

Ref: 224371FUL

Address: Land Between Park View and Cloister Road Western Avenue Acton
London W3 6XZ

Ward: East Acton

Proposal: Redevelopment of the Site including the erection of 6 residential buildings ranging in height from ground +1 to ground + 16 floors to provide a total of 300 new homes (use class C3) (affordable and private), with public and private amenity spaces including roof top gardens and play spaces; servicing; disabled car parking; bike and bin stores; resident gym; concierge and associated spaces. With associated highways works, and landscaping works along Western Avenue

Drawing numbers: Refer to relevant conditions

Type of Application: Full Application - Major

Application Received: 04/10/2023 **Revised:** February 2023

Report by: Chris Maltby

Recommendation: Grant planning permission subject to conditions, completion of a Section 106 agreement and Stage 2 referral to the GLA.

Executive Summary:

The proposals comprise a detailed planning application for this 0.82 hectare site located on the south-west intersection of Horn Lane with Western Avenue (A40), within a primarily residential area a short distance from the Park Royal Southern Gateway and the Old Oak and Park Royal Opportunity Area.

The site is in an accessible and sustainable location (PTAL 5) ('Very Good'). It is a designated Development Site allocated for residential and commercial development. It is also within the designated 'Acton Green Corridor Policy Area' and 'A40 Corridor & Park Royal'. As such development of the site is expected to deliver significant improvements to the Green Corridor in the form of a 'significant landscape zone', and deliver additional new homes. The Ealing Character Study (Typologies and Scope for Growth), January 2022 identifies the Site as being within the Acton neighbourhood and within an Area of Intensification.

The Site is a vacant brownfield site that was previously acquired to facilitate the widening of the A40, a project that has since been abandoned and therefore the site is no longer required for that purpose. There are no listed buildings within the site or in close proximity and the site is not located within a conservation area. There are also no trees with preservation orders within or adjacent to the site. The Site is located in Flood Zone 1 and has the lowest probability of flooding.

The Site has been subject to two relatively recent planning permissions as outlined below:

Application ref: P/2014/4968 - Planning permission was granted in September 2015 for redevelopment of the site with residential on the southern part of the site (72 units within two-part 3-6 storey blocks) and a 6-storey hotel (100 beds) on the northern part of the site.

Application ref: 166124FUL – Planning permission was granted in January 2018 for the redevelopment of the site to provide 149 residential units in blocks ranging from 3-9 storeys. These proposals took access from Park View and included basement parking.

Neither of these previous permissions were implemented and both have now expired.

Current Application - The current planning application again seeks a residential led redevelopment of the site and comprises 300no. residential dwellings across 6 residential buildings ranging in height from 2 storeys (ground + 1 storey) to 17 storeys (ground +16 storeys).

The proposals include a range of residential types including a pair of 2-storey houses and apartments of various sizes and configurations. The proposed mix of dwellings across the development includes 30 x studios, 73 x 1-bed, 154 x 2-bed and 43 x 3-bed.

The proposals include 35% affordable housing based on habitable rooms and comprises 47 x intermediate shared ownership homes and 46 x affordable rent dwellings. The proposed affordable housing meets the quantum and tenure mix requirement to qualify for the fast-track approach set out in Policy H5 of the London Plan (2021) and is not therefore subject to viability testing.

The proposed development provides access from Park View for 8no. disabled car parking spaces within an undercroft to Block A. A loading bay is also provided off Park View and this will accommodate the buildings servicing requirements including refuse collection.

The proposals include a wide range of open spaces at ground floor level including public and private spaces and play spaces. The scheme also accommodates a pedestrian route through the site linking Cloister Road with Western Avenue/A40. Due to concerns raised by the local community through the consultation process it is proposed that this pedestrian route will be controlled and closed overnight.

A generous green buffer is proposed between the development and Western Avenue comprising of a wide variety of planting and incorporating seating and play feature. This feature responds to the requirement to facilitate a green corridor along Western Avenue.

In terms of private amenity space all properties are served by private balconies or terraces. Roof level terraces are also provided to some blocks providing additional semi private spaces for residents.

The proposed development also proposes additional internal amenity for residents in the form of resident's lounge, residents' gym and concierge.

The key determining issues in this case are:

- Principle of development and the appropriateness of the proposed use;
- Design including scale (tall buildings), form, siting and appearance;
- Housing standards;
- Energy/Sustainability;
- Neighbour Impacts

- Environmental protection (Noise/Air Quality/wind/Contamination);
- Affordable housing;
- Transport including traffic, access, parking and servicing;
- Acton Green Corridor;
- Consultation Response
- Planning obligations and the Mayor's Community Infrastructure Levy.

Principle of development/ land use - The LBE Development Sites DPD allocates the site for commercial/ residential development. The site is also within the A40/Park Royal Corridor identified in the Core Strategy for significant development including additional housing.

It was demonstrated by the 2018 planning application and further demonstrated in this current application that restrictive covenants exist which appear to preclude the construction of commercial uses on the site. Whilst covenants are not planning considerations in determining applications, they can in practice prevent schemes being implemented. The Council has reviewed the title deeds for the application site and is satisfied that there are no realistic prospect of the site coming forward for commercial uses within a reasonable timeframe.

The absence of any commercial development on the site would conflict with the site allocation however notwithstanding the site allocation; a wholly residential development of the site would otherwise be supported by development plan policies that encourage the provision of additional housing including affordable housing.

The NPPF establishes the Government's objective of significantly boosting the supply of homes and recognises that it is important that a suitable variety of land can come forward where it is needed. The NPPF also states that LPAs should promote the effective use of land in meeting the need for new homes by making the best use of previously developed or 'brownfield' land.

There continues to be a substantial need for new housing within Ealing with the London Plan housing target for the borough being set at 21,750 new homes to be delivered between 2019/20-2028/29. The delivery of new high-quality housing including affordable housing therefore remains a high priority for the borough.

The proposal would make beneficial use of a long-standing vacant site and make a significant contribution to housing provision in the borough. A wholly residential development of the site is therefore considered acceptable in principle and supported by the Development Plan.

Design including scale, form, siting and appearance – the proposals have been subject of extensive pre-application consultation including design scrutiny by Ealing's Design and Community Review Panels. The proposed layout of the scheme is supported and provides a well laid out scheme with generous open spaces both within and around the scheme. The taller buildings are located towards Western Avenue creating a separation from the existing lower scale property whilst also acting as a barrier to noise from the A40. The layout accommodates a pedestrian route through the site that aids permeability and improves access to the North Acton town centre and public transport connections.

Generally, the scale and massing of the proposed development is considered to be acceptable and provides a variety of built forms to break down the massing. As noted, the form of the development responds to the lower scale neighbourhoods to the south and west. The proposed development includes tall buildings, the tallest being ground + storeys. The application site is not one that has been specifically allocated for tall building and therefore the development would not comply with Part B of London Plan Policy D9. In order for the proposals to be considered acceptable it must therefore be

demonstrated that the proposals are acceptable in terms of the Impact criteria of Part C of Policy D9. The proposals have been robustly tested in term of their visual, functional, environmental and cumulative impacts and have been found to be acceptable and any adverse impacts identified are minor and can be mitigated.

The overall scale/ height of the proposed development is not considered out of place in the local context and would provide an appropriate transition between the much taller buildings to the east and the lower rise housing to the south and west. In terms of the bulk and scale of the development it is therefore considered to be acceptable.

The appearance of the proposed development has evolved through consultation and also responds and has been informed by the National Design Guidance and Ealing's Character Study and Housing Design Guidance. All the buildings are proposed to be constructed with brick facades but with variation in the brick colour and detailing creating distinction but a coherence between the buildings. The centre of the buildings, between Blocks B and C, is designed as an individual piece with lighter coloured brickwork marking the new pedestrian link through the Site and the main entrance / concierge for the new development. The proposals are considered to positively respond to the character and appearance of the area and although will result in a change to the area it is not considered that this change would result in any harm.

Housing standards quality - The development would provide a wide mix of residential units all of which would meet or exceed London Plan standards and provide a satisfactory living environment for future residents, with adequate natural daylighting outlook and privacy. All units would have a private balcony or terrace; in addition to communal courtyard gardens and roof top gardens and play space. The amenity space provision would meet London Plan standards. As agreed in the previously consented scheme, the slight under provision of play space and amenity space in respect of Ealing's standards would be mitigated by a S.106 contribution to improve off site facilities in the locality.

Energy/ Sustainability - The proposal would meet high standards of sustainable design and construction. The proposed buildings would be energy-efficient and incorporate sustainable systems, in compliance with relevant policies. The energy strategy is all electric with no gas infrastructure on site. The strategy proposes a communal site wide high temperature Air Source Heat Pump driven loop with heat exchangers in each dwelling feeding underfloor heating and domestic hot water. PV's have been maximised with five arrays across all blocks except D.

Neighbour Impact - The site has been vacant open land for many years. The proposed development as with the previously consented schemes, would inevitably have an impact on the character/appearance and amenity of the area. The current proposals do result in a significant uplift in the scale of development when compared with the consented scheme driven by the need to make much more efficient use of sustainable brownfield sites. Notwithstanding the increased quantum of development, the impacts on amenity of neighbouring occupiers have been assessed and whilst there are some negligible or minor impacts there remains overall a high level of compliance with BRE guidance.

The layout and positioning of windows and balconies has carefully considered the existing neighbouring properties, satisfactory separation distances are proposed between the proposed buildings and adjoining properties to safeguard the living conditions for surrounding residents in terms of overlooking and privacy. Overall although the development will result in change, it is concluded the development would not cause significant harm to neighbouring amenity or the character or visual amenity of the area.

Environmental Protection - The site is exposed to noise and air pollution from traffic along the A40 and Horn Lane. The design seeks to minimise the adverse environmental impacts and appropriate

conditions are included to ensure the noise and air quality impacts are further mitigated to provide an acceptable internal living environment within the residential units. The development would also screen noise and pollution to existing residential properties to the south/ west which is an additional planning benefit.

In terms of air quality impacts arising from the development itself, the development proposes an all-electric energy solution and therefore no significant sources of emissions will be generated, and the operational impact associated with additional traffic generated by the development will also be below published screening criteria. The proposed development achieves the London Plan's requirement of being 'air quality neutral'.

Acoustically the massing of the proposed development offers significant improvements to the nearby existing residential properties, as screening provided by the development reduces noise levels within their external amenity spaces. This screening will also apply to the amenity and courtyard areas of the proposed development providing acceptable proposed and enhanced existing conditions. In terms of the proposed façade facing the A40/Horn Lane enhanced glazing specification will be required to create acceptable internal living conditions.

Overall, in terms of amenity and environmental considerations both for existing and future residents the proposed development will result in acceptable standards of accommodation and high levels of amenity will be protected and provided.

Affordable Housing/Viability – The Proposed Development provides a fast-track compliant affordable housing offer which comprises 35% affordable housing (by habitable room) comprising a total of 91 dwellings made up of 45 affordable rent dwellings and 46 shared ownership. Complying with the fast-track approach the scheme has not been viability tested. The quantum and mix of affordable housing is supported and policy compliant.

Transport - Proposed access and servicing is from Park View and is unchanged from the previously consented schemes and remains the most appropriate point of access/servicing for the site. Alternative access servicing options were put forward by the applicant including a service bay on Horn Road. This proposal was not supported due to highway, pedestrian/cyclist safety and the visual amenity and has been removed from the scheme.

The development is car free except for the provision of disabled car parking for 8 vehicles, this is supported by the Council particularly given the very good access to public transport connections in the local area.

The proposals include short and long term cycle parking in accordance with London Plan policy T5 with a total of 534 spaces including provision for larger cycles. Long term cycle parking is located in secure, ground floor cycle stores with a range of storage types including Sheffield style stands and tiered storage.

Due to the car free nature of the development the vehicle trips generated by the proposed development are negligible. Increased servicing trips will occur many of these being linked to existing trips in the area they will not lead to a significant increase in traffic on the surrounding roads that cannot be accommodated by existing capacity. In order to mitigate the impact of increased trips on public transport in the area contributions are secured towards North Acton Station improvements and to increase capacity on local bus routes.

Acton Green Corridor – In accordance with the policy requirement the proposed development incorporates a green corridor between the development and the A40/Horn Lane. The green corridor provides a generous strip of landscaping incorporating seating, stepping logs and other play features. This is an important requirement of the scheme and softens the edge of the development as well as providing some mitigation from the traffic for future residents.

Objections – 55 objections have been received in respect of the proposed development including an objection from a Ward Councillor. The objectors raise a number of different points including the proposed scale of the development with many concerned that the scale of development doesn't relate to the existing property on Park View, Cloister Road etc. The increased impacts associated with traffic, noise and air pollution have also been raised. Security issues have been raised with regard to the proposed pedestrian route from Cloister Road and concerns have also been raised with regard to the lack of local facilities and services and the increased pressure on these services that will be created by the development.

The Old Oak Neighbourhood Forum have also objected raising concerns in respect of the principle of tall buildings on the site and the consideration of the principle of tall building in respect of London Plan policy D9.

The objections/ concerns and other representations are set out and considered in the body of the report.

Summary conclusion - It is considered the proposal will result in the effective and efficient use of this long neglected brownfield site bringing forward a wide range of high-quality residential dwellings included a high proportion of affordable homes. The scheme will result in a different scale of development but has been carefully designed to respond positively to the existing neighbourhood whilst providing an appropriate transition between the scale of development within the Opportunity Area and that within the surrounding roads to the south and west.

The proposals have been subject of rigorous pre-application discussions and the design has evolved following feedback from the GLA and the Council's Design and Community Review Panels. The proposals will cause some impact, but these are negligible given the urban setting of the application site and will not lead to any significant harm to existing living conditions.

The proposed development includes a range of housing types all of which are to be built to a high standard meeting and exceeding policy requirements. Generous landscaping both within and around the development is proposed to the benefit of future and existing occupiers and the wider area. The design quality, detailing and use of materials is also considered to be of a high quality.

The report concludes that the proposals would be acceptable and would accord with relevant National, Strategic and Local Planning policies and guidance and planning permission could reasonably be granted in this case, subject to completion of a S.106 legal agreement and conditions to mitigate the potential adverse impacts of the development and Stage 2 referral to the GLA.

It is not considered that there are any other material considerations, which would warrant a refusal of the application.

Additionally, the applicant would be liable to contribute to the Mayor's Community Infrastructure levy.

RECOMMENDATION:

That full planning permission is granted subject to the satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following:

Contribution	Amount
Healthcare Provision	£546,469
Town centre improvements	£150,000
Town centre management	£15,000
Local Employment	£200,000
Air Quality	£30,000
North Acton Station	£338,250
Bus Capacity	£143,000
Highways Contributions -review of existing CPZ - link and junction improvements - cycle infrastructure - traffic calming - footways improvements	£200,000
Travel Plan Monitoring	£3,000
Amenity Space / Open Space / Play Space	£266,667
Allotment Space	£34,517
Education	£683,078
Carbon Offset Payment	£296,755
Energy Monitoring	£12,244
Total	£2,918,980

In addition to the above financial contributions the following clauses will also be set out within the S106 agreement:

- Affordable Housing**
- (i) 35% affordable housing of which:
 - 57% - 46 units/158 habitable rooms will social rent (London Affordable Rent)
 - 43% - 45 units/117 habitable rooms will be intermediate (shared ownership)
- (ii) Compliance with triggers for the occupation of the affordable and private housing;
- (iii) A review mechanism if the scheme is not implemented within two years post consent.
- Car Club**
- (iv) Car club membership for residents - to be funded by developer - Within the first three years of occupation of each new dwelling within the development, payment of membership of the car club operating within the local area for each initial household of the development who wishes to take up the offer of membership;

Training and Apprenticeships

- (v) Participation in an Apprentice and Placement scheme. The Apprentice and Placement scheme shall provide opportunities across the development, including the construction, design and post construction management of the development. Details of the Apprentice and Placement scheme, including details of the number of placements shall be agreed with the Council prior to the commencement of the development.

S278/S38

- (vi) The developer shall meet the Council's costs in full of any highways works to deliver any highways works associated with a s278/38 agreement.

Other Items

- (vii) Restriction of parking permits for all future residents
- (viii) Submission, implementation and monitoring of a Travel Plan
- (ix) All contributions to be index linked
- (x) Payment of the Council's reasonable legal and other professional costs in preparing and completing the agreement

AND

Subject to conditions/informatives that can be found in Annex A to this report.

Site Description

The Application Site is an irregular 0.82 hectare plot of land bounded by Park View to the north, Horn Lane and Western Avenue (A40) to the east, Cecil Road to the south. The context is characterised by two different typologies; the dominant roadway to the east and the emerging cluster of high-rise development around North Acton Station, and the largely intact interwar terraces to the west. There is an existing (unused) vehicular access to the site from Horn Lane.

The site is one of a number of sites fronting the A40 originally acquired by TFL as part of a road widening scheme long-since abandoned that has come forward for development in recent years. Many of these other sites have already been developed.

The site was cleared in the 1980's and since then it has remained largely vacant and over the years earthworks and dense scrub has grown up within and around the site.

The site is currently enclosed by temporary timber hoardings along each of the road frontages. A 2-2.5m high brick wall encloses the site along the southern and western boundaries with adjoining residential properties in Cloister Road, Cecil Road and Park View.

Opposite the Site to the east is the 9 storey Holiday Inn beyond which is the recently completed One West Point scheme that incorporate tall buildings of 45 and 55 storeys. Further north are a further series of tall buildings around North Acton Station: all within the Southern Gateway/ Old Oak Common Opportunity Area.

The application site itself falls outside the `Southern Gateway` and Old Oak Common Opportunity Area.

The site is in a highly accessible location for public transport with a PTAL (Public Transport Accessibility Level) of 5 (Very Good).

The site falls within the A40 Corridor and is a designated development site (OIS3), identified in the Ealing Development Sites DPD as being suitable for mixed uses including residential and commercial/employment.

