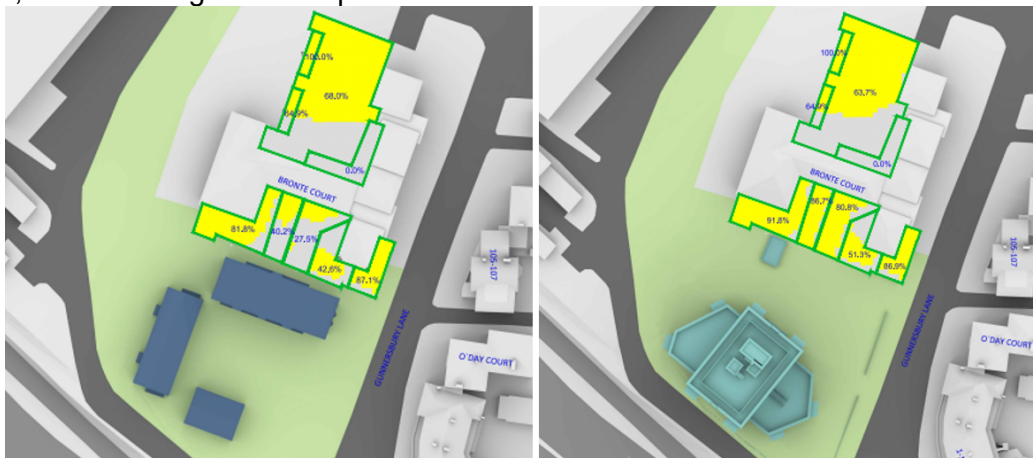
'7.3 These properties do not have any site facing rooms which have site facing windows that are orientated within 90 degrees of due south. Sunlight assessments have therefore not been undertaken.

'7.4 These properties do not have any amenity spaces that are within 90 degrees of due south. Overshadowing assessments have therefore not been undertaken.'

'7.5 We can conclude that the daylight, sunlight, and overshadowing effect on these properties will be negligible.'

In summary, in relation to each of the blocks or individual dwellings assessed above, when compared to the existing situation, the overall conclusions are that will not result in a significant adverse impact on daylight, sunlight or overshadowing levels to the windows of rooms of these blocks facing the proposed block that would justify refusing permission. Further, as would be expected, in respect of certain south facing windows to Bronte Court (being the closest residences to the site and new building) there will be an increase in daylight gains - a beneficial effect and an improvement in the sense of less enclosure and better outlook because of the demolition and removal of the Brook House block.

The extract below shows the extent and percentage amount of the courtyard amenity areas receiving more than 2 hours direct sunlight on the ground (coloured yellow). Comparing the present layout with the proposed, it ranges from (currently) 27.5% - 87.1% to (proposed) 51.3% - 91.8%, which is a significant improvement:



It also shows there will be a marginal reduction from 68% to 63.7% to the north facing courtyard amenity of Bronte Court arising from shadow caused by the tower height, although this is not considered to be a significant adverse diminution compared to that currently available.

B.Impacts on proposed dwellings and amenity within the application scheme

Turning to daylight and sunlight impacts on proposed dwellings in the scheme, the Report concludes:

1.5 Sunlight assessments in accordance with the BRE guidelines and BS EN 17037 have been undertaken to the proposed habitable rooms along with overshadowing assessments to the proposed amenity spaces.

1.6 The CBDM calculations show that 100% of the proposed habitable rooms should meet the suggested daylight standards. This is considered a very good level of compliance which is unique and rarely achieved, especially when considering the urban context.

1.7 The sunlight assessments show that 57% of the proposed habitable rooms will meet the suggested sunlight criteria. However, those that do not meet the guidance are oriented towards north where lower levels of sunlight will naturally be enjoyed. Those rooms that face east, west or south will generally enjoy levels of sunlight above the recommended guidance. Overall,

therefore, when taking into account the orientation of the rooms, good levels of sunlight will be able to be enjoyed.

1.8 Overall, the results show that the proposed flats will have access to good levels of daylight and sunlight amenity.'

It is important to bear in mind that the Framework makes clear that Guidelines are not to be employed rigidly. They are not mandatory and as the BRE Guidance states: '*...should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer*'.

Overall, it is considered that the proposal would provide acceptable amenity and environmental standards for existing neighbours and future residents. The proposals are considered to be well designed and the development can therefore be concluded to accord with NPPF, London Plan Policy D6, D8 and D9, Mayor's Housing SPG and the draft Housing Design Standards LPG and DM DPD Policy 7B.

