

Ref: 223774FUL

Address: 9-42 The Broadway and 1-4 Haven Place Ealing London W5 2NP

Ward: Ealing Broadway

Proposal: Partial demolition, refurbishment and development to provide between 2 and 21 storey office-led mixed-use scheme with flexible retail, restaurant and cafe uses, a music venue and leisure use at lower levels, with a new area of landscaped public realm and pedestrian route and other associated works.

**Drawing Numbers/
Plans/Reports:** See Appendix 1, Condition 2.

Type of Application: Full Application

Application Received: 26 August 2022 **Revised:** 14 February 2023

Report by: Wade Banks

Recommendation: Having taken into account all environmental information received by the Council under the Environmental Impact Assessment (EIA) process and giving full consideration to the environmental impacts of the proposed development, it is concluded that the proposed development is in accordance with the development plan taken as a whole and that there are no other material considerations that should outweigh the granting of planning permission and it is recommended that the Committee resolve to approve the proposed development subject to conditions, completion of a Section 106 agreement, and the Stage 2 referral to the Mayor of London.

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EXECUTIVE SUMMARY:

The application Site is located at 9-42 The Broadway and 1-4 Haven Place, in Ealing Broadway, W5 2NP. The Site is bounded by train lines to the north and Haven Green beyond, Ealing Broadway station to the east and The Broadway and Ealing Broadway Shopping Centre to the south. The Broadway runs along the site to the east and south while immediately adjacent on the sites western side is the Arcadia Shopping Centre separated by a narrow pedestrian walkway, known as Haven Place, that runs directly around the western and northern edges of the site.

The application site is predominantly built-up with a mixture of two and three storey commercial retail buildings to the south and east perimeter and supporting buildings to the centre and rear of the site. There are also four private terraced houses located to the west of the site, accessed off Haven Place.

The site is covered by several site designations, including the following:

- Ealing Town Centre Conservation Area
- Ealing Metropolitan Town Centre
- EAL3b – Brownfield Land Register
- EAL 3 - Arcadia Centre – Allocated Site
- Primary Shopping Frontage
- Park Deficiency Area.

The site is also located within close proximity to the following heritage assets:

- Haven Green Conservation Area
- Ealing Common Conservation Area
- Christ the Saviour Parish Church is a Grade II* Listed Building
- The National Westminster Bank Grade II Listed Building
- Ealing Broadway Methodist Church (Now Closed) and Memorial Hall Grade II Listed Building
- Ealing Town Hall Grade II Listed Building
- Pitzhanger Manor Group, comprising the Ealing Common Conservation Area, Entrance Archway and Gates at Pitzhanger Manor (Grade II Listed Building) Pitzhanger Manor (public library (Grade I Listed Building); Lodge at Pitzhanger Manor at Northeast end of Park (Grade II Listed Building); Ealing War Memorial (Grade II

Listed Building); and Walpole Park Registered Park and Garden of Special Historic Interest (Grade II)

- 7 The Mall Grade II Listed Building
- 62 The Mall Local Heritage Asset
- Numbers 27, 29 & 35 The Broadway 'Buildings of Façade or Group Value'
- North Star Public House Local Heritage Asset

The applicant seeks planning consent for the proposed '*Partial demolition, refurbishment and development of the site to provide an office-led mixed-use scheme with flexible retail, restaurant and café uses, a music venue and leisure use at lower levels, with a new area of landscaped public realm, pedestrian route and other associated works*'.

The redevelopment of the site is proposed to accommodate a mixed-use scheme comprising office (Class E(g)(i)), retail (Class E(a)), flexible F&B (Class E(b)) and leisure (Sui Generis, Class E(b) & Class E(d)), within new and existing buildings.

Existing buildings would be demolished as part of the redevelopment of the site including Nos 17-19, 20-24, 30-34, 36, 37, 38, 39, 40, 41 and 42 The Broadway and 1-4 Haven Place. The main structure of Nos 9/9a, 10, 11, 12, 13, 14, 15-16, 25, 26, 27, 28, 29 and 35 The Broadway would be retained, however as part of their refurbishment their existing shop frontage/signage would be demolished.

The proposed 'Broadway Connection Building' would provide for office (Class E(g)(i)), F&B (Class E(b)) and leisure (Sui Generis, Class E(b) & Class E(d)) floorspace. The height of the main building volume would be ground + 9 storeys with a set-back storey at level 10. A 20-storey upper volume to the north-west corner would provide further office (Class E(g)(i)) floorspace. A new public realm would be provided between the rear of 25-29 The Broadway and the new development to the north of the site.

The proposed scheme has been through a comprehensive pre-application process with the Council, the GLA, Historic England, the Councils Design Review Panel and Community Review Panel. In addition to this, the applicant undertook their own comprehensive community engagement process. This process is outlined in the submitted Statement of Community Involvement (SCI) prepared by London Communications Agency. The SCI summarises the context and history of consultation around the proposals for the Site. The SCI outlines the consultation strategy, activities and engagement with stakeholders and notes the feedback received and the Applicant's response to this feedback.

The most common concern or objection raised by respondents related to the height of the tallest element, which they felt was too tall at 21 storeys. The second most common concern or objection by respondents related to the architecture of the building, and that it was not in keeping with the surrounding area and character. Others noted that there was a lack of amenities proposed, and that they would prefer to see this space used for community facilities or an NHS health centre. Some respondents opposed the proposed use of this site for office space as they felt that demand had fallen after the pandemic.

The proposal has been assessed in terms of its potential impact on the area, on the amenities of the occupiers of neighbouring development, taking into account the relevant development plan policies for the area, ES assessment and considerations of the localised impacts of the development, and all other material considerations.

The proposed development does not fall within any of the categories listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and therefore legislatively does not technically require an EIA. However, due to the sensitivity of the environment and the characteristics of the proposed development, the applicant committed to voluntarily undertake an EIA of the Proposed Development which would be documented in an Environmental Statement (ES). The Environmental Statement was made available for public review on the Council's website.

The submitted ES has been independently assessed by the Council's appointed experts the Temple Group. Temple Group have undertaken a full review of the ES in accordance with The Institute of Environmental Management's (IEMA's) Quality Mark ES Review Criteria. The review has also taken into account the Planning Practice Guidance in relation to EIAs, and the agreed scope of the EIA.

The review process involved Temple collating their findings and issuing to the applicant a list of clarifications which they were invited to respond to, this response was subsequently reviewed, and Temple advised the Council on any mitigation measures required to overcome any harmful impacts identified. Following the review and receipt of additional clarifications Temple Group have been able to close out all issues and where necessary set out details of the further mitigation measures either secured in the scheme design or through relevant planning conditions or through clauses and financial contributions secured via the S.106 agreement. Officers supported by Temple Group consider that the environmental impact including the cumulative impacts of the proposed development have been robustly assessed.

Office space in Ealing Town Centre is sought under policy E2, as well as the site-specific allocation under Site EAL3 (Arcadia Centre). As such, the principle of the proposed mixed-use office-led development is strongly supported within Ealing Metropolitan Town Centre.

The development proposes flexible retail and food and beverage floorspace (Use Class E). The proposed retail floorspace would be provided in a range of different sized units fronting The Broadway and the newly created central courtyard and will accommodate a mix of retailers, cafes, and restaurants. Whilst local policies also seek quantitative increases in retail floorspace, the proposal both increases active frontages and would deliver qualitative improvements to this part of the Town Centre. As such it is considered that the proposal complies with London Plan Policies SD6 and SD7, as well as local policies 2.5, 4B and EAL3.

A gym is proposed at first floor level, with an entrance fronting onto The Broadway (station side). It comprises 748m² GIA of floorspace. Leisure is one of the uses which the London Plan directs to Metropolitan centres (Policy SD8). At the local level Core Strategy Policy 2.5 encourages leisure development to help regenerate Ealing Town Centre. The allocation covering the site EAL3 also includes leisure within the list of uses are acceptable.

The proposed new music venue would be more than double the size of the existing on site at 445m² GIA (the existing nightclub operated by The Red Room is 197m² GIA). The replacement of the music venue would enable The Ealing Club to become re-established on site and is therefore supported by London Plan Policy SD6 and local policy 2.5.

It is noted that as part of the proposed re-development of this site, the existing terrace of four houses, along the western boundary of the site fronting onto Haven Place, would be lost.

Both local and London Plan policies generally resist the loss of existing housing unless it is being replaced as part of the proposal. However, in this case it has been concluded that the loss of residential accommodation is acceptable, given the limited number of units being lost (with only 1 being occupied), the quality of this accommodation being poor, the inability to appropriately re-provide this accommodation in the scheme, the policy requirement and need to direct major office development to this part of the town centre and the significant loss of office floor space to residential use (through permitted development rights) elsewhere in the borough.

Given all of the above, The Broadway Connection proposals are strongly supported in policy terms, both for the nature and mix of uses, which will support and strengthen Ealing Metropolitan Town Centre, and the scale and critical mass of the proposed office space. These proposals come at a crucial time and directly address historical weaknesses in Ealing's office market at precisely the point that existing provision must either be replaced or transition to other uses.

As part of the benefits offered by the proposal, affordable workspace is proposed to be provided within the existing and new frontage buildings along The Broadway. The applicant has committed to provide two main types of affordable workspace on site at two different locations within the site. Together, these office units would provide a total of 1,489sqm NIA, which equates to 5.5% of the total office development being proposed as affordable workspace, for a 15-year period. The discounts offered would range from 15% to 60% of market rent. Despite not being in full compliance with the Ealing Draft Local Plan policy due to the level of discounts offered, it is important to note that the discounts offered would still be of significant benefit for small and start-up businesses, overall complying with the spirit of the draft policy. The affordable workspace provision is considered to be a significant benefit of the proposal.

The proposed development would result in the creation of new pedestrian routes and improved retail street frontage to The Broadway. The bulk of the height and massing of the proposed buildings would be located towards the north of the site, away from The Broadway and closer to the railway lines. The development consists of two main volumes that interlock and are separated by a metalwork and glazed element, creating a pavilion storey at level 10. Large areas of green space, green roofs, and green walls are located across all roof areas and at steps between volumes. The lower volume of the development is designed with a precast, "mineral" material, and the upper volume is expressed with a lighter weight, more reflective facade. The proposed massing strategy and design treatment of each building component part are intended to address the site context, site constraints, and overall design strategy.

The proposed design strategy focuses on retaining, refurbishing, and extending some of the existing buildings on the site that contribute positively to the street scene and character of the conservation area. Modern and coherent shop fronts would be added where appropriate. The retention, refurbishment and then appropriate extension of these buildings would enhance the quality and functionality of the Primary Shopping Frontage within the Ealing Town Centre Conservation Area and dramatically improve the appearance of the street scene along The Broadway. The proposed development incorporates a range of carefully selected materials to complement the character and detailing of the surrounding Conservation Area, and the landscaping plans aim to create a large central courtyard, roof terraces, and green walls that would enhance the site's visual appeal and offer attractive areas for the public and office

occupants to enjoy. The proposed development therefore aligns with the relevant design policies of the local Development Plan, including London Plan Policies D3, D4, D8, and G5.

As the proposed development would be 21 storeys (policy D9) and would be substantially taller than its neighbours, it is considered to be a tall building in policy terms. Further to this, both the Councils current and emerging Local Plan has identified this site as appropriate for a tall building. Site allocation EAL3 of the Development Sites DPD (2013) states that this site is considered in principle an appropriate location for a tall building. Similarly, site allocation EA01 of Ealing's Draft Local Plan (Reg 18) states that this site falls within an area potentially appropriate for tall buildings. Therefore, the proposal complies with the criteria set out in policy D9(B) of the London Plan (2021) in regard to its location.

Part C of policy D9 then goes on to state that development proposals (for tall building in this context) should address the visual impact, functional impact, environmental impact and cumulative impacts of the proposed tall building. Therefore, the proposal has been assessed in accordance with its compliance with policy D9 of the London Plan. In summary, sufficient information has been provided to demonstrate that consideration has been had to the various impact of the proposed tall building, and subsequently demonstrate compliance with the overall aims and objectives of policy D9 of the London Plan (2021).

The impact of the proposed development upon the identified significance of the relevant heritage assets has been made in accordance with the relevant statutory duties, planning policy framework and best practice guidance/ advice. The submitted Heritage Statement considers both significant and insignificant effects of the proposed development (in EIA terms) on the heritage significance of the relevant built heritage assets. This report concludes that the significance of the following built heritage assets would be sustained by the proposed development:

- The Ealing Common Conservation Area.
- Entrance Archway and Gates at Pitzhanger Manor (Grade II Listed Building).
- Pitzhanger Manor (public library (Grade I Listed Building).
- Lodge at Pitzhanger Manor at Northeast end of Park (Grade II Listed Building).
- Ealing War Memorial (Grade II Listed Building).
- Walpole Park Registered Park and Garden of Special Historic Interest (Grade II).
- Ealing Town Hall (Grade II Listed Building).
- No.7 The Mall (Grade II Listed Building).
- The North Star Public House, No.43 The Broadway (Local Heritage Asset)
- No.62 The Mall (Local Heritage Asset).

In respect of the above, the proposal is consistent with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; paragraphs 197, 199, 203 and 206 of the NPPF and Development Plan policy.

The submitted Heritage Statement and Visual Impact Assessment also find that proposed development would deliver a range of significant heritage benefits derived from the building retention strategy that have been integrated as part of the approach to regenerating this town centre site. The heritage assessment states that those opportunities to 'recover' the authenticity of the retained buildings, including those that contribute positively to the character of the conservation area (such as Nos. 25, 27 and 35), comprise:

- Reinstatement of missing historic features.

- Replacement of detracting modern shopfronts and signage with high-quality examples that integrate with the character of the parent property.
- Removal of existing poor quality and harmful later alterations to recover the significance of the buildings that contribute positively to the character of the conservation area and their contribution to the significance of the conservation area.
- Replacement of buildings that detract from the significance of the Ealing Town Centre Conservation Area with good quality new buildings that better respond to its character or appearance.
- Creation of a new public pedestrian route through the Site allowing for a new appreciation of the revealed rear elevations of Nos.25-29 The Broadway, and the works of targeted and high-quality interventions, which allows for their original form as mid-19th century domestic villas to be more fully understood, while maintaining the legacy of adaptation through the retention of existing openings and creation of contrasting glazing/materials to avoid speculative reconstruction and enabling the activation of this space.

Those works would enhance the significance of the following heritage assets:

- Ealing Town Centre Conservation Area.
- Parish Church of Christ the Saviour (Grade II* Listed Building).
- Ealing Broadway Methodist Church (Now Closed) and Memorial Hall (Grade II Listed Building).
- National Westminster Bank (Grade II Listed Building).
- Numbers 27, 29 & 35 The Broadway (buildings that contribute positively to the character of the conservation area).

Notwithstanding the above-mentioned heritage benefits, in overall terms, the proposal would cause 'less than substantial harm' to the significance of the identified heritage assets through demolition of existing buildings within the application site and/or the visual impacts of the taller elements of the proposed development. This view is shared by both the applicant's heritage consultants and Historic England (albeit there is a differing opinion on the level of harm on the spectrum of 'less than substantial for 2 of the assessed heritage assets). Within this identification of heritage harm, the levels of less than substantial harm can be identified, on the following basis:

- The Ealing Town Centre Conservation Area: between the middle and higher end of the less than substantial harm spectrum.
- The Haven Green Conservation Area: the middle of the less than substantial harm spectrum.
- The Ealing Common Conservation Area: below the middle of the less than substantial harm spectrum
- Parish Church of Christ the Saviour (Grade II* Listed Building): in the middle of the less than substantial harm spectrum.
- Ealing Broadway Methodist Church (Now Closed) and Memorial Hall (Grade II Listed Building): below the middle of the less than substantial harm spectrum.
- National Westminster Bank (Grade II Listed Building): towards the lower end of the less than substantial harm spectrum.
- The Proposed Development would harm the local heritage significance of Nos.27, 29 & 35 The Broadway.
- The proposal would harm the local heritage significance of Nos.27, 29 & 35 The Broadway.

As outlined above, there is clearly a level of harm, caused by the proposed development, that has been identified. This level of harm, in policy terms, has been identified by both the applicant's heritage consultants and Historic England as being 'less than substantial'. Therefore, in accordance with paragraph 202 of the NPPF, this harm needs to be weighed against the public benefits of the proposal including, where appropriate, securing the sites optimum viable use.

In accordance with paragraph 203 of the NPPF, a balanced judgement is required when considering the impact of the development on the significance of a non-designated heritage assets, having regard to the scale of any harm or loss and the significance of the heritage asset. The public benefits of the proposed development and the subsequent planning balance.

The proposed scheme would deliver a range of public benefits, which when taken as a whole would be significant to the local area. For instance, whilst some less than substantial harm to both the Conservation Area and setting of designated Heritage Assets is identified, the proposal also offers a number of important heritage benefits, including:

- The retention of the buildings which contribute most strongly to the character of the Conservation Area
- Improvements to the retained buildings
- Removal of existing elements that detract from the Conservation Area
- Re-provision of improved space for the Ealing Club and relocation of the local blue heritage plaque

The proposal would also provide several transports related public benefits. These include:

- The reduction in the level of on street servicing along the Broadway, including by HGVs.
- The creation of a new pedestrian route through the site which in turn would reduce the level of pedestrian congestion and pitch points along The Broadway.
- The provision of a more attractive and safer route through the site with improved natural surveillance.
- The provision of an improved crossing over The Broadway, with the introduction of a new Toucan crossing, which would better accommodate both pedestrians and cyclists in a safer manner.
- The provision of wider pavements on The Broadway (station side) to be given over to the public realm.

The proposal would provide significant economic benefits to the local area. In summary, these include the following:

- Generation of new jobs and training.
- The proposal would strengthen the economic base of the town.
- The proposal would secure additional tax revenue.
- The proposal would deliver on site affordable workspace.

In addition to the above, the proposal would provide the below additional benefits:

- The creation of a new public space and route through the site.
- The provision of much needed office space, in accordance with the strategic objective of this part of the town centre.
- The proposal optimises the use of a key, accessible and centrally located allocated site within the Town Centre.

- The delivery of qualitative improvement to the retail related uses.
- The provision of enhanced leisure uses.
- The delivery of ecological enhancements.

It is clear from the policy context set out above, that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings and conservation areas. To this end, the harm identified above to designated heritage assets within the wider context of the application site has been given considerable weight in the planning balance.