The application site is located within Flood Zone 1 at the lowest risk of flooding.

There are no listed buildings or tree preservation orders either within or adjacent to the site and the site does not fall within a conservation area.

Proposal

The proposed development is a wholly residential scheme involving the construction of a series of connected buildings ranging between ground + 4 storeys and ground + 16 storeys in height fronting Horn Lane, the A40 and Park View. To the east of the perimeter linked buildings are two low rise ground +3 storey apartment blocks as well as a pair of semi-detached dwellings. The proposals would include a total of 300no. residential dwellings.

The proposed development comprises the following key elements:

- 300no. residential apartments across several linked blocks ranging in height from ground + 4 storeys to ground + 16 storeys, two low-rise blocks of ground + 3 storey and a pair of 2 storey houses
- Housing mix (30 x studio, 73 x 1-bed, 154 x 2-bed and 43 x 3-bed)
- 35% affordable homes based on habitable rooms (207 x private dwellings, 47 x intermediate shared ownership dwellings and 46 x affordable rent dwellings)
- Generous public and private amenity space provided at ground floor and at roof level including the provision of play space
- Private amenity space in the form of balconies and terraces provided to all homes
- Creation of a public pedestrian route through the centre of the courtyard, linking Western Avenue to Cloister Road
- Communal space provided at ground floor contributing to the activation of street frontages, including residents lounge, concierge and residents gym
- Flat roofs incorporating green roofs, heating plant and photovoltaic panels
- Lower roof levels designed as amenity space for the residents including play space
- Refuse stores are provided at ground level of each core
- Central refuse storage space provided at Park View
- Proposed green corridor along Western Avenue
- New vehicular access provided from Park View
- Car free development except for the provision of 8no. disabled car parking spaces (3% accessible parking is proposed)
- A loading bay is provided off Park View

The scheme is proposed to be a managed site with a facilities manager responsible for ensuring refuse bins are moved to the collection points on collections days, as well as ensuring servicing and deliveries are received, ensuring any anti social behaviour is dealt with, managing the public route through the site and ensuring the site is secure overnight.

Revisions

The following revisions have been made to the application post-submission:

- Servicing layby has been removed from Horn Lane
- Minor changes to the proposed servicing bay, hard landscaping and the elevations fronting Park View have been received
- Minor revisions to the internal layout were also received during the course of the application

Re-consultation on the revised details was not undertaken as the changes were considered to be minor in nature and didn't result in any significantly more demonstrable impacts than the original application.

Relevant Planning History:

A number of applications for alterations to former warehouse and temporary use of the site for the sale and display of motor cars with ancillary car parking were granted between 1987-93.

Applications for a Bus Depot on the Site were submitted in 2003/4. The key applications are listed in the table below.

Ref:	Date:	Proposal:	Decision:
P/2004/2967	11.11.2004	Bus depot including office/bus maintenance/refuelling building, pre-wash and fuel stacking area; bus parking and staff parking; new vehicle access onto Horn Lane, and landscaping.	Refused. Subsequent appeal dismissed 05.07.2006.
P/2014/4968	30.09.2015	Erection of six storey 100-bedroom hotel (Class C1) and two residential blocks (three, four and six stories in height) comprising 72 one, two and three-bedroom units with associated access from Park View, basement car parking, coach parking, servicing, landscaping and a Green Corridor to Western Avenue and Horn Lane.	Granted subject to conditions/S106 05.06.2015
166124FUL	28.11.2016	Redevelopment to provide a three to nine storey building comprising 149 residential units; associated access from Park View, basement parking, landscaping and a green corridor to Western Avenue and Horn Lane (Departure Application)	Granted subject to conditions/S106 31.01.2018

Pre-Application Consultation:

Extensive pre-application consultation was undertaken by the applicant as summarised below:

LBE – Planning/Highways/Regulatory Services

The proposals have been subject of a Planning Performance Agreement and a series of pre-application meetings were held with the applicant team as the scheme developed. Discussions centred around the proposed heights, form and massing of the proposed development. The layout, scale and architectural approach to blocks E and F were subject of discussion and alterations secured to ensure a better relationship with the neighbouring dwellings.

Various other amendments were sought reducing the heights (from 20 storeys) and redistributing the massing and improving the layout.

The quality of the accommodation was discussed, and the applicant encouraged to reduce the number of single aspect units.

The landscaping, play-space and the green corridor were also discussed in detail and improvements sought prior to the submission of the application.

GLA

Pre-application advice was sought from the GLA prior to the submission of the application, the GLA's initial advice is summarised below and details of the GLA's Stage 1 response together with the applicant's response is set out in the following section.

- Principle of the land uses is accepted
- Site not specifically identified as being suitable for a tall building as required by Part B of Policy D9 and as such advised that the visual, functional, environmental and cumulative impacts of a tall building on the Site must be considered to ensure the scheme does not have an unacceptable impact
- Some concerns raised with the overall scale and bulk of the proposal when compared to the surrounding suburban context
- 35% affordable housing offer and tenure is expected to meet the fast-track thresholds and is supported
- Quantum of on-site parking is supported
- Servicing arrangements, improved crossing facilities of the A40 and trip generation need further consideration
- Comments relating to architecture, appearance and sustainable development must be addressed in any planning application

LBE Design Review Panel

Two consultations with the Design Review Panel were undertaken a summary of the comments from both meetings is given below:

First DRP meeting feedback

- Supportive of the general approach to massing
- Locating the higher buildings along the east edge of the Site is an appropriate response to the scale of development at North Acton Station and effectively shields the internal courtyards from the busy road
- Layered approach requires further refinement
- Recommended that the proportions of the towers and configuration of the lower blocks should be further considered, to emphasise this concept more strongly
- Alternative arrangement for Blocks E and F, as shown in Option 2, is more successful and the panel would like to see this developed further
- Approach to placemaking, site connectivity and landscape design needs further consideration
- Given the quantum of development proposed, the panel suggests that the public realm and courtyard areas will need to work incredibly hard to deliver the required amount of amenity space, play areas and greening
- Urges the design team to assess the scale of the public realm against the number of people using the areas

- Would like to see more detail related to how the space delivers against the Urban Greening Factor and biodiversity net gain targets
- Panel would like to see further analysis of the restrictive covenant, to understand if commercial use is restricted across the whole of the Site and whether there is any potential to introduce more activity and public uses at the ground floor.

Second DRP meeting feedback

- that the design development presented is positive and that the comments raised previously have been responded to thoroughly
- Re-organisation of the bulk and massing works well, particularly Blocks E and F
- Proportions of the taller buildings need further refinement to improve the visual impact of these elements
- Landscape design has been well-developed
- Panel pleased to see that play for all ages is to be accommodated on site
- It feels that the central public space should have a more clearly defined purpose, with active frontages
- Emerging architectural language is promising, and the panel would like to see further development of the façade strategy, particularly in relation to daylight testing, acoustics and overheating analysis
- Sustainability strategy is developing well, particularly in its adoption of an all-electric solution
- Panel would like to see more technical analysis against LETI targets

LBE Community Review Panel

The proposals were also subject of a review by the Community Review Panel a summary of their feedback is given below:

- Panel welcomes the early opportunity to review the scheme and recognises that the design has not been developed in full detail
- Bringing forward development on this Site will be a good opportunity for the area
- While it is appropriate to create a transition to the lower-scale residential development to the west, the panel feels that the height of the tallest building and the overall quantum of development is too high
- Panel notes that there are few local amenities in the area, and would like to see further consideration of how the needs of the new residents will be met
- Suggests that establishing a safer crossing across Western Avenue will be crucial to enabling better access to transport and services
- Given the proximity to the station, the panel notes that a car-free approach is appropriate, but suggest that this will need to be supported by improved connections to public transport, as well as provision for taxis, deliveries and emergency vehicles
- Proposed public route through the Site is welcomed, but the panel has concerns regarding security and overlooking
- Suggests that access for the public alongside residents should be carefully considered and notes control measures may need to be explored further
- Panel recognises that commercial uses on this Site may be restricted, but it feels that the inclusion of active uses at the ground floor could enhance the public space and route through the Site

Statement of Community Involvement (CSI)

The Applicant's CSI confirms they also undertook extensive pre-application consultation with the local community prior to submitting the planning application which included door to door consultation, a dedicated web page, adverts in local newspaper and social media . A public webinar and in person

exhibition were also held with a follow up newsletter and second webinar held to feedback the applicant's responses to concerns raised.

PUBLIC CONSULTATION BY THE LOCAL PLANNING AUTHORITY

Neighbour Notification:

The application has been advertised as a major application and a departure from the development plan. A total of 97 site notices have been displayed on lamp posts in the following roads: Allan Way, Court Way, Park View, Cloister Road, Cecil Road, Holst Road, Mozart Gardens, Noel Road, Eastfields Road, Horn Lane, Western Avenue, Park Royal Road, York Road, Victoria Road, Portal Way, Wales Farm Road, Chase Road.

The Site Notices were displayed on the above streets from 17/10/2022 and expired 07/11/2022; Press Notices were published on 26/10/2022 and expired 16/11/2022.

55 written representations have been received via the Council's web page; all object to the proposed development. The matters of objection and concern are wide ranging and are summarised below after which are a number of quotes directly from the consultation response that gives further details of the nature of the concerns being raised:

Issue/Comments	
	<ul style="list-style-type: none"> • Conflict with Local Plan - Local Plan OIS3 states development should have a commercial element • Over development of the site • Insufficient open space and play space • Buildings too high and out of character with the local area • Development out of character and overbearing • Density of development too high and will have an adverse effect on local amenities • Light pollution and oppressive impact of the proposed development • Lack of resources to support the development including transport, health/GP Surgeries, education and leisure • Lack of parking and increased parking on surrounding residential roads • Overshadowing and loss of privacy, excessive impact on sunlight and daylight • Opening up of Cloister Road will increase crime, antisocial behaviour and spoil the quiet and private nature of the road. • Security concerns due to increased footfall along Cloister Road • Increased pollution • Loss of privacy/overlooking • Poor design not in keeping with local character • Adverse impact on ecology and potential protected species • Flats being sold as investments to foreign investors • Lack of affordable housing • No benefits for existing communities • Concerns surrounding the fire strategy • Concerns around electricity supply in the area <p>The following are quotes taken directly from a selection of the consultation responses received giving further details of the nature of the concerns being raised by the local community:</p>

	<p><i>“Adverse impact on safety. Opening up of cul-de-sac will increase risk of criminal activity and reduce safety element of cul-de-sac”.</i></p> <p><i>“This site is not suitable for a 17-storey building! This is surrounded by 1920s two storey houses, this will block light into surrounding homes and will look completely out of place. The site is not one that is identified as suitable for tall buildings, there are clear reasons for that”.</i></p> <p><i>“i am objecting to this development on the grounds of increased traffic ,noise pollution and , we live on cecil rd in the morning and evenings vehicle's use cecil rd and adjoining roads .as a short cut to get on to horn lane its like living on a race track some days ,with vehicle's driving at great speed , by opening up the wall on cloister rd ,all the traffic will be driving on to balfour rd ,which will increase the pollution ,noise the council should look into this before agreeing to giving planning permission”</i></p> <p><i>“Local residents have had to tolerate the blot of excessively high tower blocks at gypsy corner already. I am applaud that this application brings the prospect of a substantially out of scale development to our doorstep in what is currently leafy two story suburbia”.</i></p> <p><i>“There are already too many high rise buildings in this area. The local amenities cannot support yet another high rise. It is already difficult to get an appointment at the GP for example. This is developer greed that the council is allowing, yet again, to happen”.</i></p> <p><i>“North Acton is blighted by high rise buildings. No proper shopping facilities, North Acton Station over crowded. This would not go on in Ealing Broadway, council shift it all to a very overcrowded area”.</i></p> <p><i>“There is too much high rise towers going up in this area. There are too many people for the community facilities are ready. At some point we have to stop this over development and we have reached this point now in this area”.</i></p> <p><i>“I am surprised that council is considering this monstrous planning application for building back of the residential property. The Barrat Homes has build similar design near Savoy circus. It look horrendous and out of character in residential area. Also the residents parking their cars on the pavement. I can forseen the same problem after this development at Horn lane”.</i></p> <p><i>“This simply does not go with the character of the area. It will increase traffic and pollution and put pressure on local infrastructure. My property is already being overlooked by several unwanted developments. The traffic is already quite heavy in peak times. There are too many buildings packed on a small piece of land and not enough green spaces”.</i></p> <p>Officer response: All of the above matters where they relate to material planning considerations associated with this proposed development are dealt with in the main body of the report.</p>
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External Consultations	Representations and Planning Officer`s response
Old Oak Neighbourhood Forum	<p>Object to the proposals on the grounds that the proposals fail to meet the policy requirements of 2021 London Plan Policy D9 on Tall Buildings, when read in conjunction with Ealing’s 2013 Core Strategy 2014 Development Sites DPD.</p> <p>Officer Response: <i>It is Officer’s view and that of the GLA (as confirmed in their Stage 1 response) that London Plan policy D9 is not a gateway policy and whilst the proposals do not comply with Part B of policy D9 the principle of a tall buildings at the site can still be acceptable where they address the impacts noted in Part C</i></p>

	<p><i>of the policy. There is no current case law or other guidance available at the present time that indicates a different approach should be taken.</i></p>
Heathrow Airport (Safeguarding)	<p>Although it isn't anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or Radar. We would like to advise the developer that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.</p> <p><u><i>Planning Officer's response: Informative added</i></u></p>
Crossrail Safeguarding	<p>Confirmation received that the application site falls outside of the limits of land subject to consultation by the Crossrail Safeguarding Direction</p> <p><u><i>Planning Officer's response: Noted</i></u></p>
NATS Safeguarding	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p><u><i>Planning Officer's response: Noted</i></u></p>
Cadent	<p>No objection subject to an informative on any planning decision given.</p> <p><u><i>Planning Officer's response: Noted</i></u></p>
Historic England	<p>Advise that the development could cause harm to archaeological remains and field evaluation is required to determine appropriate mitigation. It is considered that this can be secure post the granting of any permission and therefore a condition is recommended requiring evaluation followed by full investigation if required.</p> <p><u><i>Planning Officer's response: Condition included in recommendation (See Annex A)</i></u></p>
Natural England	<p>No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p> <p><u><i>Planning Officer's response: Noted</i></u></p>
London Fire Brigade	<p>Response received confirming LFB had no observations to make. The Applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.</p> <p><u><i>Planning Officer's response: Noted</i></u></p>

<p>National Highways Limited</p>	<p>National Highways confirm in respect of the proposed development their interests relate to the M4 which is located approximately 4 miles south of the site, and the M1 which is located approximately 5 miles north of the site.</p> <p>“We would be concerned if there were any potential safety or efficiency impacts to our network.</p> <p>We have reviewed the Transport Assessment (TA) submitted alongside this application and note that the development is proposed to be car-free, with the exception of nine blue badge bays. In addition, future residents of the development are to be barred from obtaining parking permits in the surrounding controlled parking zones. Due to these measures, there are 7 two-way trips predicted in the AM peak hour and 6 in the PM peak hour. The trip generation is calculated using standard TRICS methodology which we support.</p> <p>In addition to these trips, the TA has also calculated servicing trip generation based on TRICS. This estimates 5 two-way servicing vehicle movements during the AM peak and 2 in the PM peak. This level of servicing trip generation combined with the residential trip generation described above would not materially affect the SRN.</p> <p>Based on the above, we are satisfied that the proposals would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111). We therefore have no objections to raise for this application.</p> <p><i>Planning Officer’s response: Noted</i></p>
<p>Health and Safety Executive (HSE)</p>	<p>The above consultation relates to three relevant buildings (blocks A, B and C) and three buildings within the curtilage of a relevant building (blocks D, E and F).</p> <p>The relevant buildings have storey heights of 27.4m, 48.3m and 42.3m respectively and are all served by two staircases.</p> <p>The fire statement dated 30/09/2022 states that the adopted fire safety design standard is Approved Document B. HSE has assessed the application on this basis.</p> <p>Following a review of the information provided with this consultation, HSE is satisfied with the fire safety design, to the extent that it affects land use planning.</p> <p><i>Planning Officer’s response: Noted</i></p>
<p>Met Police – Design Out Crime Officer</p>	<p>This design is far from ideal from a security perspective, this proposed housing estate will be made open to non-residents who will not have any sense of ownership and loyalty to the estate, as such this will likely lead to misuse of the estate and leave it vulnerable to crime and ASB. As the proposed publicly accessible area will have limited active surveillance and usage we have serious concerns around potential ASB issues and the fear of crime which is not aided by the large under croft tunnel entrance to this area. The site’s security strategy is highly dependent of concierge/capable guardians being employed on the site, however for the lifetime of the building this security strategy cannot be ensured.</p>

	<p>Unfortunately housing estates in Acton have traditionally suffered from crime and ASB and a major contributing factor is residential areas that are open to the public (such as the old South Acton estate and the Vale Estate, Uxbridge Road W3)</p> <p>If the proposed principal of having the estate open during the day and closed and secured at night then we the police will accept it, and the site can still achieve SBD accreditation.</p> <p>This is providing that the option to close the gates/the estate and have access only to residents at a later date is possible. If this proposed site becomes open 24 hours a day we would object as SBD accreditation would not be achievable for this design.</p> <p>Condition required.</p> <p><i>Planning Officer's Response: It is proposed that the route through the site will only be open during certain hours (to be agreed) and not throughout the night this will be secured by condition as well as a condition requiring SbD accreditation.</i></p>
<p>Transport for London (TfL)</p>	<p>TfL Comments summarised below:</p> <ul style="list-style-type: none"> • <u>Healthy Street, Walking and Cycling</u> - Active Travel assessment requires additional information. TfL support the improvement of surface crossing as opposed to the pedestrian bridge put forward as part of the 4 Portal Way proposals. TfL Support active travel modes through the site, ask for clarity on whether this will be suitable for cyclists. TfL welcome provision of cycle parking that exceeds minimum standards in London Plan Policy T5 and follows advice in London Cycling Design Standards. • <u>Car parking</u> – TfL welcome car free development subject to 3% disabled persons parking. A Parking Design and Management Plan should be submitted and secured through a planning condition • <u>Trip Generation</u> - As mitigation for the increased rail trips, a contribution towards North Acton station improvements will be required, using the methodology adopted for all residential developments in the North Acton area. Based on 300 residential units this would require a contribution of £338,250 towards North Acton station improvements. A pro-rata bus contribution of £143,000 is also required, based on the cost of providing an additional peak hour bus for a five-year period (£487,500). Due to the car free nature of the development, it is not expected that the impact of increased vehicle trips on the TLRN will require mitigation. • <u>Delivery and servicing/Construction Logistics/Travel Plan</u> - concerns about the proposed layby on Horn Lane which is designed to accommodate all deliveries and servicing. This is contrary to London Plan Policy T7 and Ealing Local Plan polices which require on site servicing. The layby will reduce pavement width and detract from the public realm on Horn Lane.