15.12 Environmental Impacts

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

a. Air Quality

Ealing Borough is an Air Quality Management Area (AQMA). Framework, NPPG, London Plan Policy SI1 supported by the Mayor's Control of Dust and Emissions during Construction and Demolition SPG (July 2014) and other Technical Guidance, LBE Core Strategy Policy 1.1 and the Air Quality Action Plan, provide strategic and local policy guidance on avoiding the deterioration of existing poor air quality.

The application site is in an Air Quality Focus Area at risk from dust impact during construction, as well as subject to pollution impacts from road traffic and the railway. The applicant has carried out an Air Quality Assessment (AQA) that finds:

- The assessment of air quality in relation to roads during the construction stage has determined that there will be a negligible impact on air quality as a result of construction traffic and therefore its effect will not be significant.*
- The dust risk assessment has identified that construction activities pose a medium maximum dust risk. However, with the implementation of the mitigation measures detailed in the relevant section of this report, the activities are not anticipated to result in significant effects on local receptors.*
- The assessment of air quality in relation to roads during the operational stage has determined that there will be a negligible impact on air quality at nearby existing sensitive receptors and therefore its effect will not be significant.*
- The assessment in relation to the road traffic has determined that future receptors within the Proposed Development will likely not be exposed to concentrations in excess of the annual mean objective for NO₂.*
- The development has been assessed as air quality neutral.'*

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

The AQA has been assessed by LBE Pollution Technical. To mitigate against adverse impacts, including cumulative impacts with other development locally, Pollution Technical seeks a s106

contribution to the Council Air Quality Action Plan and conditions (including from the GLA) to cover submission of an Air Quality and Dust Management Plan (AQDMP), controls over the operation of non-road mobile machinery a fresh air Ventilation Strategy for new flats and common areas, revised Air Quality Assessment detail the impact of any fixed plant proposed, back-up generator details, including hours of operation, bonfires and removal of asbestos. These are included in the recommendation.

b. Noise

London Plan Policy D13 requires adherence to Agent of Change principles and places responsibility for mitigating impacts from existing noise and other nuisance generating activities or uses on the proposed new noise sensitive development. London Plan Policy D14 also addresses the management of noise.

The Applicant's Noise Report and Construction Methodology and Environmental Management Plan (CEMP) has been assessed by LBE Pollution Technical. The CEMP provides a strategy for the management of site-based works, site security, health and safety measures, noise and dust disruption, hours of work on site and proposals for the mitigation of wider reaching impacts of the implementation of the development.

Pollution Technical request conditions and Informatives, which are included in recommended conditions of permission, to control anticipated substantial noise impacts from road and rail traffic on sensitive residential uses.

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

c. Wind and Microclimate

London Plan Policy D8 and D9 addresses the environmental impact of tall buildings, requiring careful consideration of the wind conditions around them and their neighbourhood so that they do not unduly compromise their comfort and enjoyment. The applicant has produced a Report to address the local environmental impacts on the outdoor areas of the development in respect of wind and air movement, including a pedestrian level assessment and within the balconies of flats, based on the Lawson Comfort Criteria.

The Report concludes: *'The assessment of the proposed development is predominantly positive, with most areas demonstrating negligible and beneficial impacts on the microclimate of the proposed and surrounding environment.'*

The Report conducted a microclimate analysis for the proposed development assessing the wind conditions within a 250m radius from the site, which would encompass the predominant number of residential properties and amenity spaces in the immediate vicinity of the site up to and including Heathfield Road, Avenue Road, Bollo Lane, Gunnersbury Lane, Gunnersbury Crescent, Gunnersbury Gardens and Princes Avenue. The results show that areas within this radius will not experience uncomfortable wind conditions.

Pedestrian routes, amenity spaces, entrances, roads and car parks were analysed as part of the assessment, all of which show positive results. Some seating areas within the site boundary (located towards the northwest of the site) were found to have wind conditions suitable for standing in both the proposed and cumulative context assessment, which is a minor adverse impact for pedestrians and residents.

Mitigation measures have been implemented to lower the wind speeds, including retaining fully grown trees as well as designing a landscape plan for the ground level of the site that includes shrubs, hedges and trees. All other areas in the assessment were found to have wind conditions suitable for their intended uses. Most areas have largely positive results with having minor to moderate beneficial wind conditions.