The regeneration benefits set out above are the components of the planning balance to advance against the acknowledged harm. Having given careful consideration to all the material planning considerations, including that contained in the NPPF and NPPG, GLA and LBE development plans both adopted and to be adopted and taking policy as a whole and in applying the Planning Balance, the conclusion is that this would be a sustainable development in accordance with Framework criteria.

Given the comprehensive assessment of the significance of the asset and the potential harm that may result from the proposed development provided, it has been concluded that where there is identified harm to a designated heritage asset, the level of harm has been assessed as being ‘less than substantial’ in policy terms.

Collectively, the public benefits are considered to have sufficient weight to outbalance the less than substantial harm to the significance of the above designated heritage assets, as well as to outweigh the harm identified to non-designated heritage assets. Therefore, it is considered they would, taking all considerations into account, tip the balance under NPPF paragraph 202 and 203 in favour of the supporting a grant of permission for this positively beneficial development in accordance with the development plan as a whole and having regard to all other material considerations.

The impact of the proposed development on neighbouring amenity has been assessed in terms of its impacts on:

- Daylight/ Sunlight, overshadowing and Solar Glare
- Noise and vibration
- Lighting

Based on the results of the daylight and sunlight, overshadowing and solar glare analysis, it is clear that the development proposals would result in some harm in respect of sunlight and daylight. However, given the sites context, its re-development potential and its location within the heart of the Ealing Metropolitan Town Centre, any significant re-development of the site would be expected to have similar or worse effects. Considered on balance, no unacceptable harm has been identified in respect of the daylight and sunlight amenity to the surrounding residential properties, to the degree that would warrant a refusal in this regard.

In terms of noise and vibration, the submitted Environmental Noise and Vibration Assessment prepared by Sharpes Redmore establishes the existing background sound levels in the vicinity of nearby sensitive noise premises to set appropriate limits for noise egress from the proposed development. Based on an assessment of the results of this assessment, the proposed development is considered compliant with the noise and vibration criteria and would comply

with the relevant noise limits in accordance with London Plan Policy D14 and Core Strategy Policy 1.1 (j).

In terms of external lighting, an External Lighting Statement has been produced by Atelier Ten to detail the external lighting proposals that would be incorporated into the public realm within the central courtyard and the proposed lighting to the private amenity terraces and balconies. This statement concludes that the average luminance of the proposed facades would be below 25cd/m² in accordance with ILP Guidance and that the proposed lux level is significantly below the post-curfew recommendation. Therefore, light trespass into neighbouring windows is well below the recommendations of the ILP and would not impact upon the amenity of local residents in accordance with the Development Management DPD Policies 7A and 7B.

All other matters including environmental health, transport matters and servicing, energy and sustainability have all been assessed and found acceptable.

In accordance with the requirements of Ealing Council's Statement of Community Involvement (2015) and the Town and Country Planning (Development Management Procedure) Order 2015, the application was advertised by site notice and by publication in the Ealing Gazette on 05/10/2022 with the consultation period expiry on 26/10/2021. 120 representations were received, including 114 objections and 6 comments in supporting. Following minor amendments to the scheme a second round of consultation commenced on the 15/02/2023 with the consultation expiry date on 17/03/2023. At the time of publication of this report, a further 95 representations were received, including 88 objections and 7 comments in support. This compares to the applicants own pre-application engagement process, which generated 157 representations, 58 in objection, 73 providing neutral comments, and 26 in support.

The most common themes raised by those objecting to the development during the public consultation period included the following:

- The need for new office, retail and leisure space
- Loss of existing housing stock.
- Lack of affordable workspace provision
- Scale and massing of the development and its impact on the character of the area
- The design quality, including external appearance, materials, and landscaping.
- The impact of the proposal on both designated and non-designated heritage assets
- The daylight and sunlight impacts of the proposal, including overshadowing and glare
- The impact of external artificial lighting
- The wind tunnelling effect of the proposed scheme
- Impact on local air quality
- The impact of the development on local traffic, parking and capacity of local transport

All of the above comments are noted and have formed part of the assessment of this proposal. After thorough consideration of all of the above concerns impacts associated with the proposed development weighed against the public benefits, it has been concluded that the matters raised do not outweigh the recommendation for approval in this case, on balance.

The proposal is consistent with the aims of the relevant adopted policies and documents of the Local Plan, relevant Supplementary Planning Guidance, the National Planning Policy Framework and emerging planning policy documents. As such, the proposed development would accord with the local Development Plan taken as a whole. It is therefore recommended

that the committee GRANT planning permission subject to conditions of consent contained in Appendix A; subject to the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the items set out below; and subject to the Stage 2 Mayoral referral.

RECOMMENDATION

That the committee GRANT planning permission subject to conditions of consent contained in Appendix A; subject to the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the items set out below; and subject to the Stage 2 Mayoral referral.

Heads of Terms for S106 Agreement

Non-Monetary Contributions

1. The developer covenants to submit an 'Affordable Workspace Plan' for approval in writing from the Local Planning Authority (AWP). The AWP shall detail (but not exclusively):
 - The provision of a minimum of 5.5% of the total office floorspace of the development (or 1,955sqm, whichever is greater) to be provided as 'Affordable Workspace'.
 - Details of the degree of market rent discount, demonstrating at a minimum:
 - a) 348sqm of office floorspace within units above 9–16 and 16-19 The Broadway at a discount of 60% market rent for the first year, 40% discount of market rent for the second year and 20% discount of market rent for the third year and thereafter. This space would remain available at these discounted market rents for total period of 15 years.
 - b) 1,122sqm of office space around 35 The Broadway at first, second and third floors at 15% discount of market rents for 15 years.
 - Details on how market rent, and the above discounts are calculated.
 - Details demonstrating the provision of Affordable Workspace for a minimum of 15 years.
 - Details on who would benefit from the Affordable Workspace.
 - Confirmation of the proposed fit out specification, demonstrating that the affordable workspace would be fitted out to the same specification as the rest of the commercial floorspace.
2. The developer covenants to produce a Local Employment & Training Plan (LETP), to be developed with the support of LB Ealing Employment & Skills Officer, which will set out minimum commitments for both construction phase of the development and end user opportunities (full details will be agreed by the terms of the Section 106). This LETP shall include (but not exclusively) a commitment to use reasonable endeavours to ensure that 25% of all vacancies in construction on site are filled by local residents, with priority given to those who are unemployed.

3. The Developer Covenants to pay an ‘Additional Carbon Offset Contribution’ to mitigate any shortfall in the carbon reduction achieved by the proposed “Clean/Green” renewable energy heat pump and PV equipment within three years of the full activation and operation of the renewable/low carbon energy equipment and the monitoring devices specified in the Energy Strategy conditions.
4. The Ealing Club shall be provided with Right of First Refusal for the use of the leisure/entertainment space.
5. The developer shall retain and re-provide the Blue Plaque awarded by Historic England to the Ealing Club on site.
6. The developer shall provide a drinking water fountain for public use on site.
7. The developer shall enter into Section 38/278/94 Agreements with the Local Highways Authority in respect of the relevant highways related matters, including the provision of a toucan crossing and pavement widening.
8. The developer shall secure two Blue Badge disabled car parking spaces off site within the Broadway Shopping Centre Car Park for the sole use of occupiers of the hereby approved office development.

Monetary Contributions

Link Improvements	£200,000 Indexed as a contribution towards link improvements, to implement a new road safety zone on Uxbridge Road between St Leonard’s Road and Hamilton Road / The Mall and to improve the existing pedestrian crossing facilities on Uxbridge Road and all junction improvements of side roads junction with Uxbridge Road. The measures include improving all the pedestrian crossing facilities. The total cost of the total scheme is approximately £950,000. The applicant is requested to contribute only £750,000 towards these measures. Transport will seek £200,000 from other funding sources.	£200,000
Haven Green Gyratory & Ealing Broadway Interchange Improvements	£100,000 Indexed as a contribution towards the implementation of link and junction improvements to The Broadway, Haven Green, B455, Spring Bridge Road, and Uxbridge Road (A4020) of the Haven Green Gyratory. The measures include improvements of the junctions, cycle lanes, pedestrian crossing facilities. The total cost of these measures is approximately £450,000.	£100,000
Area Traffic Calming and Accident Remedial Scheme to the South West of the Development	£20,000 Indexed as a contribution towards strengthening traffic calming and improving pedestrian crossing facilities to the south-west of the development. These roads include Mattock Lane, Bond Street and High Street (B455). The cost of the scheme is approximately £200,000. The measures include entry treatments at the junctions, additional speed tables on the adjacent junctions and improvements for pedestrian crossing facilities.	£20,000
Cycle Infrastructure	£150,000 Indexed as a contribution towards cycle infrastructure improvements near the development, including improvements to the north south and east west	£150,000

	cycle routes. The north and south route is along the Longfield Avenue. There is also proposed cycle links on both sides of Uxbridge Road from Ealing to Shepherd's Bush. The cost of those links on Uxbridge Road between St Leonard's Road and Hamilton Road and Longfield Avenue routes will cost above £1,000,000. This contribution would go towards the Uxbridge Road Corridor Cycle Scheme and adjacent cycle infrastructure schemes.	
Footway improvements	£50,000 Indexed as a contribution towards the replacement of the footways on the north side of Uxbridge Road in front of the application site. The total cost of this measure is approximately £200,000.	£50,000
Parking Stress Mitigation	£25,000 Indexed as a contribution towards the review of the existing controlled parking zone & other waiting and loading restrictions near the development.	£25,000
Travel plan monitoring	£6,000 Indexed for the monitoring and review of the Framework Travel Plan.	£6,000
Bus Shelter Upgrade	A contribution of £75,000 (indexed linked) to be used towards delivering the Bus Stop Infrastructure Improvement Scheme. Improvements could include, but are not limited to, new and/or improved shelters and countdown, bus stop reconfiguring and repositioning.	£75,000
Carbon Offset	Where prior to Occupation of Development the assessment carried out as required by the Energy Strategy conditions shows that the Carbon Dioxide Emission Target cannot be met on site there shall be no Occupation of Development unless and until such time as the Carbon Dioxide Off Setting Sum of £519,062 has been paid to the Council.	£519,062
	In order to confirm full compliance with the relevant Mayor of London and Ealing Council energy policies the Council will require the developer to pay the Index Linked total sum of £11,702 (inclusive of VAT) as a contribution towards the provision (by Emergence Ltd) of the post-construction energy equipment monitoring, comprising: <ul style="list-style-type: none"> a. £8,090 for the automated energy monitoring web-platform and associated officer/consultant time, and b. £3,612 for the cost of the energy monitoring equipment and data processing (4 years). 	£11,702
Air Quality Monitoring	£390,040 Indexed as a contribution towards air quality monitoring and improvement in the area.	£390,040
CCTV Contribution	£40,000 Indexed as a contribution towards providing additional CCTV equipment in the area.	£40,000
	TOTAL FINANCIAL OBLIGATIONS	£1,606,804.00

Table 1: Heads of terms

**Policy SI2 of the London Plan requires new major development to meet zero-carbon standards with at least a 35% CO2 reduction beyond Building Regulations Part L 2013 (or any later version) being achieved onsite. Any shortfall will be met through a S106 carbon offset contribution, not included in the above calculations.*

In addition to the above, the developer shall agree to the payment of the Council's reasonable legal and other professional costs in preparing and completing the agreement. It is noted that all contributions are to be index linked where appropriate.

SITE AND SURROUNDING AREA DESCRIPTION:

The application Site is located at 9-42 The Broadway and 1-4 Haven Place, in Ealing Broadway, W5 2NP. The Site is bounded by train lines to the north and Haven Green beyond, Ealing Broadway station to the east and The Broadway and Ealing Broadway Shopping Centre to the south. The Broadway runs along the site to the east and south while immediately adjacent on the sites western side is the Arcadia Shopping Centre separated by a narrow pedestrian walkway, known as Haven Place, that runs directly around the western and northern edges of the site. The Site location is shown outlined in red below:



Figure 1: Site Location Plan

Key landmarks around the Site include the Grade II listed NatWest Bank Building to the east; and the Grade II* listed Christ the Saviour Church, Ealing Town Hall, and a mixed use residential led development known as Dickens Yard all to the west.



Figure 2: Key Landmarks around the Site

Measuring approximately 5,775 sqm, the site is currently predominantly built-up with a mixture of two, three and four storey commercial retail buildings to the south and east perimeter and

supporting buildings to the centre and rear of the site. There are also four private terraced houses located to the west of the site, accessed off Haven Place.



Figure 3: View from the South West of the Site



Figure 4: View from the South East of the Site



Figure 5: View from the East of the Site

Both pedestrian and vehicular access is possible along The Broadway to the south and the east of the Site. Haven Place is currently a Right of Way for pedestrian access around the

north and west of the site. There is no vehicle access into the site, however there is a ramped vehicle access to the rooftop car park of the adjoining Morrisons' car park on top of the Arcadia Shopping Centre.

The perimeter of the Site along The Broadway to the south and The Broadway (station side) to the east features retail buildings at ground level with the upper floors either unused or used for storage and other ancillary functions. These outlets have grown organically over time with a mixture of retail street frontages.

In terms of connectivity, the site is well served by public transport, resulting in the Site having a PTAL 6b rating, which is the highest possible rating. Fifteen (15) bus services are available within 200m of the Site, with the nearest bus stops located along the southern frontage. Ealing Broadway station entrance is located 35m to the east and provides access to the District and Central Line Underground services and National Rail services towards London Paddington. Crossrail services have now just commenced from Ealing Broadway which provide a new high-speed rail link to Heathrow to the west and Central London to the east.

The site's heritage

The application Site has hosted buildings that have played a part in Ealing's cultural heritage of theatre and music. These included two principal venues for music and theatre, the Lyric Theatre, which closed in the late 1950s and was then demolished, and The Ealing Club, which used to operate out of the basement, that has now become a nightclub operated by The Red Room.

Lyric Hall was constructed on site in 1881 as a Concert Hall serving the local area. This was demolished to make way for The Lyric Theatre in 1889, built as part of a complex of buildings that included a connected "Lyric Restaurant", as well as a Ballroom suite, social spaces and dining rooms, before being demolished itself some 60-70 years ago.



Figure 6: The Lyric Theatre

Ealing has been the backdrop in the development of popular music in the 20th century and is regarded as the birthplace of British Rock and Roll. The focal point for this music heritage was 'The Ealing Club' which first occupied 42a The Broadway from 1962, but now operates out of a number of other venues. Its former premises are now occupied by The Red Room nightclub.

Site’s Planning Designations

The application Site is covered by several site designations. These are all listed in the table below.

Designation Type	Designation Name
Town Centre	Ealing Metropolitan Centre
Conservation Area	Ealing Town Centre Conservation Area
Brownfield Land Register	EAL3b Arcadia - 9-42 The Broadway, W5
Development Sites	EAL3 Arcadia Centre - The Broadway/ Spring Bridge Road/ Haven Green Ealing W5
Shopping Frontage	Primary Shopping Frontage
Park Deficiency - Local	Areas deficient in access to Local Park

Table 2: Sites Designations

The application site is located within the Ealing Town Centre Conservation Area. Two “Areas of Character” can be distinguished within the Ealing Town Centre CA: 1) The main Shopping Centre along The Mall, The Broadway, The New Broadway and the High Street; 2) The residential enclave, evolving in the southern part of the CA. The application site is located within sub-area 1.

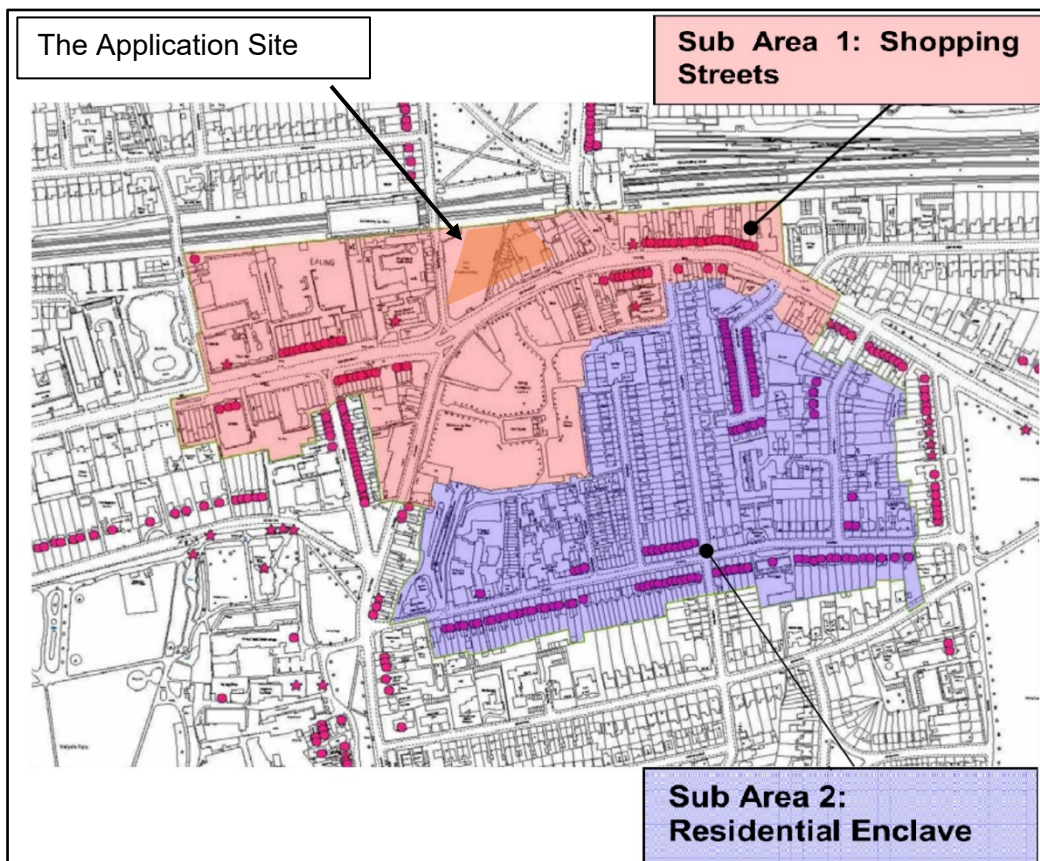


Figure 7: Ealing Town Centre Conservation Area and ‘Main Areas of Character’ Map

The CA has mainly a Victorian and Edwardian architectural heritage, with most buildings going back to the time when Ealing started to expand and flourish as one of London’s more desirable suburbs. Building types are residential, civic offices, parades of shops, religious buildings and public houses. The CA has a mix of uses, including retail, office and civic

function dominate in the northern part, residential areas in the southern part with the only exception of a school, a few shops and a public house along The Grove.