	<p>The final versions of the DSP and CLP will need to be secured by planning conditions. The London Borough of Ealing should secure, enforce, monitor and ensure the funding of the final Travel Plan through the s106 agreement to ensure conformity with London Plan Policy T4.</p> <p><i>Planning Officer's response: TfL advice has been fully taken into account the Horn Lane service bay has been removed from the scheme. Additional information has been provided in respect of the ATZ and the suggested conditions and S.106 obligations are included in the recommendation.</i></p>
<p>English Heritage Archaeology</p>	<p>No objection. Confirm no further physical site-investigation required.</p>
<p>NHS Property Services</p>	<p>Request received based on the HUDU model for a financial contribution to put towards the development of health facilities within the local area of the proposed development.</p> <p><i>Planning Officer's response: The applicant has agreed an appropriate S.106 contribution to mitigate the impact of the development on local healthcare services.</i></p>
<p>Thames Water:</p>	<p>No objection response received however standard conditions have been included.</p> <p><i>Planning Officer's response: Appropriate conditions are included.</i></p>
<p>GLA Stage 1</p>	<p>Proposals broadly acceptable in strategic planning terms with the principle of the site's development and land use consistent with London Plan (2021). A number of detailed matters were raised that the GLA requested be addressed before the proposals could be considered compliant with London Plan policy. The Applicant provided a response to the concerns raised by the GLA at stage 1 and these responses are summarised in the text below:</p> <p><u>Strategic issues summary</u></p> <p>Land use principles: The proposed comprehensive redevelopment of this underutilised and accessible site to deliver new homes raises no strategic concerns.</p> <p>Housing: The proposal includes 300 new homes which will help meet London Plan housing targets. The proposal also includes 35% affordable units by habitable room and subject to tenure mix being agreed by Council could meet the fast-track route.</p> <p>Urban Design: The site has not been identified as suitable for tall buildings and there is concern with the proposed massing in context with adjacent suburban character. The highest quality of hard and soft landscaping must be secured to ensure new public realm is both attractive and functional. The proposed public routes through the site must be accessible to the public at all times.</p> <p>Transport: Mitigation for increased trips should be provided in the form of contributions towards North Acton station improvements and increased bus capacity. A more comprehensive ATZ Assessment needs to be carried out, and</p>

active travel improvements including improved crossing facilities at the Horn Lane and Western Avenue junction secured. On site servicing arrangements should be adopted instead of the proposed layby on Horn Lane.

Sustainability and Environment: Further energy and whole lifecycle carbon information is required. To mitigate against air-quality impacts, the applicant should consider incorporating a hedge or similar low-level planting.

Summary of detailed matters raised by the GLA (AR=Applicant Response):

Land use principles – GLA confirmed the proposed land uses raise no in principle concerns

Affordable housing – there is no dispute between the parties that the proposals meet the fast-track approach and deliver affordable housing in accordance with London Plan policy.

Housing choice – the proposal includes a mix of units ranging from studios to three-bedroom family units. Specifically, of the proposed LAR units, 63% would be family-sized which is welcome. This level of family-sized low-cost rented housing could be supported in line with London Plan Policy H10. Notwithstanding this, the applicant should engage with the Council to ensure that the overall housing mix appropriately responds to local need for affordable housing.

Children play space - Overall, the proposal includes 1,067 sqm of play space for all ages groups which is fully integrated with the overall residential amenity areas. The GLA’s population yield calculator indicates that the scheme is likely to accommodate a total of 117 children and as such the proposed play space would fall slightly short of the required play area for residents (1170 sqm). The Council should by way of condition ensure that play space is suitable for all age groups and accords with the requirements of Policy S4 of the London Plan and is retained on the site for the benefit of all residents. If this cannot be achieved, then a financial contribution towards off-site provision should be secured by way of legal obligation. Further, the Council should also ensure that all play spaces are not segregated by tenure.

Urban Design

Design Scrutiny - It is understood that the scheme has been subject to two design review panels and also a community review panel along with a number of preapplication/design meetings with Council officers. Therefore, the proposals comply with Policy D4 of the London Plan

Layout - The layout of the site is generally supported. Notwithstanding this, adjacent blocks are in close proximity to one another at certain pinch points, raising possible over-looking concerns. Routes for vehicles servicing the site have been kept to the edges of the site to provide a pedestrian friendly interior. This is welcomed as is the green buffer provided to Western Avenue and Horn Lane and the pedestrian route through the site which provides improved connectivity within the wider area. However, the proposal to gate the pedestrian/cycle route through the site and restrict access is not supported. It is not beneficial in permeability or townscape

terms and prevents a safe high-quality route being accessible for all at all times. Safety and inclusivity for all groups including those who may feel vulnerable should be demonstrated in the proposals, and the only other east-west route (sitting at the north boundary of the site) is not active, being fronted by carparking and refuse stores.

AR The Design and Access Statement prepared by Allies and Morrison sets out how the consideration of overlooking has been a key consideration throughout the design development of the scheme. This demonstrate overlooking distance are general over 20m and in most case significantly greater than this.

AR In line with the GLA’s view, it was not the intention for the pedestrian route to be gated, however, gates were introduced following extensive public consultation process which demonstrated that existing residents were not supportive of the route through, despite the wider benefits it could bring. Concerns were raised from residents of Cloister Road in particular in relation to the potential increased security risk to their properties that could result from the opening up of the Site. This view has been further enforced by the Metropolitan Police. Accordingly, a compromise has been proposed in line with the Metropolitan Police’s response, whereby the pedestrian route would be gated, however, the gates would remain open during the day, thus ensuring the wider urban design benefits can be delivered but would be closed and secured at night.

Scale and massing - In strategic terms, Part B of Policy D9 of the London Plan states that Councils should identify locations suitable within Development Plans for tall buildings. Part C of the policy outlines the impact criteria that must also be considered when determining the suitability of a tall building within a locality. In this case, the site is not located within an area specifically identified by the Council’s development plan as being suitable for a tall building and in this regard the development does not comply with Part B of the Policy D9 of the London Plan. It is noted that there is an extant consent for a tall building (nine storeys) on the site and this is a material consideration.

The acceptability of a tall building on the site will still be determined by its visual, functional, environmental and cumulative impact upon the surrounding environment as outlined by Part C of Policy D9 of the London Plan.

The GLA raise concern regarding the tall elements and the massing of the development and how they relate to the low scale development to the west. GLA officers maintain the view that although the maximum building heights themselves are not likely to raise any strategic concern the proposed massing of the proposal is of concern. Whilst the stepped massing (in height and volume) is positive and has articulated the building form well, there is concern that the overall height and volume may result in a development that will be visually dominant.

AR It is strongly contended that the TVIA has demonstrated that the proposed massing would not be visually dominant, particularly in the context of the tall buildings that have already been built or have been granted planning permission on the other side of Western Avenue and the visual impact they have / will have on the surrounding residential area. The proposed buildings certainly would be far less visually dominant than the buildings on the other side of Western Avenue

and in this context, are in fact considered to provide a very suitable transitional arrangement.

AR *With regards to environmental impact, the technical documents submitted in support of the application demonstrate that the living environment for future and neighbouring residents are not adversely impacted in terms of wind, privacy and daylight/sunlight. Similarly, the cumulative visual, functional and environmental impacts are also addressed within these technical reports. It is not considered that anything further is required from the applicant in relation to the environmental and cumulative impact.*

Public Realm - The public realm in general is of high quality and is supported. The landscaping is varied and provides opportunities for multiple uses in a variety of different character spaces. The inclusion of the pedestrian route through the site is positive. As highlighted, the proposal to restrict access to this route is not supported.

Internal quality – the number of the number of single aspect units which is welcome. Notwithstanding this, there are still a number of north-facing units where the second aspect is of poor quality. The Council should review the quality of amenity for future occupants with regards to outlook, over-heating and cross ventilation

AR *We would highlight that the existing consent for the Site has 19no. single aspect north facing units, which equates to 12% of the total number of units. The development now proposed by comparison has no single aspect north facing units. However, it has been highlighted that there are still a number of north-facing units where the second aspect is of poor quality. It is considered that this comment relates to 5no. units across the development, however, these units have a narrow plan with an excellent amount of façade. From level 6, these units become triple aspect units with west-facing living space and balconies. Overall, all units have been carefully designed with regards to outlook, overheating and cross ventilation to ensure the best possible living environment for future occupiers.*

Internal quality - There are a number of pinch points in the proximities between blocks, where the balconies of flats appear to be close to the windows of others. The Council should ensure that future residents have an acceptable level of privacy and are not unduly over-looking as a result of the layouts.

AR *in two locations, buildings E and F (which are mansion blocks type, which are only G+3 floors) are facing building B and C. Those buildings have been designed to create open angles, that enhance the distance between blocks while creating a sense of enclosure for the residential amenity spaces at GF level. In addition, every unit has been designed so that the main windows (living spaces) of each unit are not facing directly into another living space. Moreover, the location of the mansion blocks on the western side of the development does not affect the private amenity spaces of the lower floors of building B and C as they will benefit from the sun coming from the South.*

Architectural quality - the treatment of the facades, the appearance and the materials palette is supported and raises no strategic concern

Fire Safety - It is noted that the proposal includes two staircases for the proposed tall building component. This is welcome and GLA officers expect this to appropriately address the London Fire Brigade's (LFB) recent concerns regarding single core arrangements within tall buildings. Notwithstanding this, should the LFB raise any issues regarding this proposal these must be fully addressed prior to the scheme being referred back to the Mayor at Stage 2.

LBE – LFB have confirmed they have no observation with respect to the Fire Strategy (as have the Health and safety Executive).

Inclusive access - Officers generally have no concerns about the accessibility of the public realm. However, the development must be designed to incorporate safe and dignified emergency evacuation. The LPA should confirm that they are satisfied with the proposed unit split, layout and design of the units and secure M4(2) and M4(3) requirements by condition or planning obligation to ensure compliance with Policy D7

LBE – Appropriate condition recommended confirming compliance

Transport - see the TfL response

Management Plans - There are concerns about the proposed layby on Horn Lane which is designed to accommodate all deliveries and servicing. This is contrary to London Plan Policy T7 and Ealing Local Plan policies which require on site servicing. The layby will reduce pavement width and detract from the public realm on Horn Lane.

LBE – The Horn Lane service bay has been removed from the proposed scheme.

The final versions of the DSP and CLP will need to be secured by planning conditions. The London Borough of Ealing should secure, enforce, monitor and ensure the funding of the final Travel Plan through the s106 agreement to ensure conformity with London Plan Policy T4.

LBE – Noted, conditions recommended.

Sustainable Development

Energy strategy - The energy statement does not yet comply with London Plan Policies [SI2, SI3 and SI4]. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full.

AR – an updated Energy Strategy has been submitted to address the GLA's concerns.

	<p>LBE – LBE’s Energy advisor has confirmed the energy strategy is now acceptable and complies with policy. Conditions recommended requiring additional detail and Whole Life Carbon/Circular Economy Assessments.</p> <p>Urban Greening - Policy G5 of the London Plan recommends a UGF target of 0.4 for residential developments. The applicant has stated that measures to maximise the score have been explored to achieve the residential target and the score has been calculated to be 0.42 which is welcome.</p> <p>Air Quality - The proposed development meets air-quality-neutral requirements under London Plan Policy SI 1 (B) (2a). There will be no combustion plant for electricity, heating or hot water, so the proposed development is better than air quality neutral for building emissions. The proposals meet the definition of ‘car free’, so the proposed development is better than air quality neutral for transport emissions. The development is compliant with London Plan policy. Adverse impacts on air quality will be negligible – London Plan Policy SI 1 (B). The assessment states that EV parking standards will be complied with – London Plan Policy T6/T6.1 to T6.5. The assessment has accounted for the local Acton A40 North Acton rail/Gypsy Corner/Savoy Circus/White City AQFA (London Plan Policy SI 1 (B) (2d)) and found that pollution levels at the site will be acceptable.</p> <p>The Council are advised that the Applicant will need to provide details of any backup generators and testing regime once known, in order to confirm that proposals comply with London Plan Policy SI 1 (B) (1b).</p> <p>LBE – <i>Appropriate conditions are recommended.</i></p> <p>Planning Officer’s response: <i>As detailed the applicant has provided a detailed response to the GLA to address matters set out in the Stage 1. As set out above matters have been addressed through the submission of additional information and where necessary planning conditions and clauses/financial contributions are secured in the S106 agreement. LBE Officer’s have also given further consideration to the specific matters noted by the GLA to ensure compliance with relevant London Plan policies. The GLA have confirmed that they wish to have sight of the decision notice and S106 ahead of the Stage 2 referral.</i></p>
<p>Internal Consultation</p>	
<p>Transport Services:</p>	<p>No objection in principle subject to following comments (In summary):</p> <p><u>Car parking/ trip generation</u> – Welcomes the car fee nature of the development and confirm the quantum, location and design of the Blue Bade parking is acceptable.</p> <p><u>Cycle parking</u> – Confirms the quantity of cycle parking is now acceptable. Officer want to see further details to ensure accessibility and security is appropriate and to ensure the layout of the stores is acceptable and meets standards.</p> <p><u>Car clubs</u> - Requests further information on the requirements of car club operators.</p>

	<p><u>Travel Plan</u> – All the proposed actions need to be in place, or at least begin, upon occupation.</p> <p><u>Construction</u> - A Construction Logistics Plan should be submitted.</p> <p>A request for financial contribution toward various highways improvements including facilities for pedestrians and cyclists.</p> <p><u>Planning Officer's Response:</u> <i>A range of conditions and a financial contribution has been secured.</i></p>
<p>Regeneration</p>	<p><u>Impact on Commercial Areas</u></p> <ul style="list-style-type: none"> - The site is served in closest proximity by the existing Horn Lane parade and emerging North Acton Neighbourhood Centre. Neighbourhood and town centres of East Acton and Acton are approx. 1500m away. - Area Regeneration support the proposal for the optimisation of residential growth at this neighbourhood boundary location. This proposal will connect neighbourhoods through its ground floor public route, improving local access to neighbourhood centres. However, opportunities to activate the ground floor and enhance these public realm areas will be further welcomed. - Area Regeneration are seeking contributions towards town centre improvements to support the local retail, services and amenity areas along Horn Lane. This contribution will help to accommodate growth in demand for local services, public realm improvements and mitigate the impact of the proposed development and associated population uplift. - Contributions can also help support the destination creation and placemaking linked to the recently launched CEZ which spans North Acton and Park Royal areas adjacent the site as an off-site contribution to boost locally specific enterprise, activation, skills & training. <p><u>Good Growth</u></p> <ul style="list-style-type: none"> - Active Frontage: Limited active frontage due to ground floor residential use for services, plant and cycle storage. Entrances located along Western Avenue provide some limited activation, area regeneration would welcome a range of ground floor uses that would encourage habitation, business and active use. Could plant areas, cycle storage or parking be located at a basement or lower ground floor level? Planting, trees and green space provide a positive buffer to the main road for residents and local benefit. - Site Movement: Site layout provides a public connection to ease pedestrian movement through the site. This provides benefits in terms of neighbourhood permeability, access to green space and will be important to be well managed to maximise public benefit and enable community use. - Placemaking: Approach to massing and layout responds to surrounding new development of a similar urban grain and height. Little contribution to

	<p>mix of uses, services and amenities available locally, this could be supported by the town centre contribution to deliver these provisions off-site for residents.</p> <p><i>Planning Officer's response:</i> A financial contribution has been secured to contribute to town centre initiatives in North Acton</p>
<p>Leisure and Parks - Landscape Team</p>	<p>The proposals whilst of being a very good quality in terms of the location, range and design of public and private open spaces there is an under provision in respect of open space and slight under provision in terms of play space. The Officer has recommended financial contributions to mitigate the under provision on site for improvement of facilities off site.</p> <p><i>Planning Officer's response:</i> The S.106 contribution is included to mitigate the impact of the development in respect of older play space provision. Details of landscaping, boundary treatments, drainage etc are all secured by condition.</p>
<p>Housing Officer (Housing Supply)</p>	<p>Supports the revised proposed affordable housing quantum and mix and notes compliance with the GLA's Fast Track approach</p> <p><i>Planning Officer's response:</i> The affordable housing package is secured by S.106 with appropriate review mechanisms.</p>
<p>Energy Officer</p>	<p>The Council is broadly supportive of the proposed energy strategy produced by Quinn Ross in February 2023 (version 5). The development is all electric with no gas infrastructure on-site.</p> <p>The strategy proposes a communal site-wide high temperature (approx 70/40o flow/return) Air Source Heat Pump driven distribution loop with dwelling heat exchangers (HIU) feeding underfloor heating and domestic hot water (DHW). The predicted ASHP system efficiency (SCOP) is 3.8.</p> <p>PV has been realistically maximised with five arrays across buildings A, B, C, E, & F with a combined capacity of 53.76 kWp.</p> <p>The Council confirms that there is no available "Clean" district heat network (DHN) and no further research is required on this issue.</p> <p><i>Planning Officer's response:</i> Appropriate planning S.106 obligations, and conditions are included in the recommendation.</p>
<p>Director of Education</p>	<p>No objection subject to financial contribution to mitigate the impact of the development on local schools.</p> <p><i>Planning Officer's response:</i> An appropriate S.106 financial contribution is secured to mitigate the impact of the development on local education services.</p>
<p>Regulatory Services (Noise)</p>	<p><u>Noise</u> The site is subject to substantial noise and air pollution from constant road traffic noise at this multi-lane junction with traffic lights. Robust mitigation measures will</p>