Overall, most wind conditions within and surrounding the site will remain suitable for intended uses. Pedestrian comfort and safety is assessed to be suitable for walking, sitting, and standing within the site during both the winter and summer months. The above are achieved with landscaping and screening to balconies as proposed, controlled by the recommended conditions of permission.

d. Energy and Sustainability

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

Regulated CO2 emissions reductions from the dwellings will be 70% against the Building Regulations 2021. These meet and significantly exceed the policy requirement for at least 35% reduction to be achieved on site. Furthermore, this is a significant improvement on the performance of the existing 39 flats. In accordance with normal practice and policy, the remainder to achieve the Net Zero target reduction would be through a carbon offset payment at the LBE level of £95/tonne.

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

e. Environmental Health (Contaminated Land)

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

f. Flood Risk

The site is in Zone 1, at the lowest risk of flooding but in a critical drainage area. It is not in a Critical Drainage Area. The applicant has produced a Flood Risk and Drainage Strategy including a detailed SUDS assessment, incorporating Blue-roof rainwater collection and underground catch tanks for attenuation. This is calculated to reduce surface water discharge from the site, including the 1:100 year +40%CC event. Surface and foul water will be discharged to separate foul and surface water Thames Water sewers. It also has the scope to provide a significant betterment on existing site conditions and bio-diversity benefits.

The LLFA is satisfied in principle with the applicant's surface water strategy. Measures for SUDS, surface water and harvesting, and foul water management and drainage would be regulated by the proposed conditions in the recommendation.

15.13 Conclusions on Cumulative Impacts

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

It is considered the proposal will satisfactorily comply with these relevant impacts criteria and the development plan policies are satisfied. It is appropriate therefore to turn to consider the impacts on heritage assets and the weight to be ascribed by any public benefits of the scheme.

16. HERITAGE ASSETS AND PUBLIC BENEFITS

As noted in the assessment in Section 15.5 above, the acknowledged 'harm' to statutory and locally designated assets is found to be, both individually and collectively, no more than 'less than substantial,' a conclusion also reached by the GLA. It is necessary nevertheless to follow the national policy test and balance the less than substantial harm with the benefits of the scheme.

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

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

This application delivers the following public benefits:

- a. optimisation of the regeneration of this under-utilised, sustainable urban site,
- b. significantly increase the supply of new dwellings by providing 102 (net 63) new flats in this brownfield land location,
- c. 100% social rent affordable housing (by habitable room) held in perpetuity in a range of flats sizes, for single women will help meet a significant housing need and in accordance with specialist housing London Plan Policy H12,
- d. new accessible and adaptable affordable homes,
- e. high-quality and sustainable construction and energy efficient performance of the new homes,
- f. new resident's public realm and spaces,
- g. improved amenity for residents of Bronte Court facing the site in terms of daylight, overshadowing, outlook and visual amenity,
- h. new training and apprenticeships in construction and training,
- i. improvements to management of air and environmental quality,
- j. environmental enhancements contribute to improving the character of the area, urban greening and ecological enhancements.

In accordance with the NPPG test, they are demonstrably clear, substantial, flow from the development and are genuinely of a significant scale and nature to benefit the public at large.

They are not exclusively private; particularly in respect of their contribution towards the delivery of development plan policies and objectives.

These benefits are advanced therefore against the acknowledged less than harm and were acknowledged as such by the GLA in its Stage 1 analysis.

17. WHETHER THIS IS SUSTAINABLE DEVELOPMENT

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

- a) economic objective – it will make a contribution to the local economy by providing employment in construction, apprenticeships and training. The occupants of the new flats will help to support, day to day, local businesses and the potential to create new jobs and generate direct and indirect expenditure locally.
- b) social objective – it makes a meaningful and early contribution to the supply of 102 new homes to housing need. Of particular importance it will provide 100% affordable homes. This contribution is significant in view of the need to apply the 'tilted balance' to the decision-making process. It will also contribute towards enhancing a strong, vibrant and healthy community, with a range of well-designed new flats creating a safe built environment, with accessible services.
- c) environmental objective – contributes to protecting and enhancing the natural, built, and historic environment, including making effective use of land, improving tree cover, landscaping and BNG and UGF biodiversity objectives.

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

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

18. FIRE SAFETY

The Fire Strategy for this development, taking account of its compliance with current London Plan Policy for tall buildings, is set out in Section 7.12 of this Report. Consultation has also been carried out with LFB and HSE.