The tight Victorian grain of the Sub Area 1 has in part been replaced with more substantial footprint developments. In Sub Area 1 surviving remains of the Victorian and Edwardian architectural heritage have been embedded in later, poor quality developments.

The site is also located within 50m of Haven Green Conservation Area to the north. This Conservation Area is strongly defined by the presence of Haven Green and by the residential roads branching from it. Haven Green has existed as common land since medieval times. However, edification only started during Victorian times. Similarly, to Ealing Town Centre CA, Haven Green CA has mainly a Victorian and Edwardian character.

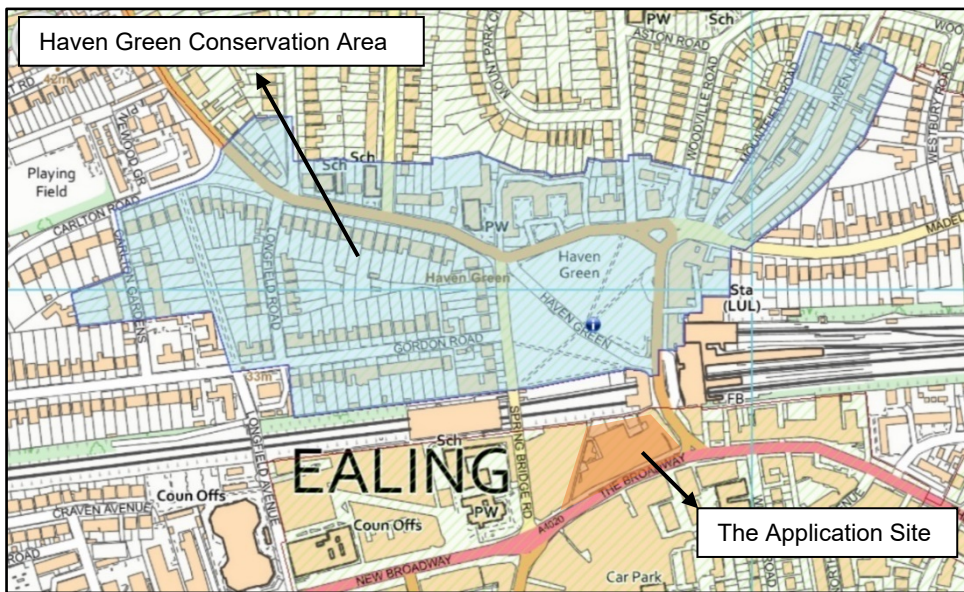


Figure 8: Haven Green Conservation Area in relation to the Site

The application site is also located within the Ealing Metropolitan Town Centre and is a designated Allocation Site (Site EAL 3 - Arcadia Centre) within the current Local Development Plan (Ealing Development Sits DPD 2013). This site has been designated in the current Local Plan for 'Mixed use development appropriate to the town centre, including additional retail, commercial, leisure/entertainment and residential'. See Site Allocation Map overleaf.

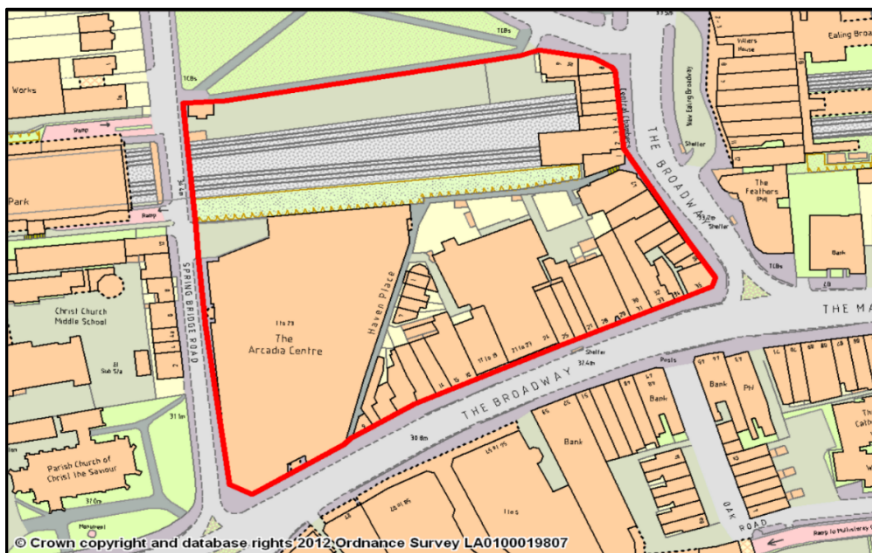


Figure 9: Site Allocation Map

The Ealing Development Sites DPD (2013) justifies the sites allocation by noting that the existing buildings on the site are insufficient to accommodate the scale, range or quality of retail offer required to support the vitality and viability of the town centre, and their comparatively low intensity of development underutilises a key town centre site adjacent to the station. Individually or together the buildings have little architectural merit, such that the nature, form and scale of development is not considered to make a positive contribution to the Conservation Area or the townscape.

It also notes that despite being within the Ealing Town Centre Conservation Area, the existing buildings are not considered to contribute to the special architectural and historic interest of the Conservation Area, based as this is on the development of the town centre as a commercial focus for the borough in the later 19th and 20th centuries.

The site is considered, within the Ealing Development Sites DPD (2013), to be an appropriate location for a tall building in principle. It does however note that the acceptability of a tall building at this location will be determined based on the detailed design as presented in a full planning application. Proposals for tall buildings must take particular care with height and massing to ensure the character and appearance of the Conservation Areas is preserved.

RELEVANT PLANNING HISTORY

The Site has an extensive planning history which includes two major redevelopment proposals and many smaller applications relating to the individual existing retail units within the Site. The below table summarised the most relevant planning applications to the current proposal.

Application Ref	Proposal	Status	Decision Date
P/2007/4246 and P/2007/4248	Demolition of existing buildings and erection of 7 buildings Block A North - 2/6/7 storeys, A South - 1/2/4/6/8 storey with basement, B 2/5/7/8 storey, C - 3/5/11 storey, D - 2/3/9/10/11/12 storey, E 2/3/9/10/11/12 storey and F 19/25/26 storeys containing approximately 17,279 square metres of retail shops (Use Class A1), 1,363 square metres of cafes/restaurants (A3), 490 square metres of offices (B1(a)), 1,861 square metres of leisure facilities (D2) and 567 residential units, provision of 2 basement floors containing 352 car parking spaces (of which 230 are for the residential element including 16 spaces for the car club and 60 disabled spaces and 122 are for the retail and commercial uses including 7 disabled spaces), parking for 631 cycles (567 for the residential use and 64 for the retail and commercial uses), servicing area and plant and equipment with vehicular access off Spring Bridge Road, pedestrian accesses off Spring Bridge Road, Haven Green and The Broadway, landscaping, formation of areas of public realm, amenity space for the residential uses and ancillary works.	Refused by Secretary of State	07 July 2009

P/2015/3479	Redevelopment and demolition of 9-42 The Broadway and 1-4 Haven Place (retaining No.9 and the front facades of No.14 and No.15-16 The Broadway) and erection of 8 new buildings (ranging from 2 storeys to 18 storeys) to provide 188 residential units (Use Class C3), 6,667sqm flexible retail floorspace (Use Class A1/A3), 784sqm flexible retail / leisure floorspace (Use Class A1/A3/D1/D2), 514sqm bar / nightclub (Use Class A4 / Sui Generis) with basement car parking, new publicly accessible route, associated public realm and landscaping, residential vehicular access off The Broadway and primary servicing off Spring Bridge Road via existing servicing route for 1-8 The Broadway and associated works. (This is a re-consultation on revised plans - the main changes are the retention of some existing buildings/facades on The Broadway and reduction of 3 proposed dwellings. The revised drawings and documents can be viewed on-line under Planning ref: P/2015/3479 - page 2 pre-fixed `Revised`. Comments made in response to the application as originally submitted will be taken into account unless altered/withdrawn in response to this re-consultation.)	Application Withdrawn	01 May 2017
221127SCO	Request for Scoping Opinion for office-led mixed use development providing approximately 40,000sqm GIA of office space and approximately 3,000sqm of retail, food and beverage space, leisure and other uses within 2 - 4 storey refurbished and extended buildings fronting the Broadway and a part 9, part 21 storey building plus plant and basement levels; along with the creation of a public space through the centre of the site; and associated bike storage, bin storage and associated amenities (following part demolition of the existing buildings on site).	Environmental Assessment Scope Agreed	30 May 2022

Table 3: List of Relevant Planning History

In terms of the most relevant major planning applications, an application for the redevelopment of the Site was submitted in 2006 by Glenkerrin. The Glenkerrin application site also comprised the Arcadia Shopping Centre to the west (1-8 The Broadway) and land over the railway and adjoining car park and Central Chambers to the north within the red line boundary.

Glenkerrin initially sought planning permission and conservation area consent for the demolition of the existing buildings (except for no.35 and no.30-34 The Broadway) and the construction of six buildings for a residential led mixed-use development, with retail, commercial and leisure uses, landscaping and car parking (references: P/2007/4246 and P/2007/4248). In total 567 residential units were proposed (originally 704 were proposed), approximately 20,000m² of A1-A3 floorspace, approximately 1,000m² of B1 floorspace and

approximately 2,000m² of D2 floorspace. A key element of the proposals was a landmark tower rising to a height of 25 storeys (originally proposed at 39).

The Council's Planning Committee resolved to grant planning permission for the revised scheme on 17th December 2008. However, the scheme was subsequently called in by the Secretary of State. On 7th December 2009 the Secretary of State dismissed the application, considering that although the proposal was broadly in compliance with the development plan in many respects, there were significant areas of conflict, most particularly in relation to design principles and conservation.

In 2015, BE Broadway BV submitted a new planning application for the "*demolition of existing buildings (9-42 The Broadway and 1-4 Haven Place) and erection of 8 new buildings (ranging from 2 storeys to 18 storeys) to provide 191 residential units (Use Class C3), 6,667m² flexible retail floorspace (Use Class A1/A3), 784m² flexible retail/leisure floorspace (Use Class A1/A3/D1/D2), 514m² bar/nightclub (Use Class A4/Sui Generis) with basement car parking, new publicly accessible route, associated public realm and landscaping, residential vehicular access off The Broadway and primary servicing off Spring bridge Road via existing servicing route for 1-8 The Broadway, and associated works*" (Ref: P/2015/3479).

The 2015 application was confined to the site of 9-42 The Broadway. The key issues were concerned with the impact of the development on the Conservation Area and other heritage assets. Historic England raised strong objections to the Application, primarily on two main grounds:

- that it would remove most of the existing Victorian/Edwardian buildings on the site and would call into question the designation as a Conservation Area, and
- the replacement development would not preserve or enhance the character/appearance of the Conservation Area and would harm its setting.

Historic England also objected on the basis that the new development that was being proposed at that time along The Broadway, would obscure views of the Church of Christ the Saviour, and that the new development on the east side of the site would harm the setting of the listed NatWest bank. Overall, Historic England concluded that the proposed development would result in 'substantial harm' to designated heritage assets and should be refused.

The GLA also expressed concerns about the 'clean slate approach' in the original proposal, that would have removed all buildings from the site and advised that the scheme should be revised to retain a higher proportion of historic buildings.

In the light of the objections from Historic England, the GLA and others, the 2015 application was revised, so that it retained one building and the facades of two more. Number 35 (Carphone Warehouse) was still proposed to be demolished. There were also refinements to the new replacement buildings along The Broadway. The height/ mass of one of the new buildings (4A) was also reduced to better maintain the view of the Church from the east on The Broadway.

These and other revisions to the scheme addressed the GLA and Ealing Council's concerns. However, Historic England maintained strong objections to the scheme and continued to consider that the proposal caused substantial harm, as summarised in the Officer's report to Committee.

The officers report to Planning Committee concluded that the scheme would cause 'less than substantial' harm and that the effects overall would be moderate or negligible. It set out that any residual adverse impacts would be outweighed to a large degree by the significant public benefits of the scheme, which included the provision of new homes, the creation of a route through the site, enhanced retail, and an improved townscape.

The Council resolved to grant planning permission. However, the application was called-in on 25 May 2017 by the Secretary of State for his own consideration. British Land (The Applicant) purchased the Site prior to the public inquiry and withdrew the application as it did not wish to pursue a residential-led scheme.

EIA Scoping

A Scoping Opinion Request was submitted on 14th of March 2022 (Ref. 221127SCO). In accordance with Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations, 2017 for the development that is the subject of this application.

Due to the sensitivity of the environment and the characteristics of the proposed development, the applicant committed to voluntarily undertake an EIA of the Proposed Development which would be documented in an Environmental Statement (ES).

An EIA Scoping Report was submitted which documented the proposed scope and approach of the subsequent EIA. The EIA considers the likely significant effects resulting from the proposed development defined in the planning application, as well as the cumulative effects with other existing and/or approved developments in the local area. This approach was intended to provide comprehensive and robust environmental information on the likely significant effects of the proposed development on the environment.

Understanding the likely significant effects that the proposed development may have on the environment was identified as being an integral part of the design process and subsequent planning assessment. The purpose of the submitted EIA Scoping Report was to document the scoping exercise that has been undertaken in order to identify the type and characteristics of any likely significant environmental effects associated with the proposed development.

The environmental topics that were proposed to be included in the EIA scope and those that were not (referred to as 'scoped out') were presented within the report. Accordingly, the report detailed how the environmental issues which would be included in the EIA scope were proposed to be examined and progressed as part of the EIA of the proposed development.

The aim of the EIA is to protect the environment through minimising adverse environmental effects and to take advantage of opportunities for environmental enhancement. For those topics that are proposed to be 'scoped out' as significant effects are not likely, the Scoping Report identified an evidence led-approach for so-doing. The report provided information to key consultees regarding the proposal pursuant to the 'EIA Regulations' and set out the intended scope of the EIA and content of the ES.

The Council having taken a considered view of the submitted EIA Scoping Report concluded that the comments identified in the consideration should be fully addressed in the ES accompanying the application for the proposals. In relation to the requirement to clearly identify the receptor for each environmental effect, the ES should identify the main / significant

effects, and make clear whether the effect is short-term or long-term. The Council would then expect the ES to contain specific chapters with a thorough assessment of the likely effects which the proposed development might have upon the matters set out in the sections above.

A scoping matrix was used by the applicant and reviewed to determine the importance / severity of the receptor in relation to the predicted scale or magnitude of the impact and this approach should be carried through into the ES. This would assist the Council and other statutory consultees to determine the degree of the proposed impact arising from the development.

The applicant was reminded of the need to summarise the ES in a non-technical format such that the public and non-technical readers can comment fully upon it.

The Scoping Opinion did not preclude the Council from requiring the applicant to provide additional information in connection with any ES that is submitted with the application. This represented the formal scoping opinion of the London Borough of Ealing pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Following on from the Scoping report and the Council's decision on that, a Full ES has been submitted to the Council. It has informed, topic by topic the matters that are addressed in this Report. Each matter has been addressed and fully considered by Officers, professional consultees, including external consultees, with regard to any necessary mitigation, which is comprised in the recommendation and any planning conditions or planning obligations where appropriate.

THE PROPOSED DEVELOPMENT

Planning consent is sought for the proposed '*Partial demolition, refurbishment and development to provide between 2 and 21 storey office-led mixed-use scheme with flexible retail, restaurant and cafe uses, a music venue and leisure use at lower levels, with a new area of landscaped public realm and pedestrian route and other associated works (Environmental Impact Assessment)*.

The redevelopment of the site is proposed to accommodate a mixed-use scheme comprising office (Class E(g)(i)), retail (Class E(a)), flexible F&B (Class E(b)) and leisure (Sui Generis, Class E(b) & Class E(d)), within new and existing buildings.

Existing buildings would be demolished as part of the redevelopment of the site including Nos 17-19, 20-24, 30-34, 36, 37, 38, 39, 40, 41 and 42 The Broadway and 1-4 Haven Place. The main structure of Nos 9/9a, 10, 11, 12, 13, 14, 15-16, 25, 26, 27, 28, 29 and 35 The Broadway would be retained, however as part of their refurbishment the existing shop frontage/signage would be demolished. The extent of demolition proposed, along with the buildings to be retained, are clearly shown in the below images.

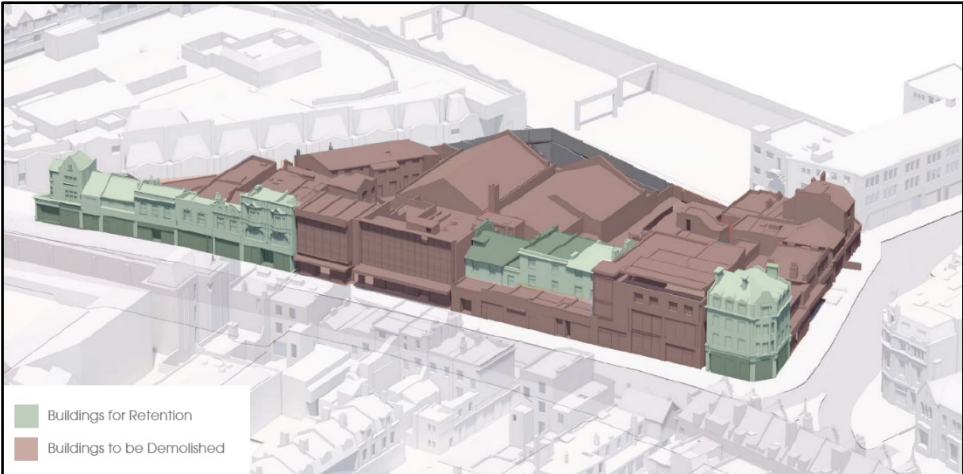


Figure 10: Proposed demolition plan 3D CGI

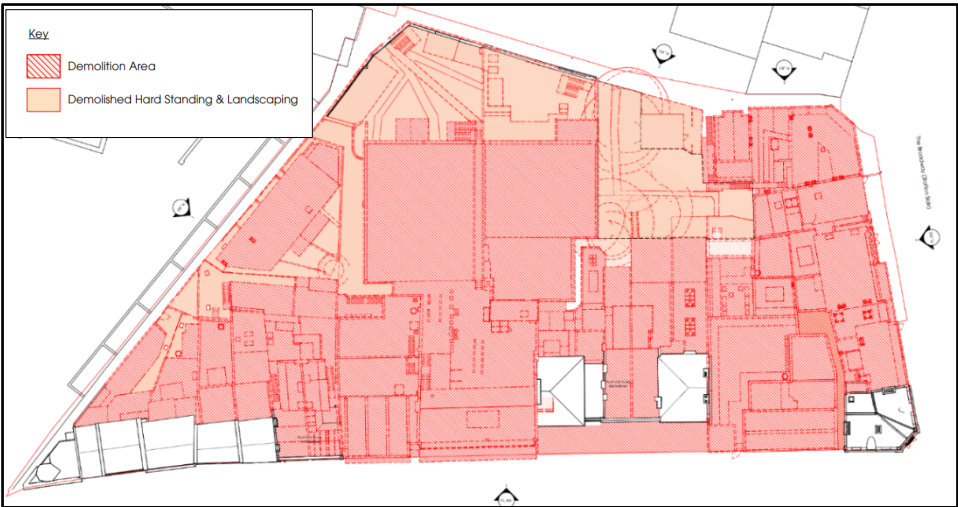


Figure 11: Proposed demolition roof plan of the Site

Refurbished and extended buildings at 9-16 The Broadway would provide office (Class E(g)(i)) and retail (Class E(a)) floorspace over the existing 2-3 storeys.