	<p>be required to ensure the noise environment is acceptable for future occupiers and appropriate conditions are proposed to secure this additional information.</p> <p>Most of the amenity spaces would achieve recommended noise levels with the exception of some higher-level balconies which could only do so if enclosed; effectively turning them into internal spaces. Current guidance accepts that it is not always possible to meet the recommended noise levels in urban environments and rather than losing the external amenity of the proposed balconies considers these acceptable under these circumstances.</p> <p><i><u>Planning Officer's response:</u> Appropriate conditions are included in the recommendation.</i></p>
<p>Regulatory Services (Air Quality)</p>	<p>The site is in an area seriously affected by nitrogen dioxide pollution from vehicle exhaust emissions on the adjacent, heavily trafficked road network, principally the A40 Western Avenue and its junction with Horn Lane at Gypsy Corner.</p> <p>To ensure appropriate levels of air quality various conditions are required to ensure appropriate mitigation. A financial contribution towards air quality monitoring is also proposed.</p> <p><i><u>Planning Officer's response:</u> Appropriate planning obligations and conditions are included in the recommendation.</i></p>
<p>Regulatory Services (Contamination)</p>	<p>The submitted information confirms that further investigative work is required to confirm what the made-up ground on the site comprises of and is appropriately remediated.</p> <p><i><u>Planning Officer's response:</u> Appropriate planning obligations, conditions and informatives to mitigate the impacts of pollution and remedy site contamination are included in the recommendation.</i></p>
<p>Environmental Services (Waste)</p>	<p>No objection.</p>

Planning Policies:

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

- National Planning Policy Framework (2021)
- The London Plan (2021)
- Ealing Development (Core) Strategy (2012)
- Ealing Development Management Development Plan Document (2013); and
- Ealing adopted Supplementary Planning Guidance/ Documents

See policies text in Annex 1 for the full list of relevant national, regional and local planning policies and guidance.

Local Plan Designations:

The Site lies within OIS3 designated by the Development Sites DPD and the associated Acton Green Corridor Policy Area identified on the Policy Map4 – both adopted in December 2013.

PLANNING APPRAISAL

Reasoned Justification

The main issues for consideration are:

- Principle of development and the appropriateness of the proposed use;
- Affordable housing;
- Housing standards
- Design including scale (tall buildings), form, siting and appearance;
- Open Space, Amenity Space and Play Space
- Public Realm, Public Routes, Green Corridor
- Environmental Protection (Noise/Air Quality/Contamination);
- Sunlight/Daylight
- Energy and Sustainability;
- Drainage and Flood Risk
- Urban Greening and Biodiversity
- Archaeology
- Fire Safety
- Transport including traffic, access, parking and servicing;
- Planning Balance
- Planning obligations and the Mayor's Community Infrastructure Levy.

Principle of development including proposed use

The current Application is for a wholly residential scheme; the principle of a residential scheme on this site has previously been accepted by the approval of application reference 166124FUL for 149 residential units.

Whilst the site is allocated with the Development Sites DPD for commercial development with some residential uses on the western boundary it has been demonstrated that due to restrictive covenants on the site that commercial uses are unlikely to come forward on the site within a reasonable timeframe.

Whilst, covenants are not normally considerations in determining planning applications; they may in practice restrict what can and cannot be done on land. In this case the use of the Application Site for any commercial use is prohibited under the terms of one of the covenants.

A number of the parties who objected to the former planning applications on the site appear to have the benefit of the covenant and the threat of enforcement was made in the event that the hotel part of the scheme proceeds. The practical effect of this would be to frustrate commercial development from coming forward on the site. This led to the 2015 permission for hotel use on the site being abandoned as the site owners could not secure funding because of the risk of litigation arising out of the covenant issue. The prospective hotel operator at the time was not therefore able to carry out the development.

To conclude it appears the existence of the covenant and the uncertainty and threat of injunction and litigation renders commercial development of the site as undeliverable. However, use of the site for residential purposes is not a restricted use under the terms of the covenants.

Residential Land Use

The NPPF establishes the Government's objective of significantly boosting the supply of homes and recognises that it is important that suitable amounts and variety of land can come forward where it is needed. The NPPF also states that LPAs should promote the effective use of land in meeting the need for homes by making the best use of previously developed or 'brownfield' land.

There is a substantial and recognised need for new homes within Ealing, with the London Plan housing target for the borough set at 21,570 homes between 2019/20-2028/29 (Policy H1). The delivery of new housing including affordable housing is therefore a key strategic objective for the Council.

The application site is a long term vacant, brownfield site located in a highly accessible location in a residential area. Planning policy at all levels encourages the efficient use of brownfield land and supports the optimisation of underutilised sites to bring forward housing to meet the significant need for new housing in London. The proposed residential development of this site is strongly supported.

Whilst the lack of commercial uses on the site would be a departure from the Sites DPD designation, the residential development of the site would accord with other Development Plan policies and can be considered to be an appropriate alternative development of the Site in the circumstances of this case having regard also to the prevailing residential uses around the site. The proposed residential development of this site and the delivery of 300 no. residential dwellings is therefore strongly supported and complies with the NPPF, London Plan and Ealing Core Strategy and Development Management policies.

Affordable Housing

As noted above the delivery of affordable housing is also a key priority for the Council and the Core Strategy confirms a strategic housing target of 50% genuinely affordable housing across the plan period.

The London Plan confirms that a minimum of 35% affordable housing with a tenure split of 30% affordable rent / social rent, 30% intermediate and 40% to be determined by the borough. Development that meets this tenure mix will qualify for the fast-track approach, i.e. will not be subject to a viability review.

The applicant has submitted an affordable housing offer that fully complies with the London Plan's fast track approach. The proposals include:

- 209 x private dwellings,
- 46 x intermediate shared ownership dwellings (117 habitable rooms)
- 45 x London affordable rent dwellings (174 habitable rooms)

The proposed offer comprises 35% affordable housing by habitable rooms with a total of 291 habitable rooms / 91 dwellings.

The proposed affordable housing is considered to be acceptable and compliant with London Plan and Ealing policy. The affordable housing will be secure via the S106 in accordance with the GLA's standard clauses including mid and late-stage review mechanisms.

Housing Standards

Mix

With regards to the housing size mix, Policy H10 of the London Plan encourages that new development should offer a range of housing choices in terms of the mix of housing sizes and types in order to

support the requirement to deliver mixed and inclusive neighbourhoods. Ealing’s development Strategy policy 1.2(h) supports ‘a suitable mix’ but does not specify percentage splits of different sized units.

The proposed housing mix is set out in the table below:

Units by tenure	Studio	1 bed	2 bed	3 bed	Total
Private	30	46	121	12	209
Social Rent	0	9	8	29	46
Shared Ownership	0	18	27	0	45
Total	30	73	156	41	300

Whilst the Council doesn’t prescribed a specific mix of units within a scheme the large number of 3 bed units secured in social rent tenure is supported and helps meet an identified need for larger affordable dwellings. It is also positive to note that no studios are included within the affordable housing offer. The proposed mix is considered acceptable and will meet the needs of existing residents and also provide for a wide range of new residents with different housing needs.

Residential Quality

Policy D6 of the London Plan and supporting Table 3.1 ‘Minimum internal space standards for new dwellings’ seeks to ensure that new development is of the highest quality internally with appropriately sized rooms. Policy 3.5 of Ealing’s Development Management DPD confirms these requirements.

The applicant confirms that all of the proposed units will meet or exceed the minimum space standards for the habitable spaces in each of the proposed dwellings. Minimum space standards in terms of bedroom sizes, storage and minimum floor to ceiling heights in excess of 2.5m as stipulated in the Nationally Described Space Standards are also all proposed to be met.

Aspect

New development should wherever possible seek to avoid single aspect units and particularly single aspect north facing units. The Applicant has sought to minimise single aspect units and through the pre-application stages improvements were made to the scheme. The proposals have no units that are north facing and single aspect which is a very positive outcome for an urban development such as this with a number of constraints to resolve. All units are considered to be of a high standard with large window openings and all have access to private outdoor space.

Accessible dwellings

In line with Policy D7 of the London Plan, 10% of the proposed residential dwellings meet Building Regulation requirement M4(3) ‘wheelchair accessible dwellings’, i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair units. The remaining 90% of the proposed residential dwellings meet Building Regulation requirement M4(2).

Design

Policy D4 of the London Plan identifies that architecture and design should be at the forefront of all planning decisions and that the design process should be thoroughly scrutinized before a referral is made to the GLA. Local and Regional policy confirms development proposals should make a positive contribution to a coherent public realm, streetscape and wider cityscape. Proposals should incorporate the highest quality materials, in particular having regard to the proposed height and massing strategy.

The proposal is considered to comprise high quality architecture and has evolved through pre-application consultation and in particular through two reviews with Ealing’s Design Review Panel. The

design responds positively to the existing form of development and would provide an appropriate transition in form/ scale/ height between the lower rise housing to the South and West and taller developments to the North and East.

Site Layout

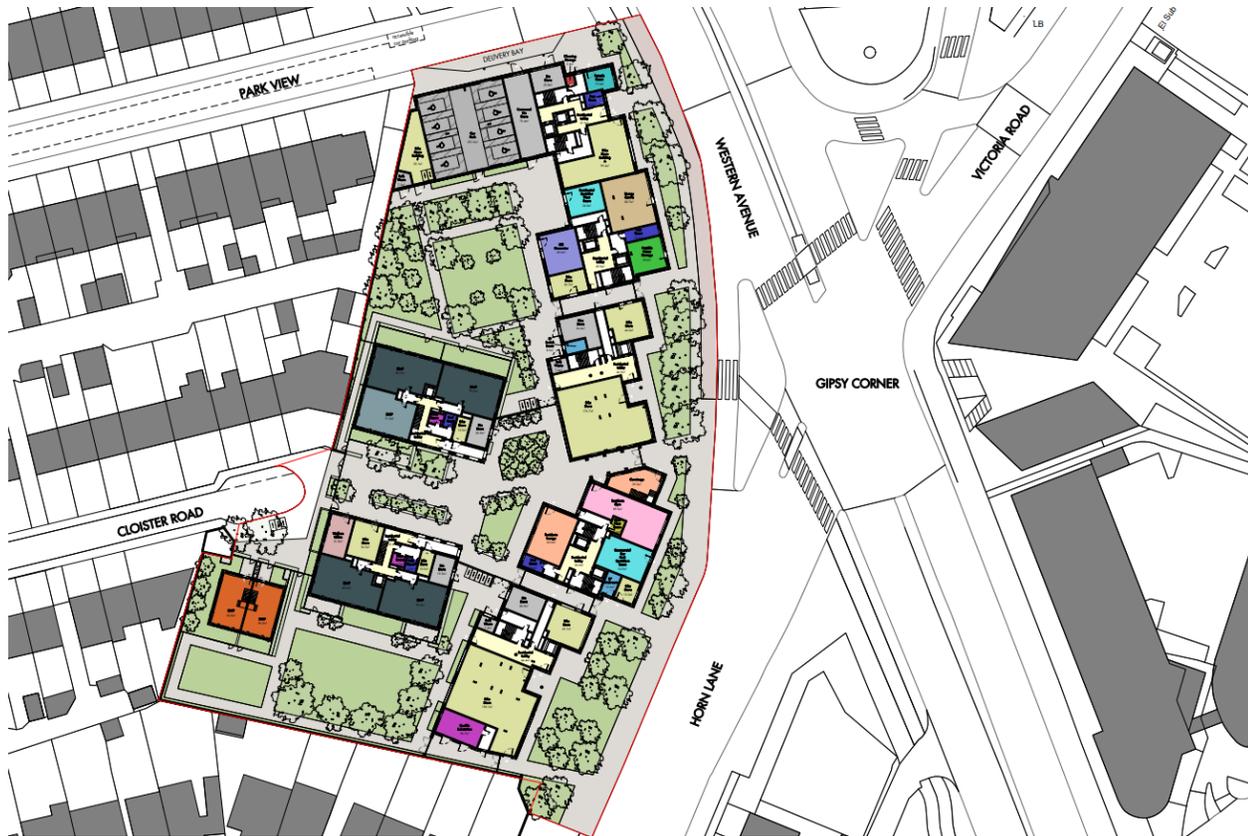
Policy D4 of the London Plan (2021) requires that the design of new developments should give regard to its layout, scale, height, density, land uses, materials architectural treatment, detailing and landscaping. LV Policy 7.4 of the Ealing Development Management DPD seeks to ensure that development is respectful of the surrounding built form in terms of its street sequence, building pattern, dimensions, scale, bulk and appearance.

The layout proposes a perimeter block to the east of the site fronting Western Avenue and Horn Lane. This provides a strong frontage to the development but set back to facilitate the creation of generous landscaped green corridor. To the west of the perimeter block the buildings are lower scale and the siting responds to the grain of the existing residential development on neighbouring roads. The layout of this part of the development facilitates large open amenity spaces with a varying character depending on the level of activity and privacy.

The layout ensures vehicle movements are kept to the edge of the site facilitating a safe environment along the frontage of the development and within the site. All parking and servicing is taken from Park View as per the existing situation and previously consented schemes on the site.

The layout ensures a legible and permeable scheme facilitating a pedestrian route through the site to aid pedestrian movements to and from North Acton town centre and various public transport connections.

The layout maximises internal amenity, enabling the provision of good levels of internal daylight/ sunlight, privacy and screening from noise/ pollution. The layout also mitigates the impact on adjoining residential properties by avoiding direct overlooking and overshadowing. The buildings would also screen traffic noise/ pollution to existing houses to the west.



(Proposed Layout)

Scale and Massing

As set out above the proposed height and massing focuses the taller buildings towards the west of the site with the lower buildings located towards the east. In this way the proposed development allows for a transition from the very tall buildings located in the Opportunity Area and the lower scale properties located on the residential roads to the west.

The site is allocated for development, but the allocation does not specify building heights but says the scale, massing and height of buildings should respect the amenity of adjoining properties. It is noted however that the previous residential consent approved in 2018 does include a tall building up to 9 storeys in height and this is a material consideration in the determination of this current application.

Notwithstanding the planning history of the site and the character of the area that includes the much taller buildings located in the Opportunity Area the principle of tall buildings on the application site now falls to be considered under London Plan policy D9. Part B of policy D9 confirms that Council’s should identify locations suitable for tall buildings within Development Plans, Ealing is currently producing a new Local Plan that will propose locations for tall buildings. This new plan is however in its relatively early stages and therefore the acceptability of this site will fall to be considered in respect of the impacts identified by part C of policy D9. These impacts include visual impacts, functional impacts, environmental and cumulative impacts.



(Street elevation from Western Way/A40)

Visual Impact – in respect of the visual impact the Site is located between two distinct character areas, the lower density suburban area to the west and the emerging high-density, tall buildings area to the east (which forms part of the Old Oak and Park Royal Opportunity Area). Accordingly, it has always been central to the design of this scheme (as well as the previously consented schemes) that the development should seek to ensure an appropriate transition between the two contexts.

This transition has been the subject of careful consideration by Officers and throughout the pre-application stage the scheme has been modified to adjust the massing and reduce the heights from initial proposals that indicated 20 storeys on the site. The development is considered to appropriately respond to this transition, the perimeter buildings varying in height with the taller elements broken down and separated with lower elements, the layering created by the stepped plan and siting of the perimeter block further helping to breakdown the massing and provides an attractive streetscape.

The Applicant has submitted in support of the planning application a Townscape and Visual Impact Assessment. The visual assessment has considered the effects of the proposed development on people in the surrounding area over different distances including immediate, medium and long range. The location of the views that have been considered by the assessment were discussed and agreed with officers. The assessment notes that in respect of the views considered the stepping of the built form in plan and section would help to create a series of well proportioned buildings with a vertical emphasis that would successfully mediate between the suburban residential area and the very tall development around North Acton station and mitigate the current stark contrast.

Accordingly the proposed development is considered to represent an appropriate transition between the two distinct areas. In addition the proposals represent a significant enhancement of the townscape introducing new high quality well designed buildings on this prominent site responding positively to the street, improving natural surveillance and provide beneficial enclosure of the residential areas to the west. The visual appearance is therefore concluded to be acceptable.

Functional Impact – the ground floor layout is well considered and has again evolved considerably as a result of discussions at pre-application and during the course of the applications consideration. The layout of the building ensures it is legible with entrances to the building clearly identified and the public route through identified by a variation in materials. The layout promotes active frontages through the residential and bike storage lobbies in addition to the communal uses such as residents gym and the buildings concierge.

The servicing has been amended to remove the layby on Horn Lane to avoid potential pedestrian, cyclist and highways conflicts with all servicing and vehicular movements now proposed to be from Park View. The servicing arrangements have been developed to ensure they are appropriately designed and a servicing and Delivery Plan will ensure satisfactory operational arrangements.