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

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

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

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

In relation to fire safety in tall buildings high rise residential developments some of the key measures include dual lifts and stairs above prescribed heights, protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

19. S106 CONTRIBUTIONS

The scheme would be mitigated by financial (a total of £458,496) and non-financial clauses within a s106 agreement to secure 100% (by habitable rooms) affordable social rent housing tenure; transport; health; amenity/open space; construction, employment and training contributions; apprentice and placement scheme; energy monitoring; parking permits, CPZ permits; highways restoration and works and payment of the Council's legal and professional costs incurred in preparing the agreement as well as any s278 highway works agreement to implement off site highway works (site access, etc.).

Accordingly and taken as a whole, relevant development plan policies are satisfied.

20. COMMUNITY INFRASTRUCTURE LEVY

Of the total chargeable development of 7462sqm GIA and MCIL, the applicant is eligible to seek Mayoral social housing relief for all the affordable housing floorspace. If it was applicable a calculation at £60/sqm gives about £448,000.

21. OVERALL CONCLUSIONS AND RECOMMENDATION

Overall, the development proposes a high quality 100% affordable residential regeneration of this previously land developed site, whilst helping to achieving strategic and local regeneration and spatial planning objectives that will positively contribute towards the Council's requirement to ensure the provision of new homes in high quality environments. This contribution is significant also in applying the 'tilted balance' to the decision-making process.

The circumstances of the applicant as a specialist housing provider are a material planning consideration to this application. The proposal is to replace the existing 39 flats, with 102, 100% social rent affordable flats for WPH tenants, for which there is a significant strategic, housing need. Further, it will deliver high quality, modern new homes to current adopted housing standards for single women, which the GLA recognises is a specialist form of housing need and for which there is a significant need in the Borough.

In addition, it more than satisfactorily meets estate regeneration policy for the demolition and replacement of poor-quality affordable housing. It will also contribute to making optimal use of housing land, having regard to London Plan Policies H1, H12 and D3 and to all other material considerations.

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

At NDG para.59 it states: *'Where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity'*. The existing environment presented by the site is visually unattractive and uninspiring. The proposal on the other hand will positively transform the area with a new residential building in a new tall building typology of exemplary architectural and material quality.

In this context the application site and tall building scheme does not comply with the Plan-led locational requirements of London Plan Policy D9B, nor Draft Local Plan Policy D9.

It has been necessary therefore to assess the scheme in accordance with the impacts criteria of London Plan Policy D9C. It is concluded by this assessment that the urban design of the scheme will create a high-quality sense of place. It proposes a high quality, tall building in a rational and well-planned form that, following London Plan Policy D4, has been carefully analysed, scrutinised and supported by the GLA, CRP and two DRPs.

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

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

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

Having assessed the proposal it is concluded it is not likely to give rise to other than less than substantial harm to the significance of the heritage assets. It is agreed with the GLA conclusion this would be at the lower end of that scale of harm. It has also been concluded that the public benefits of the application outweigh the harm to heritage assets and tip the balance under Framework para.202 in favour of a grant of permission.

Any identified non-compliance with development plan Policies is more than satisfactorily balanced with the cumulative benefits of the development in achieving other Policies of the same Plan as listed above and the LBE Local Plan, to secure full and optimal use of sites like this in a highly sustainable PTAL5/6a location to provide 100% replacement and new, improved affordable homes directed to single women as the applicant WPH has continuously provided on this site for some 90 years and into the long term future.

The presumption in favour of sustainable development means that support can be given to this housing regeneration project that will create an exceptional quality and attractive building in this part of Acton, help to support the community, make an important contribution to the delivery of new homes, whilst respecting amenity and privacy of surrounding residents and in consideration of impacts on the significance of heritage assets and local character.

The application has been assessed on its individual merits. It is concluded that the particular historical circumstances of the applicant as a charitable social housing provider on this site, the specialist nature of and significant need for more single women's housing, coupled with regeneration and other benefits arising from the replacement and increased provision of 100% social rent, affordable housing, the exemplary design quality and absence of significant adverse impacts make unlikely the prospect of an undesirable precedent being set as for other similar, non-allocated, tall building proposals on adjacent sites in the area.

Having established there are clear and substantial public benefits from this affordable housing regeneration project, in consideration of the tilted balance it is demonstrated that, taking the development plan as a whole, the Planning Balance and NPPF sustainability criteria support this application.

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

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

22. HUMAN RIGHTS ACT

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

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes with local residents' right to respect

for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

23. PUBLIC SECTOR EQUALITY DUTY

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

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

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

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

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

2. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 which is only one factor that needs to be considered and may be balanced against other relevant factors.

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

APPENDIX: CONDITIONS AND INFORMATIVES