Figure 12: Existing view from the west along The Broadway (9-16 The Broadway)



Figure 13: View of proposal from the west along The Broadway (9-16 The Broadway)

17-24 The Broadway would be replaced by a new street facing building and new public route creating a 'gateway' into a new public courtyard. The new 2 storey building would provide retail (Class E(a)) floorspace at ground floor with office (Class E(g)(i)) floorspace above. Refurbished and extended buildings at 25-29 The Broadway will provide F&B (Class E(b)) floorspace over the existing 2-3 storeys.



Figure 14: Existing view from the south along The Broadway (17-29 The Broadway)



Figure 15: View of proposal from the south along The Broadway (17-29 The Broadway)



Figure 16: Existing view from the south along The Broadway (17-24 The Broadway)



Figure 17: View of proposal from the south along The Broadway (17-24 The Broadway)

30-34 The Broadway would be replaced by a new street facing building, extending to 35 The Broadway and a new public passageway, creating a 'gateway' into the new public courtyard. The new 3 storey building would provide retail (Class E(a)) floorspace at ground floor with office (Class E(g)(i)) floorspace above. 35 The Broadway would be refurbished to provide office (Class E(g)(i)) and retail (Class E(a)) floorspace over the existing 4 storeys.



Figure 18: Existing view from the south along The Broadway (30-35 The Broadway)



Figure 19: View of proposal from the south along The Broadway (30-35 The Broadway)

The proposed ‘Broadway Connection Building’ would provide for office (Class E(g)(i)), F&B (Class E(b)) and leisure (Sui Generis, Class E(b) & Class E(d)) floorspace. The height of the main building volume would be ground + 9 storeys with a set-back storey at level 10. A ground + 20 storey upper volume to the north-west corner would provide further office (Class E(g)(i)) floorspace. A new public realm would be provided between the rear of 25-29 The Broadway.



Figure 20: Existing view from the east along The Broadway



Figure 21: View of proposal from the east along The Broadway

The proposed development has been designed to provide pedestrian access through the site, with three new entrances planned to be created from The Broadway station side and The Broadway south side (Figure 22). This would create a more easily accessible entrance to the office floorspace, and retail and leisure uses. The location in the heart of Ealing town centre provides access to local facilities and services within walking distance. The only vehicular access is planned via a large loading bay at first floor level through the Morrisons ramp to the rear of the site via Spring Bridge Road, with space for two 10m loading vehicles and a loading bay office for managing deliveries.

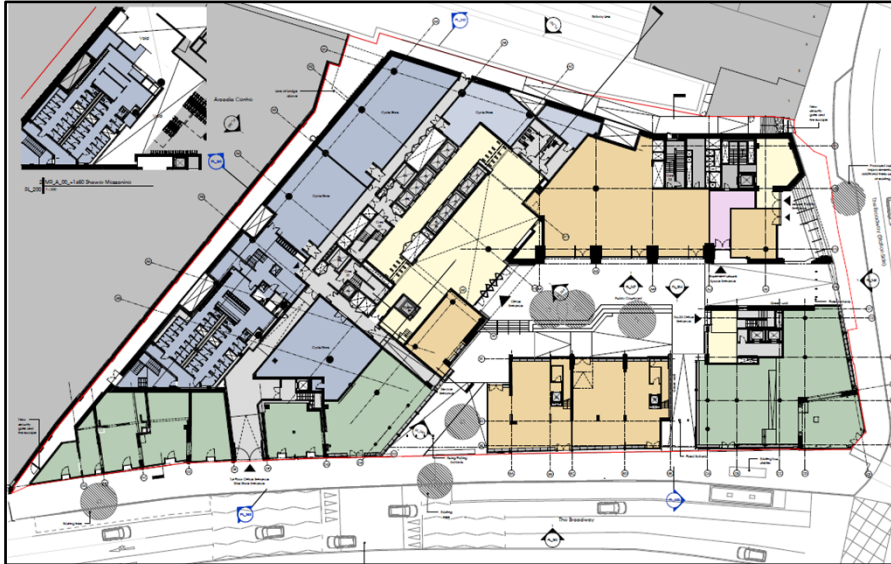


Figure 22: Proposed Ground Floor Plan

Design Amendments

During the application, the applicant submitted various slight amendments to the design of the originally proposed scheme. These amendments were in direct response to comments received during the first round of public consultation and can be summarised below.

1. Recesses Removed

The originally proposed recesses along the north elevation facing the courtyard at ground level were removed. The covered seating areas have been omitted. The glazed screens are now proposed as flat with minimal articulation so as not to provide a covered space for rough sleeping or loitering. This amendment was in response to concerns raised by the design out crime officer.

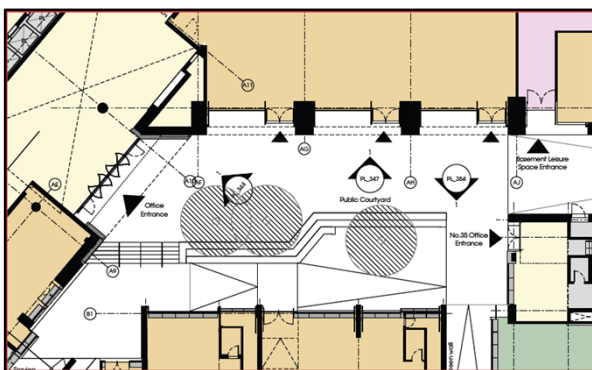


Figure 23: Previously Proposed

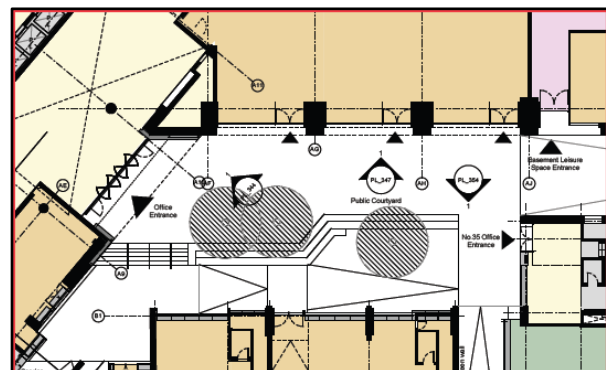


Figure 24: Amended Proposal

2. Amendments to the Cycle Store

The cycle store entrance has been relocated from Haven Place to be accessed off The Broadway via the coaching entrance located on the ground floor of No.14 The Broadway. The internal layout of cycle storage has also been amended, to be broken down into segregated cycle storage rooms. The overall space allocation of the cycle store has been increased accordingly.

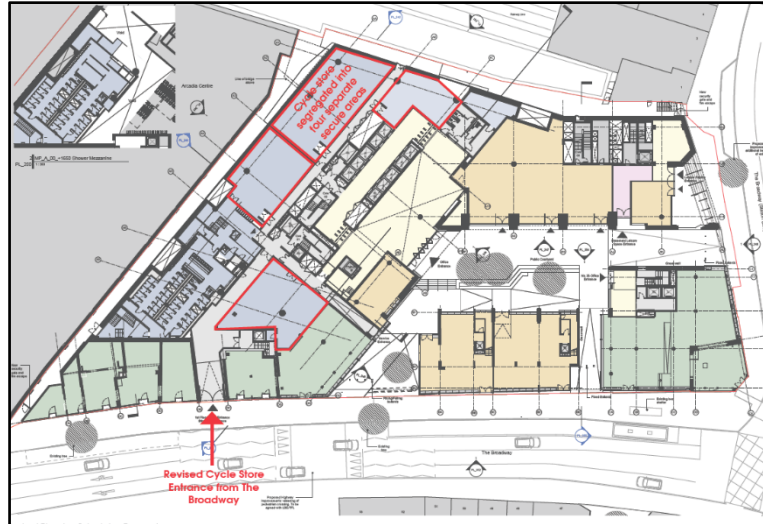


Figure 25: Cycle parking amendments

3. Amendments to the Third Floor Level of Number 35 The Broadway

In direct response to comments received from the GLA and Ealing Civic Society, the third-floor level of the originally proposed extension to 35 The Broadway has been omitted from the design, reducing the overall volume of the new building and its impact on 35 The Broadway. The omission of the third-floor level has also allowed the lift overrun and plant space volume to reduce in height, further reducing the massing of the original proposals.

The roof of the building has been lowered, with parapet walls around the roof area aligned with key datums on the existing building, including the front ridge of the existing mansard roofline. The upper parapet wall and chimney stack is therefore far more visible. The elevations of the building have been revised following the principles of contemporary extensions responding to the rhythm and scale of their neighbouring retained buildings. Further brickwork detailing picks up on key datums and features of the neighbouring façades.

The roof continues to provide green roof and PV's in accordance with the original application proposals. The green wall on the North elevation has been increased in size to pick up on key alignments within the revised proposals.

The terrace space on the northwest corner of the building, previously at level 3, has been relocated to level 2, giving a closer relationship between the terrace and the ground plane. Additional glazing has been introduced on the terrace elevations to provide additional natural light within the internal floorplates, benefiting the quality of the internal environment.

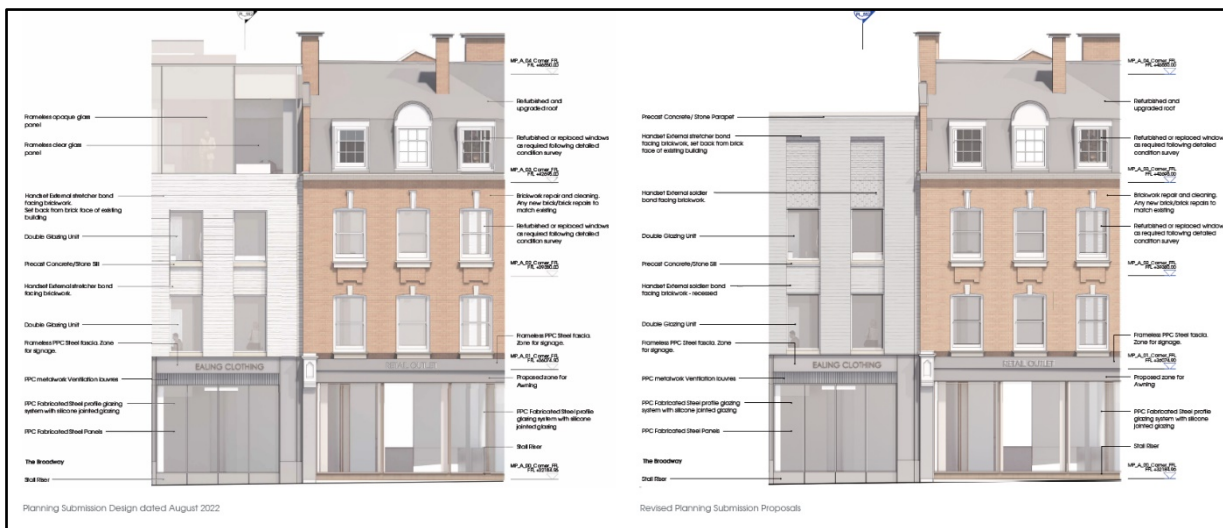


Figure 26: Amendments to the Extensions Proposed to Number 35 The Broadway

PRE-APPLICATION ENGAGEMENT

Pre-Applications with The Council

The Applicant entered into a Planning Performance Agreement (PPA) with the Council. Through the PPA, the Applicant had 8 formal pre-application meetings, each having had a separate focus of discussion. A short overview of the pre-application meetings held with the applicant is set out below:

Pre-application 1: Briefing of Scheme - 27th January 2021

The first initial pre-application meeting involved the applicant presenting and introducing the scheme. No high-level feedback was given; however, Council officers welcomed and supported a scheme that sought the retention and protection of more of the existing buildings on the Site.

Pre-application 2: Lower Floor Uses and Public Realm – 11th March 2021

The second pre-application meeting with the applicant focused on the lower ground floor uses of the proposed development and the proposed public realm. Council officers requested further exploration into the access points for the Site and the public realm and to ensure that pedestrian flows were taken into consideration and could be accommodated.

Pre-application 3: Transport and Consultation – 29th March 2021

The first part of the pre-application meeting was held to discuss the transport implications of the scheme. The meeting included a discussion of the pedestrian and transport projections that had been made and how this had informed the design of the scheme. Pedestrian flows had been analysed and it was confirmed that any proposed works would integrate with the Crossrail proposals at Ealing Broadway Station. Officers welcomed the additional pedestrian movement through the Site and raised no objection to Haven Place being closed off as a through route.

The second part of the pre-application meeting focused on the proposed Consultation Strategy for the development. Officers were satisfied with the proposed consultation approach of website updates, flyer drops, physical public exhibitions and webinars and were satisfied that that it would be a comprehensive strategy.

Pre-application 4: Design and EIA Scoping – 22nd April 2021

Following the design comments raised by Council officers at the first pre-application meeting, a further session was held on design to show the developed massing of the proposal and to present the proposals for the public realm. In terms of design, officers commented that care needs to be given to the east and west views and they suggested looking at the massing of the upper parts. Officers emphasised that when developing the public realm proposals, the spaces need to work in terms of pedestrian flow and therefore the dimensions of these spaces should be considered.

This pre-application meeting also discussed the list of topics to be included within the EIA Scoping Report. Officers highlighted the need to scope in wind and the need for energy and sustainability to be thoroughly assessed, regardless of whether it formally fell within the scope of the EIA.

Pre-application 5: Energy and Sustainability- 13th May 2021

The fifth pre-application meeting with the applicant focused on Energy and Sustainability. The meeting enabled the Energy and Sustainability consultants, Atelier Ten to present the proposed Energy and Sustainability Strategies for The Broadway Connection. The strategy set out that the scheme would be targeting BREEAM Outstanding and WELL Gold. Officers and the Council's energy consultee confirmed that they were satisfied with the proposed strategy and the initiatives highlighted.

Pre-application 6: Heritage, Townscape, Visual Impact and Design Development – 5th June 2021

This pre-application meeting focused on the proposed building retention within the Site, the verified views and the visual impact of the developed massing to date. Officers were satisfied with the level of building retention proposed but questioned the design of the proposed new elements that will adjoin the retained buildings. Officers requested that further work needs to be undertaken to the roof level design and more recognition of the corner building. Officers advised that the focus for the next stage should be on exploring different options for the redistribution of the height and massing to test whether the best approach was being followed.

Pre-application 7: Design Update – 14th December 2021

A further design pre-application meeting was held in December 2021 to present the updated design pack including changes in response to previous officer comments. A presentation was provided on the changes that had been made to the massing to set the tower back further towards the railway and thereby further open up the view of Christ the Saviour Church and the changes made to the proposed roofscape at No.25 The Broadway and around 35 The Broadway. The development of the articulation and materiality of facades was also presented.

Overall, officers were satisfied with the exploration of the removal of 25-29 The Broadway and

agreed that these buildings should be retained. Officers were satisfied to see the further spatial/dimensional testing of the proposed public realm areas to ensure the correct size and shape is proposed for the intended use. It was also requested that a further meeting should be arranged to discuss all previous massing options.

Pre-application 8: Consultation and Massing - 25th April 2022

The eighth pre-application meeting with the applicant included responses from the public consultation that was undertaken in March 2022. The meeting highlighted that the development had received over 10,000 views on the website, 375 people attended the exhibition at the Shopping Centre and 85 attended the live webinar. Officers were satisfied with the extensive nature of the consultation.

The meeting was also used to talk through all the alternative massing exercises that had been undertaken, which had led the applicant to conclude that the most appropriate option had been selected, which struck the right balance with all the different considerations from the differing key views. Officers considered that the massing exercise had been useful and advised that this should be detailed within the Design and Access Statement as part of the planning submission to explain how we decided to peruse the selected scheme design. Council officers advised that the rationale behind the quantum of development being proposed should also be explained.

Pre-applications Historic England

Pre-application consultation has been undertaken with Historic England to discuss the potential impact of the scheme on the Conservation Area and the setting of heritage assets in the wider area, including the Grade II* listed Church of Christ the Saviour. Discussions with Historic England have been undergoing from the earliest stages of the scheme development to ensure their input and advice has been taken into consideration.

The early engagement included discussions on the degree of retention of existing buildings along The Broadway that would be appropriate and where new development should be focused. Subsequent advice on the proposals as a whole by Historic England on the 4th of March 2021 following a meeting in February 2021 was that it would cause 'less than substantial harm' to Ealing Town Centre Conservation Area, Haven Green Conservation Area and the Grade II* listed Christ the Saviour Church due to the large scale of the proposed buildings. Overall, the initial assessment was that the combined harm would be high on the less than substantial spectrum.

On the 29th of July 2021 Historic England provided a further comprehensive advice letter following the amended design of the scheme being presented to the London Advisory Committee. The Committee welcomed the retention and refurbishment strategy for the frontage buildings. However, the Committee confirmed the initial advice that the proposals would cause 'less than substantial harm' at the high end of the spectrum.

A further meeting was held with Historic England in March 2022 to present the updated scheme and key design changes following their previous comments. Historic England felt that the retention of the existing roofscape of No.25 was an improvement, but that overall, their position remains that the scheme poses less than substantial harm. As such Historic England

advised that any submission would need to provide a planning balance exercise to assess whether the harm can be outweighed by the public benefits of the proposed scheme.

Pre-applications Greater London Authority (GLA)

The first pre-application meeting with the GLA was held on the 14th of August 2019. The purpose of this pre-application meeting was to ensure at the feasibility stage that scheme proposed at 9-42 The Broadway had the GLA support, before moving forward.