In terms of transport capacity, the proposed development is located in a highly sustainable location with access to a wide variety of public transport options, proposed financial contributions to improve North Acton Station and improve capacity on local bus services are also included within the proposed S106 agreement. The local area is well served by pedestrian and cyclist facilities and further improvements will be secured as part of this and other development in the North Acton Area. The capacity of the existing road network is capable of accommodating the proposed development and the likely vehicle movements that will be generated. No significant highway capacity impacts not capable of being mitigated have been identified by TfL or the Council's own Highways Officers.

The functional impact of the development and how it relates to other existing and emerging development is therefore considered to be acceptable.

Environmental Impact – the proposed development has been considered in terms of its environmental impacts including wind, daylight, sunlight penetration and noise and detailed consideration of these impacts are covered later in this report. The application site is located in an area where there are a number of constraints particularly associated with noise and air pollution. Officers have reviewed these matters and subject to appropriate conditions have confirmed the development is acceptable and will ensure acceptable living conditions to both existing and future residents. Therefore, there are no environmental impacts of significant detriment to impact on the acceptability of tall buildings in this location.

Cumulative Impacts – in considering each of the above matters it is necessary to consider both the impacts of the proposed development as well as those associated with existing and proposed development in the wider area. With specific regard to the cumulative visual impacts the proposed development has been considered in the context of the large scale change being brought forward in the Opportunity Area. In respect of this concentration of very tall buildings the proposed development is considered to have a number of beneficial impacts by providing some screening of lower areas but more importantly providing a mediation in the scale of the existing residential areas and the stark contrast associated with the buildings in the Opportunity Area the tallest and nearest of which being the redevelopment of the Holiday Inn that proposes a building of 45 and 55 storeys in height. The proposed development in this cumulative scenario can therefore be considered to be beneficial.

The cumulative impact in terms of noise, air and wind have all being considered and again the proposed development secures benefits for the existing residential areas to the west by providing some screening particularly of noise for these existing properties. Overall, the cumulative impacts are considered to be negligible with some positive benefits being accrued by the proposed development.

On the basis of the above considerations in relation to Part C of London Plan Policy D9 together with the other material considerations set out in this report the principle of tall buildings on this site can be considered to be acceptable.

The proposed development that includes two taller elements of G+14 storeys and G+15 storeys with buildings of various other heights includes G+4 storeys at the edges of the site and G+6-9 storeys separating the taller element within the perimeter block is considered to be acceptable. It is considered that the scale of the proposed development with the taller elements positioned along the main road

frontages would be appropriate in the context. The scale of the development would reduce towards the southern and western edges to minimise any adverse impact in terms of residential or visual amenity.

Whilst the built form and mass of buildings would be greater than the previously consented schemes, mainly due to fully building up the site frontage and the additional height at the front this approach is considered appropriate in townscape terms and results in the more efficient use of the site and would result in a more coherent and visually pleasing form of development, which would not harm the character of the area. Overall, the scale of the proposed development is considered appropriate for this prominent junction and the A40 corridor.

Appearance/ Materials

The appearance of the proposed development has been strongly influenced by the local context including the residential character of the dwellings in Cloister Road and Park View and the tall buildings emerging to the east.

The new buildings are contemporary and mediate the scale between the low-rise houses to the west and the taller buildings to the east. The building facades are all brick, creating buildings that will age and weather sensitively as well as being robust and attractive appearance. The window sills are all raised, providing not just privacy to the bedrooms but also reflecting the proportions of the existing houses' windows. All the balconies railings and Juliet railings are painted steel; where overlooking or privacy issues are a concern, a perforated metal plate has been added to the bottom of the railings to increase the sense of privacy to the users, but still allowing views out when sitting down.

The buildings fronting the A40/Horn Lane adopt a similar approach and use brick as the predominate material. The different scale requires an alternative fenestration detail. All windows are set back behind deep reveals and have a vertical proportion. The elevation is broken up by the layered siting of the different blocks and this is further developed by the smaller blocks having smaller facades. A fold in the linear form of the perimeter block is marked by an alternative lighter coloured material that also signifies the location of the pedestrian route through the site.

The proposals have evolved through positive consultation with the Council's Design Review Panel and further details relating to the detailing of the building and use of materials are secured by planning conditions. Overall, the design, in terms of its architecture and the proposed materials palette are of high quality and the scheme would make a positive impact on the character of the area and are considered to meet the objectives of London Plan policies D4, D5 and D9 and Ealing's adopted Development Management DPD Policy 7B.



(View from Cloister Road towards the development)



(View of Gipsy Corner looking south east)

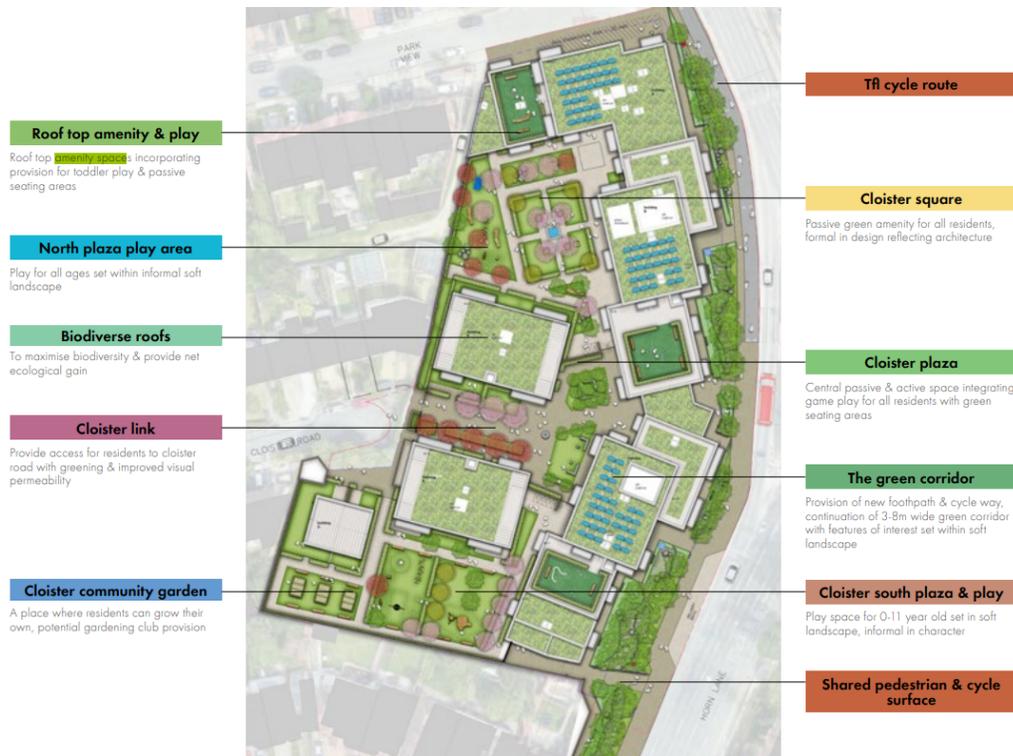


(View from proposed courtyard looking north)

Open Space, Amenity Space and Play Space

Private Amenity Space - Policy D6 of the London Plan states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. Table 7D.2 of the DMDPD sets out the Council’s amenity space provision requirements for new development, which reflects that of policy D6. All of the proposed residential units provide access to private amenity space in the form of balconies, terraces and in the case of the pair of semi-detached houses private gardens. All of the dwellings provide private amenity space that meets or exceeds this policy requirement.

Open Space/Amenity Space – In addition to the private amenity space the proposed development includes a range of public and semi private communal amenity spaces that are divided into different character areas. The different spaces include the central plaza which is a more public open area accommodating the pedestrian route through the site. To north and south of this space semi-private squares which relate to their associated blocks and provide passive and active amenity are proposed. Each of these areas are supported by a high-quality landscape scheme that propose different forms of hard and soft landscaping to divide the spaces to accommodate different types of user groups.



(Image taken from applicant Design and Access statement showing different amenity/open spaces)

In addition to the ground floor amenity spaces additional semi private amenity spaces are proposed on the lower roof levels provide additional spaces for residents of the associated blocks. The proposed development provides a total of 2500sq.m of semi private and communal amenity space or 8.33sq.m per dwelling. Footnote 2 of Table 7D.2 of the Council’s Development Management DPD states that “typically” 15 sqm of communal amenity space will be delivered per flat. Whilst this indicative target is not met the quantum, design and accessibility to the available space has been maximised.

All residents will have access to private, shared amenity spaces and public open space all of which are usable, high quality and provide for a range of different users needs. In addition and not included in the shared or public open space figures quoted above the proposals also includes a range of indoor communal amenity uses including a residents lounge and residents gym that help mitigate the shortfall.

Play Space - Policy S4 of the London Plan states that new development should increase opportunities for play and informal recreation. The proposed play strategy provides inclusive play for all ages and tenures, locating some play on amenity rooftops so that there is a comfortable balance at ground floor between active and passive spaces. For 0-11 years play is natural in form and for 12-15+ play is interactive including ping pong tables and play sculptures.

The application includes 1064sq.m of play space comprising:

- 0-4 play – 532sq.m
- 5-11 play – 367sq.m
- 12+ play 165sq.m

The development results in a slight under provision by 42sq.m of play space that is mitigate through a financial contribution towards the improvement of off-site provision in the local area.

Public Realm, Public Routes, Green Corridor

The proposed scheme incorporates high quality public realm that helps the development positively contribute and enhance the local area. The public realm strategy is comprised of two key elements which include the proposed green corridor to the east of the site and the public route through the site provide an east-west connection.

Public Route – the public route through the site has been a matter of strong and contrasting opinions. The route through the site is considered to respond positively to urban design considerations including enhancing the permeability of the area and improving connectivity through the site and providing more convenient access for residents located to the west with North Acton Town Centre and associated public transport connects. The principle of the public route through the site is supported by LBE Officer as well as TfL and the GLA.

In contrast to this view the public consultation has raised concern with the public route particularly from residents of Cloister Road. The perception being from residents that opening up the route will change the character of Cloister Road, lead to increased noise, disturbance and antisocial behaviour and possibly lead to increased security issues and crime. The Met Police's Designing Out Crime Officer has also raised similar concerns raising issues relating to lack of active surveillance and concerns associated with anti-social behaviour and the fear of crime.



(Image of entrance to public route through the site)

The pedestrian route would pass through a courtyard area overlooked by residential properties before passing through the site past the resident's gym, concierge and facilities management office that would provide further active surveillance and out onto Horn Lane/A40 a constantly busy area providing further surveillance. The courtyard would provide a secure route and there would be no public access to the semi-private areas to the south and north. It is Officer's view therefore that the route would be capable of providing a safe connection with natural surveillance and could be supported by appropriate lighting, CCTV. The sites management team would also provide further monitoring/security.

Notwithstanding this view in order to address the concerns of local residents it has been agreed that the proposed route through the site will be a managed route and only available during daylight hours. During the night the route would be locked and whilst residents of the development would have access public access would not be available. The management of the site would ensure the route is made

secure at the end of each day. The exact arrangements for the public route are to be set out in a Management Strategy for the site to be secured via a planning condition and it is anticipated that signs at the entrances to the public route will provide details of the hours the route is open so that the local community are aware and can benefit from the arrangement.

Green Corridor - The allocation of the site (OIS3) confirms that the development of this site must make a clear contribution to achieving the objectives of the Green Corridor. In response to this requirement the proposed development proposes a significant landscape zone between the building and the edge of the site. In addition to extensive planting including low level shrubs and a number of trees the proposed corridor also incorporates information boards, decorated stepping logs and stones which lead to nature play items that can also be used as seats. The proposed Green Corridor supports the policy objective, provides a significant landscaped edge to the scheme and will be a significant public benefit arising from the proposed development. Detail of the Green Corridor including the type and maturity of the proposed planting together with its future maintenance is secured by conditions.

Environmental Protection (Noise/Air Quality/Contamination)

Noise – The proposed development is supported by a Noise Impact Assessment that has been assessed by the Council's Regulatory Services Team. The site is subject to significant noise levels generated by traffic using Horn Lane and the A40, noise levels therefore are relatively high at all times of the day.

The massing of the scheme as proposed creates a barrier to the noise from the A40/Horn Lane which benefits existing residents to the west as well as creating an acceptable noise environment for the external amenity areas serving the development. Proposed dwellings located to the west of the perimeter block also benefit from the screening provided.

In terms of the roof level amenity areas for blocks A, B and C, the roof area to block A and C show very small areas with noise levels exceed the required criterion the vast majority of the areas are fully compliant. Block B shows 40% of the area exceeding the criterion but only by a very small amount (0.5dB) which is not considered to have a significant impact on the usability of the area.

In terms of balconies, all balconies on the west facing elevation will receive noise levels well within the target criterion. On the east facing elevation noise levels at the balconies will all exceed the required criterion, mitigation measures such as absorptive treatment of the underside of the balconies could help to minimise noise levels although these treatments would only lead to marginal improvements and the balconies would still experience noise levels beyond the required criterion. Although the balconies experience high noise levels, they still perform a useful amenity for residents and residents of the affected flats will also have access to both the roof terraces and ground floor amenity areas. On balance given the constraints of the site this is considered to be acceptable, and residents will still have access to good levels of outdoor space with acceptable noise levels well within the require criterion.

In terms of the residential accommodation itself appropriate internal noise levels can be secured by incorporating in the worst-case scenario for flats overlooking the A40 secondary glazing and elsewhere standard thermal double glazing. The internal noise environment is therefore considered to be acceptable.

Air Quality – impacts have been dealt with in the Applicant's Air Quality Assessment which has been reviewed by the Council Regulatory Services Team. The Assessment confirms that air quality conditions for future residents of the proposed development will be acceptable, with concentrations well below the air quality objectives throughout the site.

The Assessment has demonstrated that traffic generated by the proposed development and the emergency generator will not have a significant impact on air quality conditions at all existing receptors.

The proposed development also complies with the requirement that all new development in London should be at least air quality neutral.

The Council's Regulatory services Team have requested planning conditions to secure further details of the building's ventilation strategy report to ensure appropriate mitigation of poor-quality air and submission of an Air Quality and Dust Mitigation Plan is also sought as well as air quality monitoring in the area funded by the applicant and secured in the S106.

Ground Contamination - A Desk Based Study has been submitted in support of the planning application, this identifies that the main contaminants on site are likely to arise from the made-up ground present on the site. As the content of this made-up ground is not known at this stage appropriate conditions are recommended requiring further investigation followed by the submission of a remediation strategy to ensure any contaminants identified are removed from the site and the site remediated prior to the commencement of any development on site.

Wind - Microclimate

A wind microclimate study has been and submitted in support of the planning application. The analysis has used computational fluid dynamics (CFD) simulations to determine the aerodynamic effect that the proposed buildings have on the wind patterns around the site. This was combined with long-term wind speed data to provide a statistical representation of the wind conditions, which were then compared against pedestrian comfort and distress criteria.

Results show that for the proposed development wind conditions around the site remain safe and are suitable, in terms of pedestrian comfort, for the intended usage of the area. On the roof-levels of the proposed development, some small exceedances of the safety criteria have been identified, however, it is understood these areas are not accessible to the general public and therefore suitable for its intended usage. With the addition of the cumulative schemes, windier conditions are observed, especially in winter months, however all areas at ground level remain safe for all users and suitable, in terms of pedestrian comfort, for their intended usage. At elevated levels, wind conditions are slightly calmer, most noticeably within the play space areas, with the addition of the cumulative schemes when compared to the proposed scenario. Overall, the wind – microclimate as a result of the development and also in the cumulative scenario is considered acceptable and will result in acceptable living conditions for future and existing residents.

Sunlight/Daylight/Overshadowing

Existing Property - The results of the daylight assessments to the neighbouring properties show that where reductions beyond the BRE Guidelines occur, the vast majority of windows will retain a VSC which is considered a good-very good level of daylight for an urban area. Where retained levels of daylight are slightly lower, these tend to be due to a recessed winter balcony (property on Mozart Gardens located to the north of the development), or serve a bedroom, which has a lesser requirement for daylight.

The sunlight results show that the vast majority of windows will continue to enjoy a level of sunlight which is in accordance with the BRE Guidelines. The isolated occurrences tend to be in the winter months only and are again due to the window being positioned behind a recessed winter balcony, the winter balcony itself would still enjoy a good level of sunlight.

The effects upon the neighbouring gardens and amenity spaces were predominantly considered to be negligible or minor. Only one garden will experience a greater reduction beyond the BRE Guidelines, however, this will enjoy reasonable access to sunlight in summer months.

A very high level of compliance is achieved and given the location of the site in an urban environment this is considered to be acceptable.

Proposed Property - The internal daylight amenity assessment indicates that of the 850 habitable residential rooms assessed 674 (79%) will meet the minimum requirements for bedrooms, lounges and lounge/kitchen/diners. 176 rooms (21%) will fall below the minimum recommended targets. This is a high level of compliance and compares well with other recently approved schemes such as Friary Park. It is noted that were rooms fall below the minimum target criteria the property is predominantly located on a north facing elevations and behind a projecting balcony that impacts on the results. Overall, a high level of internal daylight is secured across the development, and it is noted that there are no single aspect north facing apartments.

In terms of internal sunlight amenity, of the 850 habitable rooms assessed, 700 habitable rooms (82%) will meet the minimum recommended sunlight criteria regardless of their orientation. Those rooms that fall short are predominantly located on the northern elevations which restrict access to available sunlight hours. It is also confirmed that 91% of all dwellings will receive the minimum recommended sunlight criteria.

The overshadowing results show that the vast majority of the public and private amenity spaces will meet the BRE guidelines criteria of 2 hours sun on ground to at least 50% of their area. Each resident will therefore have access to a nearby amenity space with good levels of sunlight above that recommended by the BRE guidelines.

The proposed development achieves good levels of compliance in respect of both the internal and external environments of the proposed development when assessed against BRE Guidelines.

Energy and Sustainability

The provision of sustainable development is a key principle of the National Planning Policy Framework which requires the planning process to support the transition to a low carbon future. Policies S12 and S13 of the London Plan (2021) set out further details of how new development should be sustainable and energy saving.

At the current design stage, the overall site-wide CO₂ emissions will be cut by at least 63.38%, with 24.96% carbon reduction through (non ASHP) "Lean" efficiency measures, and 38.42% through "Green" (ASHP/PV) renewable energy.

There is a shortfall of 3,120 tonnes CO₂ (over 30 years) in the zero-carbon that will be mitigated through an "offset" S106 payment at £95 per tonne to the Council of £296,755. If after three years of in-situ monitoring the renewable/low-carbon energy systems do not deliver, within a reasonable margin of error, the carbon reductions predicted in the Energy Strategy then the Developer will need to pay an additional Carbon Offset contribution to mitigate some or all of the shortfall.

The London Plan (policy S12) introduces a fourth step to the existing (be Lean, Clean, Green) energy hierarchy of "be Seen". In addition to the GLA 'be Seen' policy, Ealing Council also requires the additional physical monitoring and performance analysis of the renewable/low-carbon energy equipment. Ealing already implements, and separately conditions, this requirement through its Development Management (2013) DPD policy E5.2.3. The monitoring is carried out by the Council's

chosen provider (Emergence Ltd) using the Automated Energy Monitoring Platform (AEMP). A S106 payment will be sought for the implementation of the energy monitoring policy. This requirement and associated funding is secured through the S106.

Energy Strategy - The Council is broadly supportive of the proposed energy strategy produced by Quinn Ross in February 2023 (version 5). The development is all electric with no gas infrastructure on-site. The strategy proposes a communal site-wide high temperature (approx. 70/40° flow/return) Air Source Heat Pump driven distribution loop with dwelling heat exchangers (HIU) in each unit feeding underfloor heating and domestic hot water (DHW). The predicted ASHP system efficiency (SCOP) is 3.8. PV's have been realistically maximised with five arrays across buildings A, B, C, E, & F with a combined capacity of 53.76 kWp. It is accepted that there is no available "Clean" district heat network (DHN) and no further research is required on this issue.

The Applicant's Strategy has been assessed against Part ADL using SAP10.2 emission factors and follows the London Plan policy S12/S13 "Lean, Clean, Green" energy hierarchy.

Whole Life Carbon Cycle – in accordance with London Plan policy S12(F) the applicant has submitted a detailed Whole Life Carbon Assessment which has been subject of further discussion on detailed matters with the GLA. A final version of the assessment is required to be submitted prior to the commencement of development as well as post construction assessment to demonstrate as built compliance.

Circular Economy – in accordance with London Plan policy S17 a circular Economy Statement has been submitted by the applicant and assessed by the GLA with detailed comments made. The final version of the circular Economy Statement is proposed to be secured by condition together with a post construction monitoring report.

Flood Risk and Drainage

Food Risk - The site is located within Flood Zone 1 which is the lowest probability of flooding. The submitted Flood Risk Assessment confirms that the risk of flooding from all sources, through the entire development design life, is considered to be low and that the Proposed Development will not increase the risk of flooding elsewhere.

Drainage - In terms of sustainable drainage, the proposal includes a number of SuDS to ensure the proposal meets with the requirements of Policy S113 of the London Plan. Green roofs are proposed to slow down surface water flows and attenuate runoff at its source. Rainwater harvesting is proposed to store water for later use in all buildings within the Proposed Development. Permeable surfaces and rain gardens are proposed with overflows into attenuation tanks and a piped network to attenuate the Site in larger storm events. All surface water runoff from Site is attenuated for up to 1:100-year storm event plus 40% climate change and is gradually released to the public sewer at a greenfield runoff rate of 3.4l/s. The foul water discharge from Site is estimated to be 12.03l/s as a result of the Proposed Development. Further details of the drainage strategy are secure by planning condition.

Urban Greening and Biodiversity

Urban Greening – London Plan policy G5 requires major development to contribute to the greening of London through the incorporation of measures including landscaping, green roofs and walls and nature based sustainable drainage. As referred to in the previous sections of the report the landscape proposals including the Green Corridor have formed an important and integral part of the scheme.

Policy G5 introduces the Urban Green Factor calculation to provide a way of quantifying the contribution new development makes to urban greening. The benchmark required to be achieved for

new residential led development is a score of 0.40. The applicant has confirmed that the proposed scheme secures a score of 0.42 therefore meeting the requirements of policy G5. The score has been achieved by the extensive ground floor landscaping together with 1950sq.m of intensive green roof.

Biodiversity – The sites existing condition does not support good quality habitats and the nature of the habitats identified on the site are of low ecological value, are common in the local area and are not of principal importance. In term of protected species, the site does not contain conditions suitable to support roosts or foraging bats. Similarly, the site doesn't accommodate habitats suitable for supporting notable invertebrates, badgers or hedgehogs. There are no water features on the site and therefore there are no habitats suitable for supporting amphibians.

The low ecological value of the site represents a significant opportunity for the proposed development to enhance the biodiversity value of the site. The proposed development seeks to do this by the inclusion of the following enhancements:

- Provide biodiverse green and roofs providing new habitats which are species rich thus maximising biodiversity
- Incorporate mitigation and enhancement recommendations from ecology report including the provision of bird and bat boxes, bumblebee boxes, insect walls, log piles
- Specify native species within all landscape areas in line with the Council's BAP (Bio-diverse Action Plan)
- Utilise Biodiverse roof space as part of an over all SuD's strategy incorporating blue roofs where necessary to assist with attenuation and water run-off.

A Planning condition is proposed to secure a scheme of biodiversity enhancements aimed to secure net biodiversity gain across the site.

Archaeology

The application has been supported by an Archaeological Desk Based Assessment. The assessment identifies that numerous archaeological excavations have taken place across the Site since the early 1990s, mostly relating to the post-medieval agricultural settlement known from documentary evidence as Friars Place Farm. Limited amounts of residual medieval material were also uncovered in early excavations, supporting the notion that there may have been an earlier, medieval settlement in the general vicinity. The Assessment considered that here is a 220915 Cloister Corner Planning Statement v1.0.docx Page 45 of 52 low potential for prehistoric, Roman and medieval remains, with a moderate to high potential for post-medieval remains to be present on the Site. Any surviving archaeological remains on the Site are likely to be of local area or negligible significance.

Historic England were consulted on the proposals and provided written confirmation that they considered that the development could cause harm to archaeological remains. They have therefore recommended a planning condition that has been included in the recommendation that requires further in site investigation prior to any development being commenced. This will enable the full and comprehensive consideration of the sites archaeology and allow it to be recorded prior to the development being undertaken should planning permission be granted.

Fire Safety

The application is supported by a Fire Statement that complies with the requirements of London Plan policy D12 and was prepared by an independent assessor. The strategy responds to the fire safety design codes, standards and best practice for high rise buildings to align with the requirements of Policy D12 of the London Plan.

The statement outlines the approach (for all buildings) to means of escape, material selection to ensure the maximum protection against fire, access and servicing for fire equipment, the siting of fire appliances, the suitability of water supply. The statement confirms that evacuation lifts will be provided to offer safe and dignified evacuation for all building users in accordance with the London Plan.

Importantly the fire strategy responds to the latest fire safety guidance and proposes two staircases to service each of the tall building proposed. The London Fire Brigade were consulted on the proposed development and written confirmation was received that they had no observation to make on the Fire Strategy. The fire Strategy can therefore be supported by LBE and GLA Officers.

Transport including traffic, access, parking and servicing

The NPPF promotes better integration between planning and transport and promotes accessibility by public transport, walking and cycling. This overarching policy objective is supported by London Plan policy including Policy T1 that introduces a strategic approach to transport including a target that 80% of all trips should be by foot, cycle and public transport by 2041. Policy T2 promotes the Mayors Healthy Street agenda which is focused on reducing the dominance of vehicles on London's streets and facilitating better integration of cycling and pedestrian features. Policies T5, T6 and T6.1 set out the parameters for parking for bicycles and cars including maximum parking standards as well as provision of electric and disabled spaces.

The planning application is supported by a Transport Assessment and Framework Travel Plan.

Trip Generation and Impacts – The proposed development is promoted as being car free and therefore the additional vehicle trip generated by the proposed development will be limited. The additional impact generated by the proposed development will therefore primarily relate to service trips generated for example by online shopping, refuse collections etc. It is predicted that the proposed development will generate up to 44 service trips a day many of these trips being facilitate by vehicle already on the road network and already servicing the surrounding roads. The predicted service trips can be accommodated on the existing road network.

The proposed development will generate an increased number of public transport based trips in the area and TfL has confirm that to mitigate the impact of these increased trips a financial contribution of £338,250 towards North Acton station improvements and £143,000 towards the improvement of bus services in the area. The applicant has agreed to these contributions, and they are secured in the S106.

Access and Servicing – as previously noted the access and servicing strategy has been developed during the course of the application. Pedestrian and cycle access to the development is taken from various residential lobbies access from the western side of the building fronting Horn Lane and the A40. Bike storage is also accessed from here. A concierge located centrally provides a central point for receiving parcels etc. A pedestrian route through the site as previously discussed provides a further point of entry for residents and the wider public during certain hours.

Vehicular access is taken from Park View provided access to an under-croft parking area. All servicing is also taken from Park View and a service bay is proposed where vehicles will be able to stop and make deliveries collect bins. The design and location of the service bay has been tested to ensure it can be safely accessed by all vehicles. A Road Safety Audit and further details of the Servicing Strategy are secured by planning condition.

Car Parking - The proposed development is a car free scheme, except for disabled persons' parking, this approach is supported on this well-connected site. The proposed 8 spaces are the minimum requirement to provide for 3% of units from the outset. TfL have requested that options to increase the

provision of disabled persons' parking, if required in the future, should be set out, including the potential for conversion of on street spaces. A Parking Design and Management Plan is secured through a planning condition. Confirmation that occupants of the development would not be eligible to apply for residents' parking permits is also secured via the S106 as is funding towards a review of the current operation of the CPZ to ensure it fulfils its objectives given the changes in the local area.

Cycle Parking – The proposed cycle parking exceeds minimum standards in London Plan Policy T5 which is supported providing a total of 544 cycle spaces across the development of which 18 spaces will be provided as short stay spaces. The cycle stores are located at ground floor level with the entrances located adjacent to residential entrance lobbies and so are conveniently positioned as well as being overlooked. Details of the cycle storage to ensure compliance with London Cycling Design Standards including the provision of accessible spaces and spaces for large bicycles as well as ensuring the security arrangements are appropriate.

Planning Balance

The proposals to redevelop the application site have generated a significant level of objection from the local community with a wide range of issues identified. Concerns centre around the height and scale of development, the density of development, the impacts on existing amenity and the impacts on existing services and facilities as a result of the increased population. Significant concern was also raised in respect of the public route through the site to Cloister Road.

The application site has been the subject of two previous consents for the redevelopment of the site the first being a mixed-use development with housing and a hotel and the second more recent application exclusively for residential development. These previous consents are material considerations.

The revised proposals now subject of this current application include the following key elements:

- 300 dwelling including studios, 1-bed, 2-bed and 3-bed dwellings.
- 35% affordable housing
- A linear perimeter block including buildings ranging in height from 5 to 16 storeys.
- 2 smaller 3 storey block and a pair of 2 storey semidetached houses
- All dwelling meet or exceed minimum space standards and have accessed to private balconies, terraces or garden.
- All dwellings have access to communal gardens, roof top gardens both of which incorporate play spaces for different age groups
- Pedestrian connection through the site
- Policy compliant long and short stay cycle parking
- Car free development except for 8 disabled parking bays
- S106 financial contribution of circa £2.9m

This report has identified that there are adverse impacts associated with the proposals described above. There will be impacts in respect of the townscape and the bulk and massing will accentuate the step change in development that has previously been approved on this site. These additional impacts have been considered in detail and whilst a significant change will occur the change will be mostly beneficial improving the appearance of this key junction location that has remained vacant for several years. The increased bulk and massing of on the site will nevertheless have some impact on the townscape and visual amenity of the area particularly for those residents in the roads to the west.

The report has also identified that the proposal will lead to some additional impacts in terms of sunlight, daylight and overshadowing. These impacts are however limited to a small number of windows in the

surrounding developments which given the urban setting of the site is considered to be reasonable and does not lead to significant harm to the amenity currently enjoyed by existing residents.

The proposals will result in an increase in the population of the area that will result in further demands on services and resources, there will also be an increased demand put on local public transport services.

The proposed development has also demonstrated that it is not able to accommodate policy compliant provision for public open space or play space.

These negative factors do weigh against proposals but need to be weighed up in the overall planning balance and the planning and public benefits that the scheme would secure. These benefits include the delivery of 300 additional homes with 35% of the habitable rooms being secured as affordable housing.

Utilisation of a brownfield site, delivery of a new green corridor and public connection through the site as well as a publicly accessible amenity space in the centre of the development. Highly sustainable form of development including being car free and promoting the use of cycles and incorporating a highly sustainable energy strategy.

In addition to the above benefits a S.106 agreement is secured as set out at the beginning of this report to fund improvements to local services including health care, education, employment and training as well as financial contributions toward public open space and play space. The proposals secure £2.9m of financial contributions.

Given the above considerations it is Officer's view that significant weight should be given to the strategic objective of providing additional housing and affordable housing with further positive weight given to the proposals in respect of bringing this important brownfield site back into a viable and beneficial use. These positive aspects of the development are not considered to be outweighed by the harm identified which includes impact on townscape and visual amenity, sunlight daylight impacts and impacts associated with increased pressure on local services. Accordingly, the proposals are recommended for approval.

Mayors Community Infrastructure Levy (CIL)

In accordance with the Community Infrastructure Levy (CIL) regulations as amended this development is liable to pay Mayoral CIL at a level of £60 per square metres for the new development. The market housing element of the development would be CIL liable.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where regard is to be had to the development plan for the purpose of any determination of a planning application, the determination must be made in accordance with the plan unless material considerations indicate otherwise. On balance, there are material considerations which demonstrate that the application is considered to accord with many of the policies and objectives of the Development Plan and other material considerations (including the NPPF) which indicate that planning permission ought to be granted. The proposals are considered to be acceptable and accord with the Development Plan.

The proposals deliver a significant quantum of new high-quality homes including affordable homes. The proposals result in significant improvements to the local environment including bringing back into use this long-term vacant site with an attractive and well-designed development, enhanced public realm and the delivery of a green corridor and improvement to other social infrastructure secured via the S106.

The proposals have evolved through extensive pre-application discussions and the proposed scheme is considered to be of a very high design quality and will result in new homes that meet and exceed residential standards set out in relevant local, regional and national planning policies.

The form, layout and design of the residential blocks is supported and displays good principles of urban design, taller buildings are appropriately positioned on the site to mitigate adverse impacts and are of a high architectural quality and contribute positively to the making of place.

On balance, the proposals are considered to be acceptable, and it is recommended that planning permission be granted subject to any direction of the Mayor of London. It has been demonstrated that the principle of redeveloping this vacant, brownfield site which is located in a sustainable location is acceptable. The proposed development delivers both affordable and market housing contributing to satisfying housing demand and making an important contribution to the delivery of affordable homes in the Borough.

Human Rights Act:

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.

Fire safety

Large schemes may require a number of different consents before they can be built. Building Control approval needs to be obtained to certify that developments and alterations meet building regulation requirements. Highways agreement will be required for alterations to roads and footpaths. Various licences may be required for public houses, restaurants and elements of any scheme that constitutes a 'house in multiple occupation HMO'.

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 indeed on the amenities of local residents. The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations (2010). 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 carry out an examination of drawings for the proposed works and make site inspections during the course of the work to ensure the works are carried out correctly. On completion of work the BCB will issue a Completion Certificate to confirm that the works comply with the requirement of the Building Regulations.