On the 21st of May 2021 the Applicant held a follow up pre-application meeting with the GLA, two years after initial discussions on this scheme. The latest scheme was presented to the GLA and highlighted the approach to the demolition, retention and refurbishment of the existing buildings, the proposed landscaping and public realm and the massing arrangement.

The GLA recommended that early studies of the proposed massing should be undertaken to ensure adequate levels of daylight and sunlight are provided. The GLA noted that the breadth of the tower was significant in certain views and suggested that this should be explored. It was also requested that the main tower be moved back towards the railway, in order to further open up views from the east towards the Church of Christ the Saviour.

A third pre-application meeting was undertaken with the GLA in January 2022 to table the revised massing and obtain feedback on the changes that had been made, including moving the massing towards the railway. GLA Officers stated the scale and massing would need to weigh against the planning benefits.

As part of formal engagement with the GLA, a meeting was also held with TfL at the beginning of June 2022 for a focused session on all relevant transport and highways matters. The Transport Consultant, Stantec has led the pre-application discussions with TfL directly. TfL expressed broad support in the follow up session and agreed the scope of the information needed within the Transport Assessment.

Design Review Panel

The proposal was first presented to the Design Review Panel on the 11th of May 2021. The Panel concluded that the development is appropriate in terms of scale and uses but felt that further work is required in relation to the massing and architectural approach. The Panel highlighted that the different volumes need to be better articulated and respond more sensitively to the existing context, especially to address their impact on the view towards Christ of the Saviour church.

The Panel welcomed the retention of the more historic buildings on site and the proposed internal courtyard, but they felt that the scale of the public space and relationship with The Broadway needed further thought. Overall, the Panel felt that the proposed heights were appropriate to the site and justified in view of the proximity of the station, however, the Panel was concerned by the impact of the scheme on the view west towards the Church of Christ the Saviour. Further design and evolution were also requested in relation to the landscaping and use of the public realm.

The proposal was then presented to the Design Review Panel a second time on the 8th of March 2022. The Panel noted that the applicant had taken on board several the comments raised from the previous review.

The panel felt the development was generally appropriate to the site in terms of scale and uses, but further work would be required in relation to the massing and architectural approach. The Panel suggested that the different volumes need to be better articulated and respond more sensitively to the existing context, especially to address their impact on the lower buildings, close to Ealing Broadway Station, and the view towards Christ of the Saviour church. The Panel suggested that the architectural approach should be more forward-thinking, future-proofing the design and responding to climate change and post-pandemic social challenges. While the panel welcomed the retention of the heritage assets and regards the integrated internal courtyard as a positive element of the scheme, it is unconvinced by the scale of the public space created and its relationship to The Broadway. The Panel urged the design team to refine the narrative regarding user groups, types of activities, and to study precedents of similar scale and density. The Panel suggested that sun and wind studies would be crucial to ensure the intended quality is achieved. The panel encouraged the team to develop character area studies and to provide more detail on the landscape strategy, including sections and the approach to planting, as well as clarifying the mechanisms to achieve the scheme's sustainability ambitions.

Community Review Panel

The proposal was presented to the Community Review Panel on the 15th of March 2022. The panel welcomed the clear and thorough presentation. The Panel were generally supportive of development of the site and felt that the permeability and improved access are positive. The contemporary 'landmark' building approach was welcomed. However, the panel suggested that the height of the buildings is excessive and would have a negative impact on the town centre conservation area, the heritage setting of the church, as well as the quality of the public realm. In particular, the Panel suggested that potential wind tunnel effects and overshadowing should be rigorously tested.

The panel welcomed the car-free nature of the scheme but noted that the existing roads in the town centre are extremely busy with few places to pull over safely. The Panel urged the design team to address the management of vehicle journeys to the site, noting that drop-off, loading, deliveries and emergency vehicles will need to be considered carefully. It also recommends that, given the constraints of the site and road network, management of construction traffic should be considered from the outset.

The panel was broadly supportive of the proposed office use, but it questions the need for the amount of floorspace proposed. The economic benefits of the development, particularly the creation of new jobs in the area, are welcomed, but the panel would like independent and local businesses to be supported by the development. It notes that the ground floor units should discourage chain stores, and the panel suggests that provision for artisans, makers, and boutique-type uses will add character and a distinct identity for the site, as well as offering a retail destination for local people.

Applicants Pre-application Engagement with the Public

A Statement of Community Involvement (SCI) prepared by London Communications Agency has been submitted alongside this application and outlines the public consultation undertaken for the development proposed at The Broadway Connection Site.

The SCI summarises the context and history of consultation around the proposals for the Site. The SCI outlines the consultation strategy, activities and engagement with stakeholders and notes the feedback received and the Applicant's response to this feedback. The consultation to date has entailed:

- Early stakeholder meetings with key local amenity societies alongside early pre-application meetings with LBE and other statutory stakeholders (August 2010 - December 2020).
- Launch of website survey and newsletter outlining British Land's commitment to Ealing, its core aspirations for the town centre and gathering feedback from local people on its brief for the site (January 2021 – February 2022).
- A newsletter targeted at residents and businesses within Ealing, summarising the proposals.
- The creation of a bespoke website detailing the proposals.
- The displaying of posters within the local area and within the Ealing Broadway Shopping Centre.
- Writing individually to local businesses, residents and amenity groups.
- Face-to-face public consultation exhibitions held in March 2022 at the Broadway Shopping Centre.
- An online presentation of the scheme to consultees on the 10th of March 2022 following the in-person consultation exhibitions.
- Updating local residents and businesses ahead of the planning application submission.
- Presenting again to local residents, businesses and community groups via a newsletter drop and door-knocking activities in the town centre and station (July 2022 - August 2022).

The SCI demonstrates that a thorough approach to engagement with local neighbours and important local amenity societies and interest groups has been undertaken prior to the submission of the formal planning application. Feedback on the application proposal has been given both verbally in public and at local stakeholder meetings, and in writing via feedback forms, website surveys and emails. Throughout the consultation, all comments received were shared with the project team to inform the development of the designs.

The majority of respondents, including local stakeholder groups, considered that the site was suitable for development, and were keen to provide their suggestions on what they would like to see provided within the public areas of the proposals, including the new courtyard public realm and ground floor uses. Respondents were also generally supportive of the re-provision of the Ealing Club as well as the proposed building retention strategy along The Broadway.

The responses to this consultation have also shown that a number of respondents are concerned about the proposed development. The main concerns raised were about the height of the tallest element of the proposed buildings and whether there is a need for a large office development following the pandemic. An overview of the sentiment of comments received in

relation to the scheme and the broad themes of this feedback throughout the whole pre-application consultation programme can be summarised below (extracted from the submitted Statement of Community Involvement).

Positive – 26 respondents (17%) gave positive comments towards the proposals.

Those who responded with positive feedback mentioned their general support for the regeneration of the site and were supportive of the benefits that this would bring in terms of job creation and the right investment to Ealing. Respondents agreed that the existing buildings needing redeveloping and were positive about the proposed retention of the heritage buildings while mixing in modern designs. Respondents agreed that the current site does not capitalise on good transport connections nearby. Respondents were also in support of the environmental sustainability of the proposed building.

Neutral – 73 respondents (46%) gave neutral comments towards the proposals.

There were a number of respondents who were supportive of the overall development plans, however, many cited that the 21-storey element was too tall. Suggestions were given on types of amenities that could be incorporated into the design.

Some respondents noted the need to ensure the design is fit for the future, alongside the new Crossrail station, while others said they would like to see a more daring design. Some uncertainty was raised about the proposed mix of retained shopfronts with new buildings.

Some respondents noted the need to ensure the courtyard/public realm is active with places for the office workers as well as local people. Respondents also commented that they would like to see the Red Room music venue retained, or a new music venue come forward in its place.

Negative – 58 respondents (37%) gave negative comments towards the proposals.

The most common concern or objection raised by respondents related to the height of the tallest element, which they felt was too tall at 21 storeys. The second most common concern or objection by respondents related to the architecture of the building, and that it was not in keeping with the surrounding area and character. Others noted that there was a lack of amenities proposed, and that they would prefer to see this space used for community facilities or an NHS health centre. Some respondents opposed the proposed use of this site for office space as they felt that demand had fallen after the pandemic.

When asked '*Is there anything else you would like to say about these proposals?*' in the online survey, height and design were the most common concerns raised. Similarly, during the three in-person exhibitions that were held between 3 and 8 March 2022, the most common concerns raised verbally were also related to height and design. A breakdown of the most common concerns raised during both the online survey and in-person exhibitions are provided in graph form below.

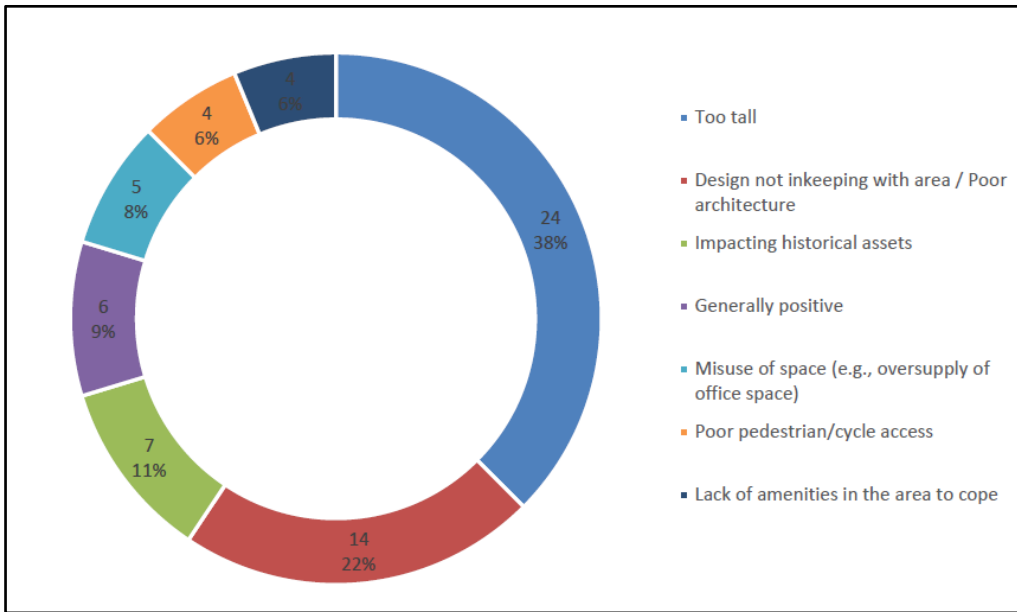


Figure 27: Extract from the submitted Statement of Community Involvement (online survey question responses)

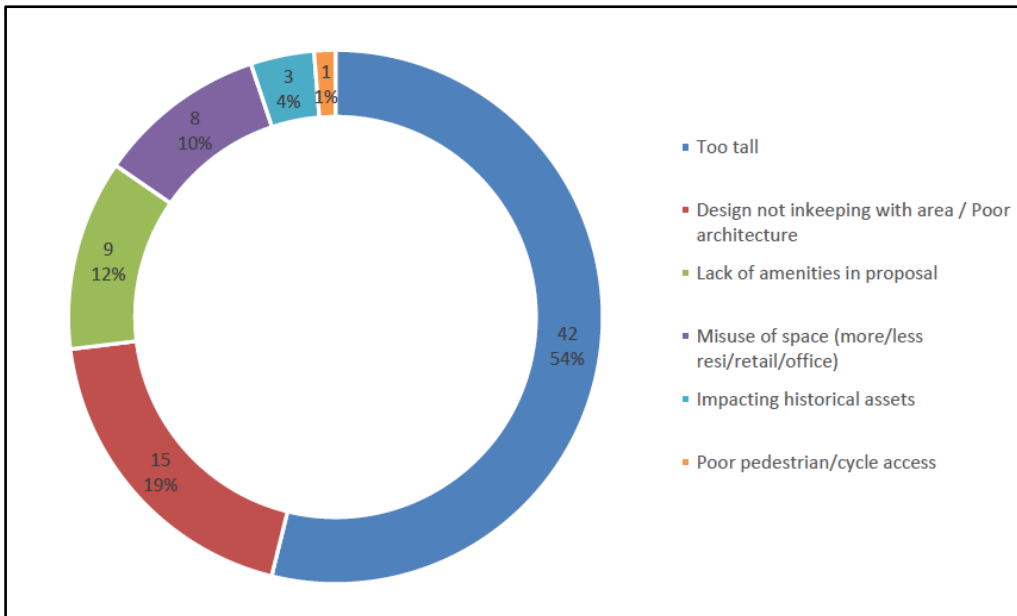


Figure 28: Extract from the submitted Statement of Community Involvement (verbal comments from in-person exhibitions)

APPLICATION CONSULTATION

Public Consultation

In accordance with the requirements of Ealing Council’s Statement of Community Involvement (2015) and the Town and Country Planning (Development Management Procedure) Order 2015, the application was advertised by site notice and by publication in the Ealing Gazette on 05/10/2022 with the consultation period expiry on 26/10/2021. 120 representations were received, including 114 objections and 6 comments in supporting. There was a second round of consultation, the application was advertised by site notice on 15/02/2023 with the consultation expiry date on 17/03/2023 following minor amendments to the scheme. A further 95 representations were received, including 88 objections and 7 comments in support. This

compares to the applicants own pre-application engagement process, which generated 157 representations, 58 in objection, 73 providing neutral comments, and 26 in support.

Most representations received were located in and surrounding The Broadway predominantly residential areas north and south of the Uxbridge Road (Figure 29). All objections are summarised below. The objections include consultees Save Ealing Centre, Ealing Civic Society, GRASS (Gordon Road and Surrounding Streets) Residents' Association, and Resident's Association of Madeley and Westbury Road.

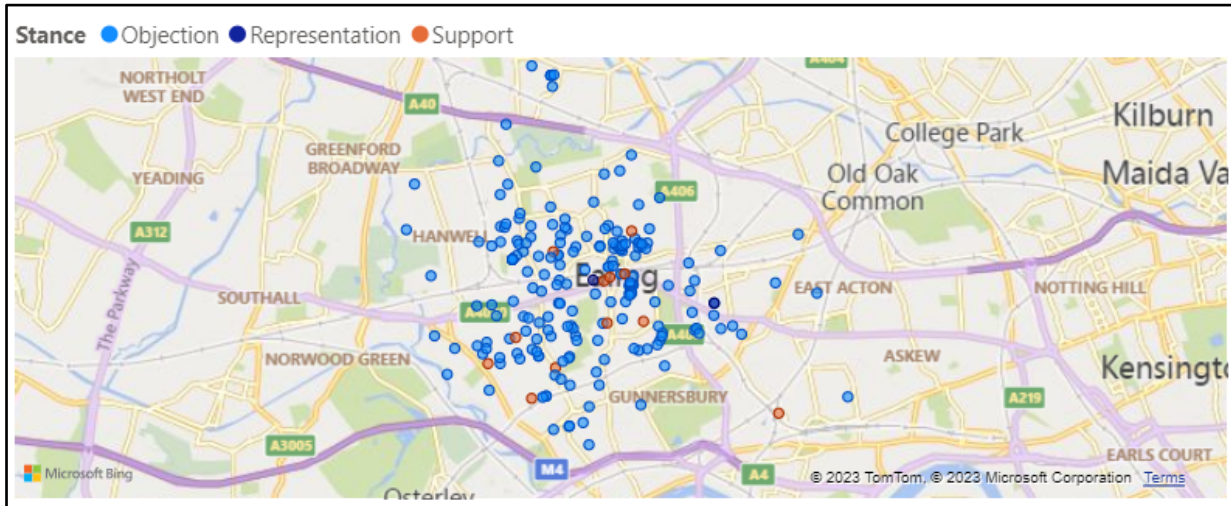


Figure 29: Map of Representations

Summary of Representations:

Public Comments	Officer’s Response
<u>Principle of Development</u>	
Need for new office, retail and leisure space.	<p>The proposed office-led, mixed-use development in Ealing Town Centre includes new office space, retail and food and beverage areas, leisure facilities, and a new music venue. The development is supported by local and strategic planning policies as it addresses the need for high-quality office space in Ealing’s Metropolitan Centre while providing a mix of uses to support the town centre’s vitality and competitiveness.</p> <p>Please refer to ‘Office Use’, ‘Retail Use’ and ‘Leisure Use’ sections of this report for more detail.</p>
Loss of existing housing stock.	<p>The proposed redevelopment would result in the loss of four housing units, which would be contrary to local and London Plan policies. However, the loss of these units is justified for five reasons. Firstly, the number of units is not significant, with three out of four units being vacant. Secondly, the existing units offer poor quality accommodation, with limited outlook and poor amenities. Thirdly, retaining or re-provisioning the units would compromise the development of other town centre uses.</p>

	<p>Fourthly, there has been a significant loss of existing office space to residential elsewhere in the Borough. Finally, the site is suitable for office space, which is required in the Borough, and it is sound planning to use such a central location to meet these needs.</p> <p>Please refer to the 'Loss of Residential' section of this report for more detail.</p>
<p>Lack of affordable workspace.</p>	<p>The applicant has committed to providing two types of affordable workspace on site, including incubator space for start-ups and discounted office space. The incubator space would be provided at first and second floor levels in all units above 9-16 and 16-19 The Broadway, with a discount of 60% of market rent for the first year, 40% for the second year, and 20% for the third year onwards, remaining available at discounted rates for 15 years. The discounted office space around 35 The Broadway would receive a 15% discount for a total period of 15 years as well. Though not fully compliant with the Ealing Draft Local Plan policy due to the level of discounts provided, the affordable workspace provision would still be a significant benefit to small and start-up businesses.</p> <p>Please refer to the 'Affordable Workspace' section of this report for more detail.</p>
<p><u>Design, Appearance, and Impact on Character of the Area</u></p>	
<p>Scale and massing of the development is not appropriate for the area.</p>	<p>The retained and refurbished buildings, including their extensions, maintain the existing height and massing relationship to The Broadway street frontage, while a two-storey volume fills the remainder of the site, mediating between the scale of The Broadway to the south and the larger volumes of the tallest element of the proposed development to the north and west. A lower "mineral" volume to the main building relates to the nearby taller buildings, while a single slender upper volume emerges towards the railway and away from The Broadway. The proposed material choice and façade articulation help to visually break down the overall volume of the main building proposed, making the proposal clearly divided into two main volumes. Overall, the proposed development would fit and relate well to its context while successfully breaking down the overall height and massing.</p> <p>Please refer to the 'Scale and Massing' and 'Tall Buildings' sections of this report for a full assessment.</p>

<p>Poor design quality, including external appearance, materials, and landscaping.</p>	<p>The proposed development involves retaining and refurbishing some of the existing buildings that make a positive contribution to The Broadway frontage, whilst incorporating high-quality contemporary extensions. The ground plus nine storey volume of the main building would be finished with a precast, mineral material with a texture that references the existing buildings within the surrounding context of the site, whilst the ground plus twenty storey volume would feature a lighter weight reflective façade with a more contemporary design, including a faceted glass facade made from frameless clear glazing and frameless opaque glass panels and spandrels. The proposed landscaping plans include creating a large central courtyard, roof terraces, and green walls, which would offer attractive areas for public and office occupants to enjoy. The overall aim is to be visually striking and contribute positively to the appearance of the area.</p> <p>Please refer to the ‘Broadway Frontage’, ‘External Appearance and Materiality’ and ‘Landscaping’ sections of this report for a full assessment.</p>
<p><u>Impact on Designated and Non-designated Heritage Assets</u></p>	
<p>The proposal would harm the character and appearance of the Town Centre Conservation Area, and the setting of other designated and non-designated heritage assets, including the Haven Green Conservation Area and the Grade II* Parish Church of Christ the Saviour.</p>	<p>The impact of the development on designated and non-designated heritage assets has been carefully considered. The applicant has submitted a heritage statement that outlines the impact of the development on the significance of the designated and non-designated heritage assets affected. The impact is considered ‘less than substantial’ and is weighed against the public benefits of the scheme in line with the NPPF (2021).</p> <p>Please refer to the ‘Heritage Impacts’ and ‘Conclusion/ Planning Balance in heritage terms’ sections of this report for a full assessment.</p>
<p><u>Impact on Neighbouring Properties</u></p>	
<p>Daylight and Sunlight Impacts, including Overshadowing and Glare</p>	<p>The proposed development is supported by a Daylight/Sunlight, Overshadowing and Solar Glare Assessment. The assessment evaluates the likely effects of the development on neighbouring residential properties as well as levels of overshadowing within amenity areas and public space, including Haven Green. Eight buildings in proximity to the development were identified and assessed, with five considered to experience significant effects. However, each were deemed to retain acceptable levels of daylight given the site’s urban location. Haven Green would remain compliant with BRE’s recommendation of receiving more than two hours of sun on over half the total area on</p>

	<p>March 21st. As a small amount of overshadowing occurs to the area, the effect is considered 'Negligible to Minor Adverse' (not significant). Based on the results of the analysis, the proposed development was found to not result in an unacceptable impact on the surrounding properties and public spaces.</p> <p>Please refer to the 'Daylight/Sunlight, Overshadowing and Solar Glare' section of this report for more detail.</p>
<p>External Artificial Lighting Impacts</p>	<p>The applicant has provided an External Lighting Statement detailing the proposed external lighting for the development. All lighting would be designed to minimise light spill and meet the requirements of reducing obtrusive light and equipment. The lighting would be controlled by a DALI system, with security lighting automatically turned off at dawn. The statement shows that the proposed facades would have an average luminance below 25cd/m2 and a lux level significantly below the post-curfew recommendation, reducing light trespass into neighbouring windows and not impacting local residents' amenity.</p> <p>Please refer to the 'External Artificial Lighting' section of this report for more detail.</p>
<p><u>Environmental Impacts</u></p>	
<p>The development would result in a wind tunnel effect.</p>	<p>The proposed development is supported by an Environmental Statement that includes a Wind Microclimate Assessment prepared by AKT II. The Assessment considered three scenarios and evaluated the potential impact of the proposed development on the wind microclimate. It was found that public spaces at street level are suitable for most pedestrian activities. The proposed development provides a comfortable pedestrian environment in terms of wind and does not negatively affect street level conditions.</p> <p>Please refer to the 'Wind Microclimate' section of the below report for further details.</p>
<p>The development would contribute to poor air quality in the area.</p>	<p>The applicant has provided an Environmental Statement that assessed the air quality impacts of the proposed development. It was found that the construction works had the potential to harm local air quality through the creation of dust, but mitigation measures would alleviate the impact and would not be significant. The report determined that emissions from operation of the proposed development would be "not significant". The Council's Pollution Technical (EH) team has requested a detailed Air Quality assessment</p>

	<p>and, therefore, a condition has been recommended that requires the applicant to submit details of an Air Quality and Dust Management Plan (AQDMP) for both the demolition and construction phases, prior to any commencement of works on site. In addition, a contribution of £390,040 is sought to be used towards air quality monitoring.</p> <p>Please refer to the 'Air Quality' section of this report for more details.</p>
<p><u>Transport Impacts</u></p>	
<p>The development would exacerbate traffic and parking on local roads.</p>	<p>The scheme is a car-free development and encourages the use of sustainable transport modes. However, there would be two allocated disabled parking spaces in the nearby Ealing Broadway Shopping Centre. It is not deemed to negatively affect the local road network or parking.</p> <p>Please refer to the 'Car Parking' section of this report for more details.</p>
<p>The development would result in increased overcrowding on the local public transport network.</p>	<p>The applicant has submitted a trip generation assessment to determine the estimated impact of the proposed development on local transport networks. It found that the development would generate 779 and 568 two-way person trips during the AM and PM peak hours respectively, but that a high proportion of these journeys would be undertaken by public transport. The introduction of the Elizabeth Line at Ealing Broadway Station would also significantly increase public transport capacity to accommodate additional demand. Based on this assessment, the development would not generate severe transport impacts.</p> <p>Please refer to the 'Trip Generation' section of this report for more details.</p>
<p><u>Planning History of the Site</u></p>	
<p>Previous applications have been refused on site (PINS ref. APP/A5270/V/09/2097739).</p>	<p>Planning permission ref. P/2007/4246 for a residential lead scheme was refused by the Secretary of State on 6 October 2009 under PINS ref. APP/A5270/V/09/2097739. There has since been a change in national, regional and local policy, and other material considerations have arisen. The current application has been assessed on its own merits, given the particular circumstances of the case.</p>
<p><u>Notion of a "Precedent" in the Area</u></p>	

<p>The development would set a precedent for other tall buildings in the area.</p>	<p>Representations received raise concern that the development would set a precedent for other tall buildings in the area which would potentially spread. However, this is simply not the case as applications are assessed on a case-by-case basis within the framework of policy and having regard to relevant material considerations. Therefore, it is erroneous to assume that the approval of one tall building would result in further tall buildings in the area.</p>
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Table 4: Summary of public comments

External Consultees:

<p>GLA</p>	<p><u>Greater London Authority (GLA) - Stage 1 Response - Strategic issues summary:</u></p> <p>Land use principles: The proposed office, commercial, leisure and cultural uses could be supported in this town centre location, subject to further information on the proposed affordable workspace, the cultural use and the existing retail floorspace.</p> <p>Urban design: The proposed height combined with the breadth of the tower and the substantial length of the lower 9 storey shoulder are not supported due to the alien and dominant building form that would overwhelm the historic town centre. Additional information, amendments and conditions are also requested.</p> <p>Heritage: The proposals would cause a high level of ‘less than substantial harm’ to the Ealing Town Centre Conservation Area and also ‘less than substantial harm’ to the setting of other designated heritage assets. The scheme has failed to adequately seek to avoid, minimise and mitigate harm in conflict with the NPPF. The final balancing exercise to weigh the harm against public benefits will be carried out at Stage 2.</p> <p>Transport: The access route to long term cycle parking must be revised and short-term spaces increased. Additional information, amendments, conditions and obligations are also requested.</p> <p>Other issues on environmental matters also require resolution prior to the Mayor’s decision-making stage.</p>
<p>Transport for London (TfL)</p>	<p>Healthy Streets, Vision Zero, Walking and Cycling</p> <p>Concerns were raised about pedestrian and cyclist access to a development on The Broadway. TfL is concerned about the loss of a public right of way and the suitability of Haven Place for accessing the cycle storage. TfL also encourages the applicant to consider adopting a coherent wayfinding strategy to help people navigate within, through, and beyond the development. Additionally, TfL is concerned about potential conflicts between cyclists and pedestrians due to pinch points on the</p>

<p>pavement identified in a Pedestrian Comfort Level assessment. The applicant is urged to address these concerns by demonstrating how the arrangement would work and accommodating space for users of unconventional bicycles.</p> <p>Cycle parking access directly from The Broadway (south) would be strongly supported by TfL. Improvements to Haven Place would still be required if being used by the public in any capacity other than fire escape.</p> <p>Cycle Parking</p> <p>While the number of long stay cycle parking spaces accords with the London Plan policy T5 in terms of quantum, the proposed provision of short stay cycle parking does not meet the London Plan minimum quantitative standard.</p> <p>This new destination within the heart of the town centre will attract significant active travel, and therefore should not be dependent on off-site cycle parking, which is already well used. To fully meet policy T5, it is expected that policy compliant parking is provided, or in lieu of this a financial contribution be made towards cycle improvements in the vicinity of the site.</p> <p>Cycle parking should be at least in accordance with the standards set out in the London Plan and should be designed in line with the London Cycling Design Standards (LCDS). Further detail on the cycle parking provision is required at this stage and subsequently the provision secured by condition.</p> <p>Bus Infrastructure</p> <p>To disperse bus passengers waiting at the bus stop on The Broadway (South), the applicant has proposed the extension of the current bus stop cage. TfL supports this provision although notes that passengers, particularly those with disabilities, can find it difficult to navigate buses when they arrive at long stops. Therefore, TfL requests the provision of a new shelter and countdown unit to assist dispersal and operations. In addition, any cost associated with the bus stop reconfiguring and repositioning will need to be met by the applicant, and this should be secure by condition or through the s106 agreement.</p> <p>Car Parking</p> <p>The proposed development is car-free which is supported, with the exception of two disabled persons' parking bays to be provided within the existing car park at Ealing Broadway Shopping Centre. The proposal should include the provision of Electric Vehicle Charging Points to all bays. Concerns have been raised about the location and distance between the parking spaces and buildings. The applicant needs to demonstrate how the scheme can guarantee the preservation of these bays in the context of future redevelopment. Further assurances are required to demonstrate compliance with Policy T4 and T6.5 of the</p>

	<p>London Plan. Disabled persons' parking spaces will need to be secured by condition and a Car Parking Management Plan will be required. Occupants of the development should not be eligible for parking permits or discounted season tickets in town centre car parks. Subject to the provision of necessary improvements for pedestrians and cyclists, specifically for disabled people, the proposal to accommodate disabled persons' parking bays off-site is considered acceptable by TfL. The local planning and highway authority, the LB of Ealing, should determine the acceptability of this approach.</p> <p>Trip Generation Whilst TfL welcomes that the methodology applied in the TA is largely consistent with pre-application advice, clarification is required in respect of the retail trip rates and modal shares assumed.</p> <p>Station Impact Assessment TFL expects to see the assessment of the impact of the additional demand on existing capacity utilisation levels and some basic level of station impact assessment. This should be assessed to ensure that the capacity of the station will not be exceeded, or a rationale be provided as to why this assessment is not needed. As it stands, it is considered that the proposals will not require mitigation in relation to Elizabeth line train capacity or result in significant impacts to the strategic road network. However, further assurances are required considering station accessibility, in compliance with Policy T4 of the London Plan.</p> <p>Rail Infrastructure Protection and Agent of Change Given the proximity of the site to the Great Western railway lines and railway operations, the applicant needs to consider the importance of identifying the risks associated with working on/near the railway and ways of mitigating those risks. Whilst TfL have no objection in principle to the development proposals in relation to the site's adjacency to the railway lines, the future planning consent should include appropriate infrastructure and railway operational/maintenance protection measures and suitable protection.</p> <p>Due to the close proximity of the station, the proposal should also take account of London Plan policy D13 on the Agent of Change Principle, which places the responsibility for mitigating the impact of existing noise, vibrations and other nuisances such as air and light pollution, firmly on the proposed new noise-sensitive development.</p> <p>Travel Plan The framework Travel Plan (TP) appears acceptable.</p> <p>Deliveries and Servicing The submitted outline Delivery and Servicing Plan (DSP) and Refuse Collection Strategy are broadly acceptable. The off-street provision for delivery and servicing is broadly acceptable. However, TfL view these on street bays as too far from businesses along The Broadway (south) to be</p>
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	<p>convenient for quicker drop-offs, causing servicing activity to take place outside the premises within the bus lane. TfL reiterates the need to design in waiting areas for servicing cyclists and recommends extending the DSP to cover the management of servicing moped/motorcycles, such as food delivery services, so not to impede the footway or highway.</p> <p>Construction A draft Construction Logistics Plan (CLP) has been submitted with the application and is broadly support. A full Construction Logistics Plan (CLP) will be required to be secured by condition.</p> <p>Summary of concerns</p> <ul style="list-style-type: none"> • Haven Place concerns; Loss of Public Right of Way, access arrangements for adjoining property, user safety and hostile environment, and suitability for adapted bike users. • Confirmation that courtyard access to be open 24/7 required. • Active Travel improvements highlighted by the ATZ assessment should be secured with focus on Vision Zero improvements and the provision of a coherent wayfinding strategy. • Further thought needed on The Broadway (south) regarding accommodating pedestrian and cyclists assessing the cycle parking. • Additional short stay cycle parking required. • Appropriate securing of blue badge car parking and EVCPs. • Restrictions on occupiers accessing wider site’s car parking, which would undermine car free credentials. • Station gate assessment. • D&S trip rate clarifications, and strategy for management of ‘quick’ deliveries such as home food delivery couriers. • The full DSP and CLP should be produced in accordance with TfL’s guidance and secured by condition.
Highways England	Highways England 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.
National Highways Limited	Raised no objection.
Historic England	<p>Historic England has objected to the proposed development due to the ‘harm’ it would cause to the significance of the Ealing Town Centre Conservation Area, Haven Green Conservation Area and the Grade II* Listed Christ our Saviour Church as designated heritage assets.</p> <p>The principal impact would be on the significance of Ealing Town Centre Conservation Area as a designated heritage asset. The proposed development would introduce a ‘tall’ building into the historic core of Ealing Town Centre that is characterised by low-rise buildings and as a result would have a ‘discordant visual effect’. Additional harm would</p>

	<p>occur from the loss of the perimeter buildings along Station Broadway; these buildings are of some interest despite their poor condition. Historic England concluded the proposed development would have 'less than substantial harm' on the significance of Ealing Town Centre Conservation Area as a designated heritage asset. Historic England emphasised a high degree of 'less than substantial harm'.</p> <p>A key contributor to the significance of the Haven Green Conservation Area as a designated heritage asset is the village green that has rural origins. The proposed development due to its dominant scale would undermine the character of the green that would be in full view to the south. Historic England concluded the proposed development would have 'less than substantial harm' on the significance of Haven Green Conservation Area as a designated heritage asset.</p> <p>The proposed development would harm the setting of Grade II* Listed Christ our Saviour Church by 'visually competing' with it and stated, 'its tall spire rising above the mostly low scale townscape signifies its intended importance and architectural dominance in the local area, and this relationship would be seriously eroded'. Historic England concluded the proposed development would have 'less than substantial harm' on the significance of the Grade II* Listed Christ our Saviour Church as a designated heritage asset.</p> <p>Historic England emphasised a medium degree of 'less than substantial harm' in the case of Haven Green Conservation Area and Grade II* Listed Christ our Saviour Church.</p> <p>Despite the above, Historic England did welcome the retention and restoration of the most 'significant' unlisted historic buildings within the application site.</p> <p>Overall, the 'less than substantial harm' to the designated heritage assets would need to be outweighed by any public benefits that the proposed development would secure (Paragraph 202 of the NPPF 2021). With regard to the harm identified, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It would be for the decision-maker to determine whether the broad justification for the proposed development would be acceptable and outweigh heritage harm.</p>
<p>Historic England Arch. Advisor (GLAAS)</p>	<p>GLASS notes that the site has potential for Palaeolithic, late medieval and post-medieval assets. It was therefore advised that the development could cause harm to the archaeological remains and therefore a field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and the practical constraints are such that it is considered that a two-stage archaeological condition could provide an acceptable safeguard.</p>

<p>Ealing Green and Town Centre Conservation Area Panel</p>	<p>Although the Ealing Green and Ealing Town Centre Conservation Areas Advisory Panel welcomes the development of this major central site in Ealing Town Centre, we have to object to the application in its current state. We were grateful for being involved in early pre-application discussions; however, our considered suggestions have been ignored and the whole scheme predicated on a "commercial imperative" relating to the "quantum of development" that we do not believe to be appropriate or realistic in the current or indeed future economic environments.</p> <p>Our objection centres on the height, massing and location of the tall building within the proposed development:</p> <ul style="list-style-type: none"> - Firstly, the scheme fails to enhance or complement the setting of the Conservation Area. We consider that the dominant buildings are bland and do not offer any architectural interest. This could be addressed, in our view, by rethinking and softening the boxlike design. The town centre deserves interesting buildings of a design that makes a lasting positive contribution to the area - much like the buildings designed by Charles Jones. We welcome the retention and inclusion of the historic street facades but as currently presented, the dominant building inflicts substantial harm on the area, contrary to the views expressed by Historic England. - Secondly, the location and massing of the dominant building are not acceptable. In particular, the position has been shuffled within the proposed development during the pre-application stages and is no longer in a position the meets the criteria set out in the London Plan or the Ealing Plan, albeit the latter is currently in a state of flux. As currently sited, the dominant building has a detrimental harmful impact on the classic views within the Town Centre, views that define the Centre, particularly in relation to Christ the Saviour Church and the gateway from Ealing Broadway Station. <p>We also have serious concerns in relation to the buildings in the Southeast corner of the site - and their relationship to the Carphone Warehouse Building. This building is one of Ealing Town Centre's architectural assets. The proposed buildings around it should be repositioned and softened so that the historic building is not lost. As proposed, there will be significant harm inflicted on it.</p> <p>Finally, we have concerns in relation to the wind funnelling that will undoubtedly occur as the proposed development is significantly taller than the immediate surrounding buildings:</p> <ul style="list-style-type: none"> - Given its relative height it is likely to bring strong winds down to ground level resulting in discomfort and potential safety issues for pedestrians. For this reason, we are pleased to see that a detailed wind assessment has been undertaken using Computational Fluid Dynamics.
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	<ul style="list-style-type: none"> - The wind assessment presented within Chapter 8 of the Environmental Statement and Associated Appendices state that wind assessments were undertaken in an iterative fashion working with the design team to develop the building massing and proposed landscaping strategy. However, the key elements of the architecture and landscaping that are required to ensure a safe wind environment are not documented within the submission. Results are presented only for the final (compliant) scheme. - This presents a risk that as the design is developed post planning that key design elements will be removed or changed resulting in an undesirable or unsafe wind environment for pedestrians. Therefore, we request that the key design elements with respect to wind are documented by the design team and that should the scheme be approved it is conditioned to require that any change in these features should be accompanied by an updated wind assessment. <p>The Panel accepts that this site is in need of sympathetic development - development that minimises any harm to the existing Conservation Area. However, this proposed application does not meet this test. It also conflicts with the Local and London Plans and needs further refinement. Until then it should be refused.</p>
<p>Haven Green/Mount Pk/Montpelier Pk/Grange Conservation Area Panel</p>	<p>Haven Green CA Panel object to this application on the grounds that the 21-storey slab building would be out of character with the scale of existing development on and around Haven Green. The building would have an intensely obtrusive and overbearing presence that would do serious harm to this key conservation area in the heart of Ealing. Haven Green CA is on Historic England's Conservation Areas at risk register and its condition according to HE is deteriorating. In our view, this development if approved would do further serious harm to the Green.</p> <p>The Council's own Appraisal Document and Management Plan for the Conservation Area describe the qualities of the Green and its development, and many other expert commentators including the then Secretary of State in 2010 and his planning inspector, the late Sir Peter Hall, and Historic England, have sought to describe why the Green is important and the unique role it plays in Ealing. National, London Plan and the Council's planning policies are all very clear about the need for developments which affect heritage assets to have regard to the form, function and structure of the area in which they are set and to the scale, mass and orientation of surrounding buildings. These policies emphasise that development should deliver places that are informed by the historic environment in which they are set and to respect the pattern and grain of existing spaces.</p> <p>This development does not do that. What concerns the Panel is that when BL began to design their scheme, they started by determining how much office space they wanted to build, irrespective of the site and its capacity for redevelopment. Only then did it consider how this might fit</p>