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

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.
 - a) The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
 - b) 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.
 - c) 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 1 - PLANNING CONDITIONS AND INFORMATIVES

DRAFT PLANNING CONDITIONS

1. Time Limit – Full Planning Permission

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

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

2. Approved Plans and Documents

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

- CC-AAM-ZZ-ZZ-DR-A-06001, Site Location Plan, P1
- CC-AAM-ZZ-00-DR-A-01200, Masterplan GA General Floor Plan P4
- CC-AAM-ZZ-01-DR-A-01201, Masterplan Tenure Level 01 Plan, P2
- CC-AAM-ZZ-02-DR-A-01202, Masterplan Tenure Level 02 Plan, P2
- CC-AAM-ZZ-03-DR-A-01203, Masterplan Tenure Level 03 Plan, P2
- CC-AAM-ZZ-04-DR-A-01204, Masterplan Tenure Level 04 Plan, P1
- CC-AAM-ZZ-05-DR-A-01205, Masterplan Tenure Level 05 Plan, P1
- CC-AAM-ZZ-06-DR-A-01206, Masterplan Tenure Level 06 Plan, P1
- CC-AAM-ZZ-07-DR-A-01207, Masterplan Tenure Level 07 Plan, P1
- CC-AAM-ZZ-08-DR-A-01208, Masterplan Tenure Level 08 Plan, P1
- CC-AAM-ZZ-09-DR-A-01209, Masterplan Tenure Level 09 Plan, P1
- CC-AAM-ZZ-10-DR-A-01210, Masterplan Tenure Level 10 Plan, P1
- CC-AAM-ZZ-11-DR-A-01211, Masterplan Tenure Level 11 Plan, P1
- CC-AAM-ZZ-12-DR-A-01212, Masterplan Tenure Level 12 Plan, P1
- CC-AAM-ZZ-13-DR-A-01213, Masterplan Tenure Level 13 Plan, P1
- CC-AAM-ZZ-14-DR-A-01214, Masterplan Tenure Level 14 Plan, P1
- CC-AAM-ZZ-15-DR-A-01215, Masterplan Tenure Level 15 Plan, P1
- CC-AAM-ZZ-16-DR-A-01216, Masterplan Tenure Level 16 Plan, P1
- CC-AAM-ZZ-RF-DR-A-01217, Masterplan GA Roof Plan, P2
- CC-AAM-A-00-DR-A-06100, General Arrangement - Building A. Level 00 Plan, P2
- CC-AAM-A-ZZ-DR-A-06101, General Arrangement - Building A. Levels 01- 04 Plan, P2
- CC-AAM-A-05-DR-A-06102, General Arrangement - Building A. Level 05 Plan, P1
- CC-AAM-A-ZZ-DR-A-06103, General Arrangement - Building A. Levels 06 - 09 Plan, P1
- CC-AAM-A-RF-DR-A-06104, General Arrangement - Building A. Roof Plan, P1
- CC-AAM-B-00-DR-A-06100, General Arrangement - Building B. Level 00 Plan, P1
- CC-AAM-B-01-DR-A-06101, General Arrangement - Building B. Level 01 Plan, P1
- CC-AAM-B-ZZ-DR-A-06102, General Arrangement - Building B. Levels 02 - 06 Plan, P1
- CC-AAM-B-ZZ-DR-A-06103, General Arrangement - Building B. Levels 07 - 09 Plan, P1
- CC-AAM-B-10-DR-A-06104, General Arrangement - Building B. Level 10 Plan, P1
- CC-AAM-B-ZZ-DR-A-06105, General Arrangement - Building B. Levels 11-13 Plan, P1
- CC-AAM-B-ZZ-DR-A-06106, General Arrangement - Building B. Levels 14-16 Plan, P1
- CC-AAM-B-RF-DR-A-06107, General Arrangement - Building B. Roof Plan, P2
- CC-AAM-C-00-DR-A-06100, General Arrangement - Building C. Level 00 Plan, P1
- CC-AAM-C-01-DR-A-06101, General Arrangement - Building C. Level 01 Plan, P1
- CC-AAM-C-ZZ-DR-A-06102, General Arrangement - Building C. Levels 02-04 Plan, P1

- CC-AAM-C-05-DR-A-06103, General Arrangement - Building C. Level 05 Plan, P1
- CC-AAM-C-ZZ-DR-A-06104, General Arrangement - Building C. Levels 06-07 Plan, P1
- CC-AAM-C-08-DR-A-06105, General Arrangement - Building C. Level 08 Plan, P1
- CC-AAM-C-ZZ-DR-A-06106, General Arrangement - Building C. Levels 09-11 Plan, P1
- CC-AAM-C-ZZ-DR-A-06107, General Arrangement - Building C. Levels 12-14 Plan, P1
- CC-AAM-C-RF-DR-A-06115, General Arrangement - Building C. Roof Plan, P1
- CC-AAM-D-ZZ-DR-A-06100, General Arrangement - Building D. Plans, P1
- CC-AAM-E-ZZ-DR-A-06100, General Arrangement - Building E. Levels 00 - 02 Plans, P2
- CC-AAM-E-ZZ-DR-A-06101, General Arrangement - Building E. Level 03 and Roof Plan, P3
- CC-AAM-F-ZZ-DR-A-06100, General Arrangement - Building F. Levels 00 - 02 Plans, P2
- CC-AAM-F-ZZ-DR-A-06101, General Arrangement - Building F. Level 03 and Roof Plan, P3
- CC-AAM-ZZ-ZZ-DR-A-06200, General Arrangement - Proposed - Street Elevation from Western Avenue, P3
- CC-AAM-ZZ-ZZ-DR-A-06201, General Arrangement - Proposed - Courtyard Elevation, P2
- CC-AAM-ZZ-ZZ-DR-A-06202, General Arrangement - Proposed - Street Elevation from Park View, P3
- CC-AAM-ZZ-ZZ-DR-A-06203, General Arrangement - Proposed - Cloister Road South and North Elevation, P2
- CC-AAM-A-ZZ-DR-A-06200, General Arrangement - Building A East & North Elevation, P3
- CC-AAM-A-ZZ-DR-A-06201, General Arrangement - Building A West & South Elevation, P2
- CC-AAM-B-ZZ-DR-A-06200, General Arrangement - Building B East Elevation, P2
- CC-AAM-B-ZZ-DR-A-06201, General Arrangement - Building B West Elevation, P2
- CC-AAM-B-ZZ-DR-A-06202, General Arrangement - Building B North Elevation, P2
- CC-AAM-B-ZZ-DR-A-06203, General Arrangement - Building B South Elevation, P2
- CC-AAM-B-ZZ-DR-A-06204, General Arrangement - Building B Link Elevations, P1
- CC-AAM-C-ZZ-DR-A-06200, General Arrangement - Building C East Elevation, P1
- CC-AAM-C-ZZ-DR-A-06201, General Arrangement - Building C West Elevation, P1
- CC-AAM-C-ZZ-DR-A-06202, General Arrangement - Building C South Elevation, P1
- CC-AAM-C-ZZ-DR-A-06203, General Arrangement - Building C North Elevation, P1
- CC-AAM-D-ZZ-DR-A-06200, General Arrangement - Proposed - Block D Elevations, P2
- CC-AAM-E-ZZ-DR-A-06200, General Arrangement - Proposed - Block E Elevations, P2
- CC-AAM-F-ZZ-DR-A-06200, General Arrangement - Proposed - Block F Elevations, P2
- CC-AAM-A-ZZ-DR-A-06400, Building A. - Bay Study 01, P3
- CC-AAM-A-ZZ-DR-A-06401, Building A. - Bay Study 02, P1
- CC-AAM-B-ZZ-DR-A-06400, Building B&C. - Bay Study 01, P1
- CC-AAM-B-ZZ-DR-A-06401, Building B&C. - Bay Study 02, P1
- CC-AAM-B-ZZ-DR-A-06401, Building B Link. - Bay Study 02, P1
- CC-AAM-D-ZZ-DR-A-06400, Building D. - Bay Study 01, P2
- CC-AAM-E-ZZ-DR-A-06400, Building E&F. - Bay Study 01, P2
- CC_AAM_ZZ_ZZ_DR_A_06460, Façade Bay Study - Block F. Ground & Typical

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

3. Construction Management Plan

Prior to commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and include the following information:

Details shall include control measures for:-

- a) An outline specification of construction works for the development
- b) The best practicable means available in accordance with British Standard Code of Practice. BS5228: 2009 to be employed at all times to minimise the emission of noise and dust from the site;
- c) A suitable and efficient means of monitoring and suppressing dust, vapours and odours, including where necessary the use of deodorising agents and adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- d) Engineering measures, acoustic screening and the provision of sound insulation required to mitigate specific environmental impacts identified;
- e) Identification of the most sensitive receptors, both residential and commercial where assessment and monitoring of impacts will be undertaken as work progresses;
- f) Means of enclosure and security of the site;
- g) Details of the arrangements for the delivery of materials to the site for the construction of the development - including hours and restrictions on construction traffic having regard to the need to control construction traffic during peak hours;
- h) Unless otherwise agreed as part of the Construction Management Strategy and Code of Practice, the operation of site equipment and / or plant and machinery generating noise that is audible at the facade of residential or noise sensitive premises shall only be carried out between the hours of 0800 to 1800 Mondays to Fridays, 0800 to 1300 on Saturdays and at no time on Sundays and Bank Holidays unless otherwise agreed by the London Borough of Ealing as the local planning authority;
- i) Adoption and implementation of the Considerate Contractor Scheme (or similar to be agreed in writing with the Local Planning Authority) registration and operation;
- j) Details of how vehicles transporting contaminated waste that leave the site (including wheel washing and covering of loads) will be managed to prevent any contaminants from entering the environment;
- k) Details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- l) Details of an advertised 'hotline' to be operated and funded by the developer to enable any complaints to be recorded;
- m) Liaison with the Local Authority's Environmental Health Unit to register complaints received and response/action taken;
- n) The availability of a site manager(s) or other persons with appropriate seniority within the organisation capable of authorising proper remedial action where appropriate;

Reason: In the interests of minimising the impact of noise, vibration and airborne pollution on the amenities of occupiers of properties within the vicinity of the site, to limit the works to reasonable hours and to minimise the impact of construction traffic on the highway network. In accordance with policies D14, T4 and T7 of the London Plan (2021); 1.1(j), 1.1 (K) and 1.2 (f) of Ealing's adopted Development (or Core) Strategy 2012; Ealing's SPG 10: Noise and Vibration; SPG3: Air Quality; The control of dust and emissions during construction and demolition (July 2014); BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise and policy LV5.2 of Ealing's Development Management DPD.

4. Construction Logistics Plan

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

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;
- b) Anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- c) Delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- d) Route and location of site access for construction traffic and associated signage;
- e) Management of consolidated or re-timed trips;
- f) Secure, off-street loading and drop-off facilities;
- g) Wheel washing provisions;
- h) Vehicle manoeuvring and turning, including swept path diagrams to demonstrate how construction vehicles will access the site and be able to turn into and emerge from the site in forward gear and including details of any temporary vehicle access points;
- i) Details as to the location(s) for storage of building materials, plant and construction debris and contractor's welfare facilities and offices;
- j) Procedures for on-site contractors to deal with complaints from members of the public;
- k) Measures to consult cyclists, disabled people and the local schools about delivery times and necessary diversions;
- l) Details of all pedestrian and cyclist diversions;
- m) A commitment to be part of Considerate Constructors Scheme; and
- n) Confirmation of use of TfL's Fleet Operator Recognition Scheme (FORS) or similar.
- o) The submission of evidence of the condition of the highway prior to-construction and a commitment to make good any damages caused during construction.
- p) Details of parking restrictions which may need to be implemented during construction work.

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

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

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

5. Site Waste Management Plan (Construction)

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

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

Reason: To meet with the requirements of BS5906. Ealing Council Draft waste management guidelines for architects and developers and in accordance with policy SI 7 and SI 8 of the London Plan (2021)

6. Material Samples

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

- a) Details of all facing materials (including brick bonding and mortar details);
- b) All metal work and decorative panels including colours and textures;
- c) All window treatments (including oriel windows) and entrance doors (including sections and reveals);
- d) All balcony and balustrade details including screening/privacy panels;
- e) Privacy/obscure glass details;
- f) Ventilation and extraction louvres; external doors or other openings to refuse areas, cycles stores, substations;
- g) All other external materials to be used.

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

Reason: To ensure that all built development would be of a high-quality design standard. In accordance with policy D4 of the London Plan (2021); policy 1.1(h) of Ealing's Development (or Core) Strategy 2012; and policies LV7.4 and 7B of Ealing's. Development Management DPD and Section 12 of the National Planning Policy Framework (2021).

7. Details of Hard and Soft Landscaping

Prior to commencement of landscaping/public realm works, and notwithstanding the indications in the submitted application; details of the hard and soft landscaping works and boundary treatments, pedestrian routes, amenity areas, roof terraces and other areas of public realm including the details of:

- a) Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals. Trees - the location, species and maturity of proposed trees; including comprehensive details of ground/tree pit preparation to include but not restricted to:
 - Plans showing adequate soil volume provision to allow the tree to grow to maturity;
 - Engineering solutions to show how the tree will not interfere with structures in the future
 - Staking/tying methods
- b) biodiversity measures such as bird and bat boxes or any other measures to be installed;
- c) Details of the green/brown roof construction and specification, together with a maintenance schedule.
- d) finishes to all hard-surfaced areas (including samples);
- e) boundary treatments and access gates;
- f) associated furniture (including bins, bollards, seating, planters) and other hard landscape works
- g) disabled access

h) security measures

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

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies D4 and D5 of the London Plan (2021) Section 12 of the National Planning Policy framework (2021).

8. Details of play spaces

Prior to commencement of landscaping/public realm works, and notwithstanding the indications in the submitted application details of the proposed play spaces including:

- a) a specification of all play equipment to be installed including provision for children with disabilities and special sensory needs;
- b) a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas.

The development shall be carried out in accordance with the details so agreed prior to the occupation of the development and shall be retained as such thereafter.

Reason: To ensure that the development makes appropriate provision for play and informal recreation in accordance with Policy S4 of the London Plan (2021).

9. Landscape management plan

Prior to the occupation of the development hereby approved, a landscape management plan for the development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including all proposed trees, shrubs and hedgerows over a minimum period of 5 years from the implementation of the final planting scheme shall be submitted to and approved in writing by the Local Planning Authority and be implemented as approved from the date of completion of the landscaping scheme.

Reason: In the interests of the proper maintenance of the site and to ensure that the quality of the public realm and the setting of the listed building is appropriately safeguarded and that that access is maintained for disabled people and people with pushchairs, in accordance with G4, G5 and G7 of the London Plan (2021), Policies 1.1(e), (g) and (h), 1.2 (d) and (f), and 2.10 of the Development (Core) Strategy (2012), Table 7D.2 of Ealing's Development Management DPD.

10. Delivery and Servicing Plan

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

- Vehicle tracking - Swept paths drawings for a refuse lorry vehicle, 10-metre rigid vehicle and a fire appliance vehicle;
- Deliveries and collections; including how deliveries will be scheduled to avoid several lorries arriving at the site simultaneously;
- Servicing trips (including maintenance); and measures to reduce the number of freight trips to the site (freight consolidation);

- Cleaning and waste removal; including arrangements for refuse collection;
- Monitoring and review of operations.

The Delivery and Servicing Plan shall be implemented on first occupation of any part of the development hereby approved and the site shall be managed in accordance with the approved plan for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policy T7 of the London Plan (2021).

11. Ventilation Strategy

Prior to the commencement of the superstructure works, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for residents shall be submitted to and approved by the Local Planning Authority. The report will contain details for a scheme for providing fresh air ventilation to all dwellings in Building A, B and C, the supply to be provided from the rear of the building.

The report shall also include the following information:

- a) Details and locations of the ventilation intake locations for all floors
 - b) Details and locations of ventilation extracts locations for all floors
- The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained

Reason: To minimise exposure to existing poor air quality, and provide a suitable internal living environment for future occupiers, in accordance with policy SI 1 of the London Plan 2021, policy 1.1(j) of the Ealing Development Strategy 2026 DPD (2012); and policy 7A of the Ealing Development Management DPD (2013).

12. Air Quality and Dust Management Plan

Prior to commencement of any works onsite, an Air Quality and Dust Management Plan (AQDMP) shall be submitted for the approval of the Local Planning Authority. The AQDMP will be based on the findings of Air Quality (Dust) Risk Assessment provided in the report titled "CLOISTER CORNER Air Quality Assessment" dated September 2022. The AQDMP will provide a scheme for air pollution mitigation measures based on the findings of the Air quality report.

The plan shall include:

- a) Dust Management Plan for Demolition Phase
- b) Dust Management Plan for Construction Phase

The applicant shall contact the council's pollution technical team about the installation of air quality monitors on site and always provide direct access to monitoring data for the duration of the project. The monitors shall be installed on site at least 4 weeks prior to any site clearance and demolition to provide baseline data and shall be maintained on site until first occupation of the development hereby approved. Direct access to monitoring data will be always provided. The Air Quality Dust Management Plan shall be implemented on commencement of any works on site and the site shall be managed in accordance with the approved plan for the duration of the construction.

Reason: In the interests of the amenity of adjoining occupiers and to minimise particulate matter associated with construction works in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012, policy 7A of the Ealing Development Management Development Plan (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

13. Non Road Mobile Machinery

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

Reason: To safeguard adjoining occupiers of the development against unacceptable noise, disturbance and emissions, policies 1.1(j) of the Ealing Development (Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing's Development Management DPD (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

14. Air Quality Assessment

Prior to the commencement of the development, a revised Air Quality Assessment shall be submitted to and approved by the Local Planning Authority. The revised assessment will detail the impact of any fixed plant proposed onsite including emergency generators, likely change in pollutant concentrations arising from the proposed development, and proposed mitigation measures. The development shall be carried out in accordance with the approved details. The emergency plant and generators may be operated only for essential testing, except when required in an emergency situation.

Reason: In the interests of the amenity of existing and future occupiers and to minimise particulate matter associated with construction works in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012, policy 7A of the Ealing Development Management Development Plan (2013) and policy SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

15. Site Investigation

Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within the approved desk study phase 1 report - **Buro Happold report 0050746 version 03 BHE-XX-XX-RP-CG-0001**) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors up dated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

16. Remediation Scheme

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

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

17. Verification Report

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

Reason: To ensure the land contamination issues are addressed in accordance with National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

18. Transport/commercial/industrial/cultural noise sources

- A. Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of the sound insulation of the building envelope including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) having regard to the assessment standards and internal noise limits specified in the Council's SPG10 and BS8233:2014. Best practicable mitigation measures shall also be implemented in external amenity spaces to achieve criteria of BS8233:2014.
- B. Where required, a post completion sound assessment shall be carried out prior to the first occupation of the hereby approved development, to confirm compliance with the noise criteria set out in Part A of this condition and details, including any mitigation measures, shall be submitted for the Council's approval. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

19. Ground and airborne building vibration from road traffic

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of building vibration levels and re-radiated vibration noise generated by road traffic and effective mitigation measures where necessary. The criteria to be met and the assessment method shall be as specified in BS 6472:2008. Details shall demonstrate that building vibration will meet a level that has low or no probability of adverse comment. No part of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by ground- or airborne vibration, in accordance with policy D14 of the London Plan,

Ealing Local Variation to Policy 7A of Ealing Development Management DPD (2013) and Ealing SPG 10: 'Noise and Vibration'.

20. Separation of noise sensitive rooms in neighbouring flats

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of an enhanced sound insulation value of at least 5dB above the maximum Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings/areas, eg. kitchen/living/dining/bathroom /circulation space above/ below/ adjoining bedroom of separate dwelling. The assessment and mitigation measures shall have regard to standards of the Council's SPG10 and noise limits specified in BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the internal environment of the development and living conditions of occupiers of nearby properties and future occupiers of the site, in accordance with Interim Supplementary Planning Guidance 10, policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

21. Separation of communal uses and facilities from dwellings

Prior to commencement of the development, (excluding demolition, initial site clearance and ground works), details shall be submitted to the Council for approval in writing, of an enhanced sound insulation value of at least 10dB/ 15dB/ 20dB, as necessary, above the Building Regulations value for residential use, of the floor/ ceiling/ walls separating plant rooms/installations/ communal areas and facilities including bin/bike storage, gym, etc. from dwellings. Where noise emissions include characteristic features, the Noise Rating level should not exceed NR20 Leq 5mins (octaves) inside habitable rooms. Details shall include the installation method and materials of separating structures and, where necessary, additional mitigation measures and the resulting sound insulation value and internal sound level. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the occupiers of the above residential premises, in accordance with Interim Supplementary Planning Guidance 10, policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management DPD (2013), policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021).

22. Lifts Noise Insulation

Prior to installation of any lifts, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of lifts and lift shafts, in accordance with noise limits specified in Table 5 BS8233:2014. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins inside a habitable room. Details shall include mitigation measures and the resulting sound insulation value and internal sound/rating level. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policy D14 of the London Plan (2021).

23. Gym -Sound insulation and anti-vibration measures

Prior to commencement of the fit out of the residents gym, an acoustic report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the gym from adjoining commercial and/or residential premises or parts of the development;
- anti-vibration fittings and/or other mitigation measures required for the isolation of exercise equipment, loudspeakers and floors for use by group exercise classes, weights, machines;
- details to demonstrate that noise from the use of the gym including music, instructor's voices, group exercise classes, activities and use of equipment does not exceed
 - NR25 Lmax(fast) from structure borne / impact noise
 - NR20 Leq,5min from general airborne activity noise (including music)

within adjoining or nearby premises. The assessment and mitigation measures shall be based on standards of the Council's SPG10. Approved details shall be implemented prior to use of the gym and thereafter be permanently retained.

Reason: In the interests of the living conditions of future occupiers of the site, in accordance with policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), and policy D14 of the London Plan (2021), and the National Planning Policy Framework (2021)

24. External doors and windows to gym to remain shut

The use as a resident gym shall not commence until all external doors to the gym have been fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows to rooms where noise, smell, smoke or fumes may be emitted, be fixed in an open position during the emission of noise.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise /odour /smoke /fumes, in accordance with policies D14 and SI 1 of the London Plan (2021), policies 1.1(j) of the Ealing Development (or Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing Development Management Development Plan Document (2013).

25. External noise from machinery/equipment/extract/ventilation ducting

The individual and combined external sound level emitted from plant, machinery or equipment at the development site shall be lower than the lowest existing background sound level by at least 10dBA, as measured at/ calculated to the nearest and most affected noise sensitive premises at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014 +A1 2019, with all machinery operating together at maximum capacity.

Reason: To safeguard future and existing occupiers of the area against unacceptable noise and disturbance, in accordance with policy D14 of the London Plan (2021), policies 1.1(j) of the Ealing Development (or Core) Strategy (2012), Local Variation policy 3.5 and policy 7A of Ealing Development Management Development Plan Document (2013).

26. Anti- vibration mounts and silencing of machinery etc.

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Policy

D14 of the London Plan (2021), Ealing Local Variation to Policy 7A of Ealing Development Management DPD (2013) and Ealing SPG 10: 'Noise and Vibration'.

27. Floodlights, Security lights and Decorative External Lighting

External artificial lighting at the development shall not exceed the vertical illumination lux levels at neighbouring premises that are recommended for Environmental Zone 3 by the Institution of Lighting Professionals in the 'Guidance Note 01/20 For The Reduction Of Obtrusive Light'. Lighting should be minimized by limiting the hours of use. Glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site, in accordance with policies policy 1.1 (j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework (2021).

28. Secured by Design

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

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

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

Reason: To ensure that opportunities to commit crime are reduced, particularly in relation to the approved apartment buildings that contain shared core entrances that serve more than eight dwellings; and in order that the new buildings incorporate appropriately designed security features, in accordance with policy D11 of the London Plan (2021).

29. Cycle Parking

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

Reason: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policy T5 of the London Plan (2021), policies 1.1(g) of the adopted Ealing Development Strategy (2012) and section 9 of the National Planning Policy Framework (2021).

30. Travel Plan

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

Reason: To promote sustainable patterns of transport to safeguard the living and working conditions of local people and in the interest of highway and pedestrian safety, in accordance with section 9 of the

National Planning Policy Framework (2021), policies T2, T3, T4 of the London Plan (2021) and policies 1.1 (f) (g) of Ealing's Development (Core) Strategy 2026.

31. Accessible Housing

10% of the approved residential dwellings shall be designed and constructed to meet Approved Document M (Volume 1: Dwellings), Part M4(3) (Wheelchair user dwellings) of Building Regulations 2015, or other such relevant technical standards in use at the time of the construction of the development.

Reason: To ensure the provision of wheelchair housing in a timely fashion that would address the current unmet housing need; produce a sustainable mix of accommodation; and provide an appropriate choice and housing opportunity for wheelchair users and their families, in accordance with the objectives of policy D7 of the London Plan (2021); and policy 1.1(h) of the Ealing Development (or Core) Strategy 2012.

32. Sustainable drainage

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

Reason: To reduce the risk of the flooding of the application property, neighbouring properties, and local area in accordance policies S112 and S113 of the London Plan (2021).

33. Water Supply (Thames Water)

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

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

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

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

34. Piling Method Statement

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

consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

35. Water Efficiency for Residential units

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

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

36. Energy and CO₂

- a) Prior to construction completion and occupation, the Development shall implement and maintain, and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO₂ emissions of at least 63.38% (equating to 180 tonnes of CO₂ per year) beyond Building Regulations Part L 2021 and using SAP10.2 conversion factors. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Quinn Ross in February 2023 (version 5) including:
- i. Lean, energy efficiency design measures (excluding ASHP) to achieve an annual reduction of at least 24.96% equating to at least 70.88 tonnes in regulated carbon dioxide (CO₂) emissions over Part ADL 2021.
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 53.75 kWp, and Air Source Heat Pumps to achieve an annual reduction of at least 38.42%, equating to 109.12 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2021.
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the communal ASHP distribution loop (including the heat generation and the electrical parasitic loads of the heat pumps), in line with the Council's monitoring requirements.
- b) Prior to Installation, details of the proposed renewable energy equipment, and associated monitoring devices required to identify their performance, shall be submitted to the Council for approval. The details shall include the communal heat distribution loop schematics, the exact number of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the renewable energy installation contractors, and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

- c) On completion of the installation of the renewable energy equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) Within three months of the occupation/first-use of the development a two-page summary report prepared by a professionally accredited person comparing the “as built stage” TER to BER/DER figures against those in the final energy strategy along with the relevant Energy Performance Certificate(s) (EPC) shall be submitted to the Council.

Reason: In the interest of addressing climate change and to secure environmentally sustainable development in accordance with policies SI2 and SI3 of the London Plan (2021), and the relevant guidance notes in the GLA Energy Assessment Guidance 2020, policies LV5.2 and 7A of Ealing’s Development Management DPD 2013, and policies 1.1(k) and 1.2(f) of Ealing’s Development (Core) Strategy 2012.

37. Overheating and Cooling

Prior to commencement of the superstructure an Overheating and Cooling analysis report shall be submitted to the Council for approval. The dynamic analysis shall be compliant with the relevant CIBSE guidance Part O (domestic TM59/Guide A), and/or TM52 (non-domestic), and modelled against the TM49 DSY1 (average summer) weather data file, as well as the more intense DSY2 (2003) and DSY3 (1976) data files for TM59 criteria (a) and (b). The Overheating/Cooling report shall propose active and passive measures to be incorporated into the development to minimise the risk of overheating and meet DSY1 modelling.

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy SI4 of the London Plan; Ealing’s Development (Core) Strategy, and Development Management DPD.

38. Post-construction renewable/low-carbon energy equipment monitoring

In order to implement Ealing Council DPD policy E5.2.3 (post-construction energy equipment monitoring), and key parts of London Plan policy SI2 (“be Seen”), the developer shall:

- a) Enter into a legal agreement with the Council to secure a S106 financial contribution for the post-construction monitoring of the renewable/low carbon technologies to be incorporated into the development and/or the energy use of the development as per energy and CO₂ Condition(s).
- b) Upon completion of the development, the agreed suitable devices for monitoring the performance/efficiency of the renewable energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of four years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council’s chosen AEMP supplier (Energence Ltd) on commencement of construction to facilitate the monitoring process.
- c) Upon final completion of the development the managing agent will no later than 6 months following completion submit to the Council proof of a contractual arrangement that provides for the ongoing, commissioning, maintenance, and repair of the renewable energy equipment for an annual period of four years from the point that the building is occupied and the equipment fully operational. Any repair or maintenance of the energy equipment must be

carried out within one month of a performance problem being identified, or as soon as reasonably possibly thereafter.

Reason: To monitor the effectiveness and continued operation of the renewable/low carbon energy equipment in order to confirm compliance with energy policies and establish an in-situ evidence base on the performance of such equipment in accordance with London Plan (2021) policy SI2 (“Be Seen” stage of the energy hierarchy), Ealing's Development (Core) Strategy 2026 (3rd April 2012) and Development Management DPD policy 5.2, E5.2.3, and Policy 2.5.36 (Best Practice) of the Mayor's Sustainable Design & Construction SPG.

39. Post-construction energy use monitoring (“be Seen”)

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

- a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the ‘be seen’ energy performance indicators, as outlined in Chapter 3 ‘Planning stage’ of the GLA ‘Be seen’ energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the ‘Be seen’ energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being handed over to a new legal owner, if applicable, the legal Owner is required to provide updated accurate and verified estimates of the ‘be seen’ energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 ‘As-built stage’ of the GLA ‘Be seen’ energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA’s monitoring portal. In consultation with the Council’s chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 ‘In-use stage’ of the GLA ‘Be seen’ energy monitoring guidance document.
- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 ‘In-use stage’ of the GLA ‘Be seen’ energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA’s monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 ‘In-use stage’ of the GLA ‘Be Seen’ energy monitoring guidance document for at least five years.
- d) In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner should use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the ‘be seen’ spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority. The measures approved by the Local Planning Authority should be implemented by the legal Owner as soon as reasonably practicable.

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

40. Whole Life-Cycle Carbon Assessment

- a) The development shall be implemented in accordance with the submitted and approved Whole Life Carbon Assessment.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk.

The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI2(F) of the London Plan.

41. Circular Economy

- a) Prior to completion of construction of the permitted development a Circular Economy Statement Post Completion Report should be completed accurately and in its entirety in line with the GLA's Circular Economy Statement Guidance (or equivalent alternative Guidance as may be adopted).
- b) The specific commitments detailed in the Circular Economy statement produced by Quinn Ross in September 2022 (v1), and accompanying Logistic Plans, should be implemented including; diverting 95% of construction waste from landfill, and putting 95% of excavation materials to beneficial on-site use. Reason: In the interests of sustainable waste management and in order to maximise the appropriate re-use and recycling of materials in line with London Plan Policy D3 (Optimising site capacity), SI7 (Reducing waste), SI2 (Minimising greenhouse gas emissions).

Reason: In the interests of sustainable waste management and in order to maximise the appropriate re-use and recycling of materials in line with London Plan Policy D3 (Optimising site capacity), SI7 (Reducing waste), SI2 (Minimising greenhouse gas emissions).

42. Fire Statement and Evacuation Lifts

The development shall be carried out in accordance with the approved Fire Statement 1 and Fire Statement 2 documents prepared by Ashton which demonstrate that the development proposal or building will function in terms of:

1. The building's construction: methods, products and materials used, including manufacturers' details;
2. The means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach;
3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;
4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and

lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these; and

5. How provision will be made within the site to enable fire appliances to gain access to the building; and

Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

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

43. Lift Installation

No part of the proposed development hereby approved shall be occupied until the relevant lifts within the building have been commissioned and are ready for use.

Reason: In the interests of the amenities of future residents and users of the building.

44. No masts/satellite dishes or external equipment

No microwave masts, antennae or satellite dishes or any other plant or equipment shall be installed on any elevation of the buildings hereby permitted without the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To safeguard the appearance of the buildings and the locality in the interests of visual amenity policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), policies D1 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

45. Refuse Storage

Each of the refuse and recycling storage facilities hereby approved for the residential development shall be implemented and operational before the first occupation of the relevant residential section they would serve, and permanently retained thereafter.

Reason: In the interests of the adequate disposal, storage and collection of waste and recycling, to protect the living conditions of occupiers of the area and in the interests of highway and pedestrian safety all in accordance with policies policies 1.1 (e) and 6.1 of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies SI7 and SI8 of the London Plan (2021) and the National Planning Policy Framework (2021).

46. Archaeology

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

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

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI

Reason: To ensure that any heritage assets of archaeological interest that may survive on the site are secured and that an archaeological investigation and the subsequent recording of the remains prior to development is secured, in accordance with Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2021); policy HC1 of the London Plan (2021) and policy 1.1(h) of Ealing's adopted Development (or Core) Strategy 2012

47. Estate Management Strategy

Prior to the first occupation of the development hereby approved, an overall management strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include details of the following:

- Security - to include design, location and details of CCTV and associated equipment, security lighting, design, well lit safe routes
- Details of the public route through the site including details of the hours the route will be open and the location of signage relating to the public route
- Details of the concierge including hours of operation details of relating to the receipt and management of deliveries
- Disabled access
- Maintenance and cleaning of all external areas of the estate

The development shall be managed in accordance with the approved strategy for the life of the development or as otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the proper maintenance, safety and security of the site and to ensure that the quality of the public realm and the setting of the listed buildings is appropriately safeguarded and that that access is maintained for disabled people and people with pushchairs, in accordance with policies D5, D6 and D11 of the adopted London Plan (2021), policies 1.1(e), (g) and (h), 1.2 (d) and (f), and 2.10 of the adopted Ealing Development (and Core) Strategy (2012), policies 6.13 and 7.3 of the adopted Ealing Development Management DPD (2013).

INFORMATIVES

The decision to grant planning permission has been taken having regard to the policies and proposals in National Planning Policy Guidance, the London Plan (2021), the adopted Ealing Development (Core) Strategy (2012) and the Ealing Development Management Development Plan Document (2013) and to all relevant material considerations including Supplementary Planning Guidance:

National Planning Policy Framework (2021)

London Plan (2021)

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need
GG5 Growing a good economy
GG6 Increasing efficiency and resilience
D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D9 Tall buildings
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H7 Monitoring of affordable housing
H10 Housing size mix
S4 Play and informal recreation
HC1 Heritage conservation and growth
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations

Supplementary Planning Guidance /Documents

Accessible London: achieving an inclusive environment
Mayor's Sustainable Design and Construction SPD April 2014
The Mayor's transport strategy
The Mayor's energy strategy and Mayor's revised Energy Statement Guidance April 2014

The London housing strategy

The London design guide (interim edition) (2010)

Draft shaping neighbourhoods: Children and young people's play and informal recreation (2012)

Planning for equality and diversity in London

Housing - Supplementary Planning Guidance (2012)

Housing SPG (March 2016)

Energy Planning (March 2016)

Children and Young People's Play and Informal Recreation SPG (September 2012)

Crossrail Funding: Use of Planning Obligations and the Mayoral Community Infrastructure Levy SPG (March 2016)

Affordable Housing & Viability- Supplementary Planning Guidance (2017)

Ealing's Development (Core) Strategy 2026 (2012)

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)

1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)

5.5 Promoting parks, local green space and addressing deficiency (b) and (c)

6.1 Physical infrastructure

6.2 Social infrastructure

6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential

Ealing local variation to London Plan policy 3.5: Quality and design of housing development

Policy 3A: Affordable Housing

Policy 4A: Employment Uses

Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions

Ealing local variation to London Plan policy 5.10: Urban greening

Ealing local variation to London Plan policy 5.11: Green roofs and development site environs

Ealing local variation to London Plan policy 5.12: Flood risk management

Ealing local variation to London Plan policy 5.21: Contaminated land

Ealing local variation to London Plan policy 6.13: Parking

Policy 7A : Operational amenity

Ealing local variation to London Plan policy 7.3 : Designing out crime

Ealing local variation to London Plan policy 7.4 Local character

Policy 7B : Design amenity

Policy 7D : Open space

Reg18 Local Plan (2022)

DAA: Design and Amenity

D9: Tall buildings

HOU: Affordable Housing

G4: Open Space

G5: Urban Greening

CO: Carbon Offsetting

Adopted Supplementary Planning Documents

Sustainable Transport for New Development

Interim Supplementary Planning Guidance/Documents

SPG 3 Air quality

SPG 4 Refuse and recycling facilities (draft)

SPG 10 Noise and vibration

In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. Consideration was also given to highways, and the provision of adequate living conditions for occupiers. The proposal is considered acceptable on these grounds, and it is not considered that there are any other material considerations in this case that would warrant a refusal of the application.

1. Permitted hours for building work

Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays.

2. Neighbour liaison and display of contact details

At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works. Updates of work should be provided regularly to affected neighbours. A considerate complaints procedure should address all complaints promptly.

3. Dust

Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition.

4. Dark smoke and nuisance

No waste materials should be burnt on site of the development hereby approved.

5. Noise and Vibration from demolition and construction (piling, concrete crushing, drilling, excavating, etc.)

Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-1 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.

6. Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for archaeological Projects in Greater London. The relevant condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

7. If a crane is required for construction purposes, then red static omnidirectional lights will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.
<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>
8. Where a crane is 100m or higher, crane operators are advised to notify the CAA (arops@caa.co.uk) and Defence Geographic Centre (dvof@mod.gov.uk). The following details should be provided before the crane is erected:
 - the crane's precise location
 - an accurate maximum height
 - start and completion dates