	<p>into this sensitive site. You can see this quite clearly in Section 3 of the Design and Access Statement where options for height and massing is the very last thing it considered. Possible means for mitigating the overbearing impact of the slab building they propose have been rejected apparently because they are less favourable to BL's commercial interests.</p> <p>The CA panel would request therefore that the BL be asked to revise these proposals and resubmit something that would be better reflect scale and character of this sensitive site, particularly with regard to its impact on views on and across Haven Green.</p>
<p>Central Ealing Residents Association</p>	<p>British Land has submitted a planning application accompanied by 287 poorly labelled documents and there is little time available for public responses, which is unfortunate for such a major scheme. In some ways we support the proposed scheme as a development of this important site is long overdue and a largely office scheme with some replacement retail use is desirable in this prominent central town centre site, however, we have some major concerns regarding the scale, density and height of the scheme.</p> <p>In summary, we consider that the following are key positive benefits of the proposed scheme:</p> <ul style="list-style-type: none"> - bringing new commercial uses to the site with a large increase in office workers which should boost retail trade in the town centre retaining many older, key heritage buildings along the Broadway - retaining the Ealing Club in a new building but in the same position as presently located - a pedestrian route through the scheme to and from the station, with a new pedestrianised square <p>In contrast, there are a number of strong negative aspects of the proposed scheme:</p> <ul style="list-style-type: none"> - the overall scale, density and height (21 storey tower) of the scheme, which is much, much higher than any other buildings in the town centre - such a massive scheme is inappropriate for a site in one conservation area and adjacent to another. The scheme would be highly visible from viewpoints such as Haven Green - the quality of architecture of the office towers - such a large amount of office space (net floor area of at least 25,000 square metres) in one development in the town centre is neither desirable or necessary. A smaller office scheme of 15,000 square metres would create a suitable critical mass opposite the station, and close to other major office schemes in central Ealing, to transform Ealing into a prime west London office centre and attract major occupiers. Demand for office space has declined following Covid and office workers are now generally working from home on average two

	<p>days a week, so a smaller Broadway Connection office scheme would now be more appropriate. A lower building height of say 12 stories would still be able to accommodate major office tenants in large floorplates as a 21-storey tower would.</p> <p>Taking into account all the above comments, we object to the scale and height of the proposed scheme and it should be refused unless some important changes to the scheme's height and scale are made.</p>
<p>Central Ealing Neighbourhood Forum</p>	<p>Is broadly supportive of an office-led mixed-use scheme for this site, which is appropriate to the revitalisation of the Town Centre, although we remain to be convinced of the need for the proposed quantum of new office space.</p> <p>We do, however, object to this application in its current form and raise several concerns on detailed matters. Planners should note that the proposals breach Neighbourhood Plan policies HBE1, HBE2 and HBE3, with paragraph 5.2.19 of the plan also relevant (see wording below).</p> <p>As is clear from the CGI views, the proposed 21-storey building will be highly visible from a number of viewpoints and will intrude negatively into these views. This proposed tall tower has two fundamental flaws - its excessive height and its poor design. The block is monolithic, architecturally uninspired and fails to reflect any of the character of central Ealing or to draw inspiration from the local architecture. Quite simply, it appears alien to its context and the mundane design is unworthy of the important location.</p> <p>Turning to the remainder of the proposals: The blocks on either side of the retained 'Carphone Warehouse' building, at 30-35 The Broadway and opposite the station exit, are too tall. The bland, white-rendered top storey and incongruous picture windows sit uncomfortably with the top storey of the corner building and should be omitted to allow the elegant gable and dormers of that building to draw the eye as a feature. This adverse juxtaposition is clearly illustrated in the view 'Broadway - looking west'. The first and second storeys of these two wings would also benefit from being set-back from the ground floor frontage, as has been proposed for the 25-29 The Broadway section where original buildings are retained.</p> <p>For these reasons, the proposals are unacceptable, and we urge their refusal.</p>
<p>Ealing BID Company Ltd</p>	<p>No comments received.</p>
<p>Design Out Crime Officer</p>	<p>1) At present the site comprises of condensed commercial and retail buildings with a narrow alley way running around the perimeter (Haven Place). The application aims to regenerate the site by creating a new courtyard, which is public realm.</p>

	<p>Unfortunately, this design is not acceptable from a personal safety and crime perspective. The majority of the space has no natural surveillance from the Broadway after hours. The courtyard will be open to all manner of unlawful activities 24/7 i.e., Street drinking, drug taking/dealing and general anti-social behaviour. This will be fuelled by the presence of various licensed premises, including the Ealing Club. The many recessed areas created by the building line will serve as informal urinals and more disturbingly, places for criminals to conceal themselves upon waiting for a victim to walk past. Once a member of public enters the space from The Broadway, they are committed to their journey without the privilege of knowing who may or may not be hiding. This will, not only increase the ability to commit violent crimes, but increase the fear of crime from a personal safety standpoint.</p> <p>Tackling violence against women and girls is a top priority for the Metropolitan Police. So much so that our new action plan to tackle this issue was published on 4th April 2022 and remains high on the agenda of all London Boroughs. This is an important factor to consider, and I strongly believe that this design will encourage and enable violent and sexual crimes.</p> <p>2) Within the proposals, Haven Place is mentioned as a route for cyclist to gain access to the oversized cycle store. Although this route is access controlled it is still highly inappropriate for a cycle route. It doubles as a fire exit route so will therefore have some kind of break glass button to activate in the event of an emergency. We see, right across London, these routes being misused, and the gates being left insecure. It will also be possible for an individual to tailgate a staff member into the alley. They can then, either lay in wait for a victim or, gain access into the cycle store in order to steal. Both scenarios ultimately leave this area and any users completely vulnerable to personal attack and theft. Again, we must take into consideration of the issue of violence against women and girls.</p> <p>During our research into this proposed development, we also engaged with the local policing team for Ealing Broadway. They have highlighted issues that already exists from a policing point of view, and they feel this development will only exacerbate the issues this area is currently experiencing. They highlighted issues ranging from drug use/dealing in and around the local environs, especially the alleyways near Harts Estate Agents and Red Rooms, they also stated there is a big increase in ASB from teens in the area, who use the Broadway and the alleyways to cut through the area and cause ASB to members of the public. They have also found knives and gas canisters stashed around the area during routine sweeps of the local environs. They believe this development will, not only increase the ability to commit violent crimes, but increase the fear of crime in the area.</p>
<p>Health And Safety Executive</p>	<p>HSE is the statutory consultee for planning applications that involve or may involve a relevant building. A relevant building is defined as:</p> <ul style="list-style-type: none"> • contains two or more dwellings or educational accommodation and

	<ul style="list-style-type: none"> • meets the height condition of 18m or more in height, or 7 or more storeys <p>“Dwellings” includes flats, and “educational accommodation” means residential accommodation for the use of students boarding at a boarding school or in later stages of education (for definitions see article 9A(9) of the Town and Country Planning Development Management (England) Procedure Order 2015 as amended by article 4 of the 2021 Order.</p> <p>However, from the information provided for this planning application it does not appear to fall under the remit of planning gateway one because the purpose of a relevant building is not met.</p>
London Fire And Emergency Planning Authority	Raised no objection to the proposed scheme and referred the applicant to the London Fire Brigade ‘Fire Safety Guidance Note’ GN29.
London Ambulance Service	No comments were received.
National Grid Plant Protection	No comments were received.
Cadent Gas Limited	Raised no objection subject to an appropriate informative.
Network Rail Infrastructure Ltd	Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.
LUL Infrastructure Protection	No comments were received.
National Planning Casework Unit	No comments were received.
Thames Water Utilities Ltd	Raised no objection subject to appropriate conditions and informatives.
Vieola Water Company	No comments were received.
Affinity Water	No comments were received.
National Air Traffic Services	NATS has no safeguarding objection to the proposal.
Ministry Of Defence	MOD has no safeguarding objections to this proposal.
Heathrow Airport Limited	The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria

	<p>unless any planning permission granted is subject to a condition requiring a Bird Hazard Management Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.</p>
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Table 5: Summary of external consultee comments

Internal Consultees:

<p>Strategic Planning</p>	<p>Principle of development</p> <p>The principle of the proposed mixed-use office-led development is strongly supported within Ealing Metropolitan Town Centre, which remains the dominant office and commercial centre within the borough and the only centre with capacity to compete at the London level. Town centres have undergone structural changes since the Covid pandemic, with comparison retail generally weakening, and convenience retail highly dependent upon local retention of trade.</p> <p>The gradual return to office working, and fundamental shifts in the operating model of retail and office sectors overall, mean that employment uses are the key driver of overall town centre health and footfall, and particularly of retail spend.</p> <p>Ealing's office stock in common with that in other areas faces a sharp transition due to increased energy efficiency requirements which mean that existing stock must either be fully upgraded or be lost to office use all together. The combination of these factors is expected to result in an overall decline in the amount of office stock, and a very substantial shift in the market toward Grade A space, in which London's existing centres will have to compete over a smaller stock of higher quality office space.</p> <p>Employers are increasingly selective about the use of their office budgets and are concerned to provide space in high-amenity locations and encourage attendance for an increasingly hybrid workforce. This is fully reflected in the emphasis of the proposals upon mixed and varied uses, and the creation of new public space, and the new route from the Station to the Broadway all of which are identified in existing and emerging site allocations as priorities for this site.</p> <p>Critical mass</p> <p>Ealing's strategic location between Heathrow and the West End has been greatly strengthened by the arrival of Crossrail and even improved to the point that Ealing Broadway station now offers superior connectivity with clusters of creative industry in East London. However, this structural advantage will remain entirely latent without a substantial anchor of new Grade A office space.</p> <p>Office provision in Ealing town centre has historically been based to a significant extent upon owner occupiers and located primarily within the Office Corridor and has therefore lacked a substantial open market offer around the main transport hub of Ealing Broadway Station. The quantity</p>
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	<p>and mix of the proposed uses with over 40,000 m² of new office space is essential to securing Ealing's future as an office hub and to the health of the town centre overall.</p> <p>Conclusion</p> <p>The Broadway Connection proposals are strongly supported in policy terms, both for the nature and mix of uses, which will support and strengthen Ealing Metropolitan Town Centre, and the scale and critical mass of the proposed office space. These proposals come at a crucial time and directly address historical weaknesses in Ealing's office market at precisely the point that existing provision must either be replaced or transition to other uses.</p>
<p>Regeneration</p>	<p>Ealing Metropolitan Centre has the highest concentration of knowledge intensive employment in the borough, with nearly 4,500 jobs in financial and professional services, reflecting the importance of the Uxbridge Road corridor in accommodating the borough's higher quality office stock. Ealing's proximity to the cluster of knowledge economy uses along the Uxbridge Road and access to new Elizabeth Line stations means that it can become a premier destination for new business and employment growth, increasing the footfall and benefiting other complementary uses such as leisure, f & b and retail.</p> <p>Ealing Centre is the main shopping and food and beverage destination in the borough and ranks as one of London's 'Metropolitan Centres'. The opening of Elizabeth Line station provides a major catalyst to bring the future investment to Ealing Town Centre. Although Ealing's footfall has held up relatively well since the Covid Pandemic, parts of it including the area immediately outside the station is slightly run down and in need of investment to protect the character and attraction of the area.</p> <p>The Council Plan sets out its plan for 'Good Growth' in Ealing and to support residents' aspirations for 'Decent Living Incomes' that they can access locally without commuting into central London. Currently significantly more people commute out of Ealing to work than into Ealing and a large-scale commercial led redevelopment of the site as proposed by the scheme would support Ealing's attraction as a viable in commuting location.</p> <p>Along with new office space, the proposal includes a range of mix uses, food, leisure and cultural venue, would support the wider catchment area demand for shopping, leisure and services in the town centre and therefore welcomed. These two contributions would help support Ealing as a Metropolitan Centre and ensure it retains its competitive position compared to other centres across Greater London.</p> <p>The key benefits identified in the supporting documents include contributing approximately 2,800 new jobs to Ealing's local economy</p>

(permanent FTE) and a further estimated average of 252 FTE jobs each year during the 4-year construction phase.

Minimising existing businesses displacement

We note that most of the current tenants are on short term lease but some of them have been operating in Ealing for the long term. The scheme of this scale is likely to result in displacement of trade and raise affordability issue for new premises. We recommend seeking a commitment from the developer to work with the current businesses to accommodate them elsewhere in Ealing Town Centre where its feasible.

Affordable workspace

The Council published Affordable Workspace Study and it forms part of the Local Plan evidence base. The affordable workspace policy is still not adopted, it provides the framework to secure affordable workspace through new developments. The Industrious Ealing study and Ealing Town Profile (2022) confirms that there is limited supply of affordable workspace in Ealing Town Centre. Although, a brand-new office space in Ealing would be welcome, it is likely to impact negatively on the existing office or push rents up. Therefore, a proportion of the new commercial floor space on site (preference) rather than an off-site contribution should be secured towards providing an affordable workspace through planning obligations. At this stage, it is critical that such principle is established with details to be resolved through a condition to the timescale, management and operational issues.

Skills and employment

Ealing Council produced a plan for good jobs in the Autumn of 2021 which seeks to promote higher paid, structured opportunities for Ealing residents to succeed locally. The scale of investment planned by the scheme is therefore of strategic significance. As well as the provision of well-paid jobs on site, the Council should seek commitments from this flagship scheme towards to skills development, in work training opportunities, apprenticeships and meaningful work experience opportunities for students in Ealing and working with partners such as West London College and Business Improvement District.

Ealing Club

The proposal includes re-provision of culture and leisure uses on site as a replacement of the Ealing Club. However, there are no details in terms of its delivery, viability, lettings, affordability for local cultural organisations to make the use of this excellent facility. Please include the necessary condition that will require the full business plan for this venue to be submitted or secure a S106 contribution to ensure community or education use as part of the wider commercial offer.

Public realm and visitor experience

The scheme proposed high quality and attractive public realm and a through pedestrian route. However, it is critical that the additional

	<p>footfall generated, office users and visitors can enjoy the wider offer of the Ealing Metropolitan Centre. In 2019, Ealing Council prepared the Ealing Prospectus in close engagement with the local businesses and community. It includes plans re-imagine the station forecourt, strengthen link to Haven Green, opportunities for active travel and improving wayfinding and signage. A contribute should be sought to the wider public realm improvements that are outside the application boundary.</p> <p>Local business benefits and managing impacts</p> <p>The new commercial use is welcome, and it could help with the local economy. Could we please secure a commitment from the developer to encourage that a local purchasing and principles of circular economy can be incorporated when leasing the space and engagement with the local Business Improvement District. This will maximise local supply chain opportunities and in-turn potential for job creation.</p> <p>During the construction phase, the works are likely to impact on the prime retail frontages, experience of pedestrians and potentially cause disruption. Please include a condition that requires the developer to engage with the local businesses and the Council prior to the commencement in order to minimise negative impacts, include public art on hoardings and offer an attractive alternative pedestrian route.</p> <p>Conclusion</p> <p>The proposed mix of uses, diverse range of shops retaining heritage shopfronts, providing modern premises and contemporary commercial floorspace are welcome. The scheme brings significant regeneration and economic benefits at the prominent location, putting the Ealing Metropolitan Centre on the capital’s map and promote Ealing as an office destination.</p>
Estates And Development	No comments received.
Transport Services	Raised no objection in principle, subject to appropriate conditions of consent and S106 contributions to mitigate the impacts of the scheme.
Highways Management (Internal)	No comments received.
Active Ealing - Environment And Leisure	<p>Ealing’s Strategic Facility need</p> <p>The current indoor and outdoor sports facility supply in Ealing falls below the needs of the existing population as evidenced by the priority projects identified across the borough. Although this application doesn’t currently include residential units, if units were added at a later date, any new population would exacerbate Ealing’s facility need and it would therefore be appropriate to seek financial and/or in-kind contributions from the applicant as part of the planning process to contribute towards improving the borough's sporting infrastructure to best meet the needs of residents.</p>

	<p>Proposed Gym space Leisure is encouraged to see the proposed design includes a first-floor gym (748sqm). More information about the gym space would be useful including ancillary facilities to be provided e.g., changing rooms, toilets, etc and if these ancillary facilities will be provided within the 748sqm or in addition to the 748sqm.</p> <p>General design On a more general health and wellbeing note, the applicant should aim to incorporate Sport England’s ‘Active Design’ (October 2015), throughout the proposed development. This guidance, produced in conjunction with Public Health England, is a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government’s desire for the planning system to promote healthy communities through good urban design.</p>
<p>Regulatory Services (Pollution Technical)</p>	<p>Noise and Vibration Raised no objection in principle subject to recommended conditions related to noise and vibration.</p> <p>Air quality The AQ assessment does not seem to consider impact on receptors as a result of the development. Clarification is required as to the change in pollutant concentrations due to traffic emissions, whilst it might be car-free there will still be other traffic emissions associated with this development due to deliveries, servicing, waste collection etc. The AQ assessment also needs to consider emissions from any emergency generators that might be installed onsite and finally cumulative impact as a result of any upcoming developments in the area. If any diesel generators are to be installed, then it is highly recommended that the development explores other technology in the market and ensure that the use of fossil fuel generators is not used onsite.</p> <p>Recommended several conditions related to air quality, dust management and non-road machinery. A contribution of £390,040 was sought for air quality monitoring.</p>
<p>Energy Officer</p>	<p>The Council is extremely supportive of the proposed energy/sustainability strategy produced by Atelier Ten in August 2022 (version 5) which will deliver an all-electric development built to very high environmental standards. The energy figures have been assessed against Part L 2021 (SAP 10.2). This is progressive, but it is in line with the most ambitious GLA guidance. Most developers are understandably still assessing against SAP 10 (not 10.2). The upshot is that the hierarchy figures look very different at only 1.24% reduction - but of course with SAP 10.2 the bar is set much higher. An assessment against SAP 10 has also been done and that is a more familiar 45%.</p>

	As such, no objections were raised to the submitted Energy Strategy, subject to appropriate conditions of consent and S106 agreement to secure financial contributions of £11,702 towards energy monitoring equipment and the carbon offset levy of £519,062.
Landscape And Tree Officer	No comments received.
Parks And Countryside	No comments received.
Flood Risk Officer	Raised no objection in principle, subject to an appropriate condition of consent related to drainage and runoff rates.
Commercial Waste (Major)	No comments received.
CCTV Systems Manager	Raised no objection subject to securing of a S106 contribution of £40,000 for additional CCTV equipment for the area.
Ealing Broadway Councillors	No comments received.
Ealing Central And Acton MP	No comments received.

Table 6: Summary of internal consultee comments

Officers’ response:

Following the engagement Officers, together with the GLA, TfL and the police (DOCO), as well as having regard to the representations that have been submitted, the applicant made several amendments to the proposed scheme. These amendments include the following changes to the submitted proposal in order to address some of the points that have been raised above.

1. **Revised cycle access** – to address the widespread concerns raised in accessing the long-term cycle parking via Haven Place, it has been redesigned to take access directly off The Broadway, thereby leaving Haven Place for emergency exit only.
2. **Creation of smaller sub-divided cycle stores** – as well as changing the access to the cycle parking, the long-term storage areas have been sub-divided, enabling them to be allocated to specific future occupiers, thus limiting the number of people accessing each storage space and thus improving security.
3. **Increase short stay cycle provision** – whilst the applicant has been keen to ensure that the new route through the application site, between the station and the town centre, is kept for pedestrians, it is possible to meet the requests to increase the number of short stay cycle spaces from 26 to 46 cycles, without resulting in additional conflict.
4. **One storey reduction off the building wrapping around No. 35 The Broadway** – in order to address the concerns that have been expressed about the height of the new adjoining building competing with, and detracting from, 35 The Broadway on the corner, it has been redesigned to take off one complete storey.

5. **Redesign of some of the new frontages on to the central public realm** – in order to address concerns that the recessed areas could be used for anti-social behaviour or for criminals to wait for potential victims, the recessed areas have been removed by bringing forward the new shop fronts.
6. **Amendments to elements of the landscaping scheme** – an additional green wall is being introduced to the upstand wall at roof level for the building wrapping around No. 35. This enables the scheme as a whole to achieve an Urban Greening Factor score of 0.3, in line with policy objectives. In addition to this, two further trees are proposed to The Broadway. For the avoidance of doubt, these are in addition to the 39 new trees already proposed across the site.
7. **The addition of a water drinking fountain** - Finally, the amended landscaping scheme now incorporates a water drinking fountain, which will be free to use.

In addition to the above amendments, the applicant provided additional and revised documentation. These included the following:

1. Revised architectural drawings incorporating the above changes.
2. The Design and Access Statement addendum.
3. Revised landscaping drawings incorporating the above changes in so far as they affect the submitted landscaping scheme.
4. A Landscape addendum.
5. A revised Fire Strategy, providing the additional information requested by the GLA and confirmation that the proposed green walls will not increase fire risk.
6. A revised Drainage Strategy explaining how the proposal seeks to minimise surface water runoff and why it is not feasible to reduce it further, as well as providing clarification on the location of the green roofs and the rainwater harvesting system.
7. A Transport Technical Note providing the clarifications and additional information sought by the GLA.
8. An Acoustic Statement providing comfort that the location and design of the premises for the Ealing Club will be able to comply with the Council's standards.
9. An Energy Memo on some of the points raised by the GLA, with accompanying supplementary documents and a carbon emissions spreadsheet.
10. A revised Circular Economy Statement together with a spreadsheet answering the points raised by the GLA.
11. A Whole Life-Cycle Assessment spreadsheet, again addressing the points raised by the GLA.

All matters raised related to the scale and design of the proposal, its heritage impacts, and transport impacts are all assessed in detail in the below report (Please see Reasoned Justification section below). However, a brief response is provided below on the key matters raised.

Office Use and Affordable Workspace

It is noted that in most cases, the proposed office use and affordable workspace provision is supported. However, in some cases questions are raised as to the need for this extent of office use. To this end it is noted that the development, along with its extensive office provision, is supported by local and strategic planning policies as it addresses the need for high-quality office space in Ealing's Metropolitan Centre while providing a mix of uses to support the town centre's vitality and competitiveness.

In terms of affordable workspace, despite not being in full compliance with the Ealing Draft Local Plan policy due to the level of discounts offered, it is important to note that the discounts offered would still be of significant benefit for small and start-up businesses, overall complying with the spirit of the draft policy. The affordable workspace provision is considered to be a significant benefit of the proposal.

Night-time Economy and Ealing Club Use

The general support expressed for the re-provision of space being proposed for the Ealing Club is noted. It is however worth clarifying that the Ealing Club does not have a venue on site currently. They use the Red Room when required. As such, the Ealing Club will not be displaced by the proposed redevelopment, so the issue of temporary relocation does not arise.

Retail and Other Commercial Uses

The mix of uses and their contribution to the vitality and viability of the Metropolitan Centre and is generally supported, which is noted. It is however noted that concern has been raised regarding the quantitative loss of commercial and retail floorspace proposed.

While this loss is noted, it is important to note that the proposed development retains almost all the active frontages along The Broadway and introduces new active frontages within the area of public realm being created as part of the through route linking the station with the rest of the town centre. This would result in qualitative improvements to the retail offer on site. This is assessed in more detail below.

Loss of Residential Units

It is recognised that the loss of residential accommodation is generally resisted by policy. However, it is important to bear in mind the context of this loss. The degree of loss is not significant, especially as only one dwelling is currently occupied. The quality of this accommodation is not up to current standards, and the significant need for office provision in this part of the borough all provide justification for this loss (along with the associated significant benefits of the proposed scheme). More detail on this assessment is provided below.

Layout, Landscape and Public Realm

It is noted that the retention of some of the existing buildings and the provision of new actively fronted public realm, with a new route across the site, is generally supported.

In terms of the location of proposed seating, it has been confirmed that this has been located in the best position to ensure that they maximise the available sunlight within the courtyard, while still allowing unobstructed pedestrian movement through the space.

In terms of the re-development potential of the neighbouring Arcadia Site, the Design and Access Addendum demonstrates that this could be accommodated and that the proposed development would not prejudice this.

Height, Massing and Optimising Development Capacity

When considering the height, scale and massing of the proposed development, regard needs to be had to the central location of this site and its highly accessible location next to Ealing Broadway station, with the new Elizabeth Line, its designation as a development site, the policy recognition for the site being appropriate for a tall building, and the significant public benefits specifically associated with the quantum of office space being delivered through the scheme. A more thorough assessment of the proposed buildings design and height are provided below.

Specific comments were made regarding the proposed development that wraps around No. 35, and that this should be reduced in height, to avoid clashes with the existing corner building. In response to this concern, this part of the development has been redesigned to reduce the height of this part of the development.

Heritage Impacts

A number of detailed points were raised regarding the impact of the development on heritage assets within and near to the site. A thorough assessment of the impact of the development on both designated and non-designated heritage assets is provided below.

Noise from the music venue

In response to the comments made regarding potential breakout noise from the proposed music venue, an Acoustic Statement to this effect has been provided. It finds that the location and proposed design incorporate mitigation, with the club itself located within the basement, where there are no significant external sidewalls to radiate noise and the route to and from the club is through lobbies, a staircase and multiple doors.

Fire Safety

In response to comments from the GLA, a revised Fire Strategy has been submitted, providing the additional information requested by the GLA and confirmation that the proposed green walls will not increase fire risk.

All other matters raised related to the environmental health, transport impacts and so on are all assessed in detail in the below report (Please see Reasoned Justification section below).

REASONED JUSTIFICATION:

The proposal is assessed in terms of its potential impact on the area, on the amenities of the occupiers of neighbouring development, taking into account the relevant development plan policies for the area, ES assessment and considerations of the localised impacts of the development, and all other material considerations. The main issues are:

- Environmental Impact Assessment.....65
- Principle of development.....68
- Affordable workspace.....72
- Design, appearance, and impact on character of the area.....73
- Tall Buildings.....78
- Heritage Impacts.....86
- Public Benefits.....115
- Impact on neighbouring properties.....120
- Environmental Health.....123
- Highways, transport and parking.....125
- Energy and sustainability.....129
- Fire Safety.....132
- Community Infrastructure Levy.....134
- Conclusion.....135

Environmental Impact Assessment (EIA)

The Environmental Impact Assessment (EIA) process is the mechanism by which development proposals are appraised in terms of their likely significant environmental effects. EIA is described as a means of drawing together, in a systematic way, an assessment of a development's likely significant environmental effects (beneficial and adverse).

The proposed development does not fall within any of the categories listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and therefore legislatively does not technically require an EIA. However, due to the sensitivity of the environment and the characteristics of the proposed development, the applicant committed to voluntarily undertake an EIA of the Proposed Development which would be documented in an Environmental Statement (ES). The Environmental Statement was made available for public review on the Council’s website.

Prior to the formal submission of the application the applicant requested a scoping opinion (in of March 2022) to ascertain what matters the planning application and associated ES needed to take into account. The LPA’s scoping opinion dated on 30 May 2022 (Reference 221127SCO) indicated that the environmental issues against which the impacts of the development needed to be assessed were:

- Socioeconomic
- Townscape, Heritage and Visual Impact
- Environmental Wind
- Daylight, Sunlight, Overshadowing and Solar Glare
- Transport and Access
- Noise and Vibration
- Air Quality

Schedule 4 of the EIA regulations 2017 identifies what information is required to be included in an ES, i.e., as is reasonably required to assess the environmental effects of the development.

The ES comprises the following volumes:

- Volume 1: Main Report (this document)
 - Chapter 2: description of the Site and surrounding area
 - Chapter 3: summary of the Proposed Development
 - Chapter 4: outlines the demolition and construction works; and proposed site management
 - Chapter 5: methodology adopted to undertake the EIA
 - Chapter 6: summary of the planning and policy context
 - Chapter 7-11: technical chapters including Socioeconomics (Chapter 7), Environmental Wind (Chapter 8), Daylight, Sunlight, Overshadowing and Solar Glare (Chapter 9), Transport and Access (Chapter 10) and Air Quality (Chapter 11) which document the assessments of likely significant effects of the Proposed Development
 - Chapter 12: assessment of impact interactions
- Volume 2: Appendices
- Volume 3: Heritage Statement and Townscape and Visual Impact Assessment
- Non-Technical Summary

The other documents submitted with this planning application include:

- Design and Access Statement
- Planning Statement
- Landscape/Open Space Strategy
- Landscape Design Statement
- Archaeology – Desk Based Assessment
- Ground Conditions/Contamination Assessment – Desktop Assessment
- Flood Risk Assessment/Drainage and Water Resources
- Sustainability Design and Construction Statement (including BREEAM Pre-Assessment)
- Energy Statement and Sustainability Statement
- Circular Economy Statement
- Whole Life-Cycle Carbon Assessment
- Transport Assessment
- Waste, Servicing & Delivery Management Plan
- Economic/Regeneration Statement
- Biodiversity/Protected Species Survey and Ecology Appraisal Report
- Construction Management Plan
- Urban Greening Assessment
- Tree Survey/Arboricultural Implications Assessment
- Fire Safety Statement/Strategy
- Statement of Community Involvement
- Infrastructure Assessment/Utility Statement
- Basement Impact Assessment
- Ecological Appraisal Report
- Air Quality Positive Statement
- Noise Assessment

- Flood Risk Assessment; and
- Biodiversity Net Gain Report

The information in the above documents has assisted in defining the development and its likely impacts against which EIA has been carried out. The information provided accords with the EIA regulations 2017 in terms of what is required for inclusion within an ES. It also addresses all the issues identified by the LPA's scoping opinion.

The submitted ES has been independently assessed by the Council's appointed experts the Temple Group. Temple Group have undertaken a full review of the ES in accordance with The Institute of Environmental Management's (IEMA's) Quality Mark ES Review Criteria. The review has also taken into account the Planning Practice Guidance in relation to EIAs, and the agreed scope of the EIA.

The review process involved Temple collating their findings and issuing to the applicant a list of clarifications which they were invited to respond to, this response was subsequently reviewed, and Temple advised the Council on any mitigation measures required to overcome any harmful impacts identified. Following the review and receipt of additional clarifications Temple Group have been able to close out all issues and where necessary set out details of the further mitigation measures either secured in the scheme design or through relevant planning conditions such as the Construction Management Plan or through clauses and financial contributions secured via the S.106 agreement.

Officers supported by Temple Group consider that the environmental impact including the cumulative impacts of the proposed development have been robustly assessed. In accordance with its obligations under the EIA Regulations (including Regulation 26) officers (via the EIA consultants) have examined the environmental information submitted in support of the application and consider that it accords with the requirements of the EIA Regulations 2017 in terms of what is required for inclusion within an ES and the robustness of the assessment. It also addresses all the issues identified by the LPA's EIA scoping opinion. Officers, having examined the environmental information as required by Regulation 26 of the EIA Regulations 2017 (as amended) and conclude (per Regulation 29 of the EIA Regulations 2017 (as amended)) that, unless otherwise stated, the significant effects of the proposed development on the environment are those set out in the ES. The LPA shall comply with its other obligations (per Regulation 29 of the EIA Regulations) should planning permission be granted but include in this Report, those measures that the LPA considers are required in accordance with Regulation 29(b)(i)(bb)(cc)(dd), as suggested conditions/section 106 obligations, should planning permission be granted.

Plans and other documents defining the limits or specific proposals and principles of the scheme proposed in the application, as well as accompanying guidance on design and scale within the DAS and other application documents would, where appropriate, be secured by conditions attached to any grant of Planning Permission. This is to ensure that the development is built in accordance with the proposals assessed as part of the environmental information submitted with the application and for which the impacts have been considered. In terms of the EIA Regulations 2017, officers consider that the environmental impacts of the proposed regeneration scheme have been fully considered by the applicant and by the LPA in the determination of this Application.

Principle of development***Office Use***

Policy E1 in the London Plan (2021) relates to offices and supports the provision, retention and modernisation, including through redevelopment, of offices to improve quality, flexibility and competitiveness and maintain a broad employment base. The policy also states that diverse office markets in outer and inner London should be extended, focusing new development in Town Centres and other existing office clusters.

In the London Plan, Ealing is classified as a Metropolitan Centre. The commercial growth potential of Ealing is identified as being 'High' and in terms of office potential; it is considered to have the capacity, demand and viability to accommodate new speculative office development, potentially as part of mixed-use developments.

At the local level, of the 94,500m² of additional office space sought by Policy 1.1 in the Core Strategy, Policy 1.2 seeks to deliver 90,000m² of it in Ealing Town Centre. The need to deliver more office space in Ealing is exacerbated as a substantial amount of office space within the town centre has been lost through office to residential permitted development rights. The application proposal would therefore make a significant contribution to this and furthermore would help to demonstrate confidence in the office market in Ealing. Therefore, the additional office floorspace proposed fully accords with the Council's aspirations for additional office floorspace within Ealing Town Centre.

The above policy stance is reinforced by the CBRE Commercial Market Report. This demonstrates that there is a need for a sufficient critical mass of new high quality office space to be provided, in order to enable the town to compete with other office centres in West London. Without the proposed development, there is no prospect of the required critical mass being achieved within the town centre.

The principle of the proposed mixed-use office-led development is strongly supported within Ealing Metropolitan Town Centre, which remains the dominant office and commercial centre within the borough and the only centre with capacity to compete at the London level. Town centres have undergone structural changes since the Covid pandemic, with comparison retail generally weakening, and convenience retail highly dependent upon local retention of trade.

The gradual return to office working, and fundamental shifts in the operating model of retail and office sectors overall, mean that employment uses are the key driver of overall town centre health and footfall, and particularly of retail spend.

Ealing's office stock in common with that in other areas faces a sharp transition due to increased energy efficiency requirements which mean that existing stock must either be fully upgraded or be lost to office use all together. The combination of these factors is expected to result in an overall decline in the amount of office stock, and a very substantial shift in the market toward Grade A space, in which London's existing centres will have to compete over a smaller stock of higher quality office space.

Employers are increasingly selective about the use of their office budgets and are concerned to provide space in high-amenity locations and encourage attendance for an increasingly hybrid workforce. This is fully reflected in the emphasis of the proposals upon mixed and

varied uses, and the creation of new public space, and the new route from the Station to the Broadway all of which are identified in existing and emerging site allocations as priorities for this site.

Ealing's strategic location between Heathrow and the West End has been greatly strengthened by the arrival of Crossrail and even improved to the point that Ealing Broadway station now offers superior connectivity with clusters of creative industry in East London. However, this structural advantage will remain entirely latent without a substantial anchor of new Grade A office space.

Office provision in Ealing town centre has historically been based to a significant extent upon owner occupiers and located primarily within the Office Corridor and has therefore lacked a substantial open market offer around the main transport hub of Ealing Broadway Station. The quantity and mix of the proposed uses with over 40,000m² of new office space is essential to securing Ealing's future as an office hub and to the health of the town centre overall.

Ealing's office market is relatively small when compared with the other centres in London, and its size makes it particularly vulnerable. In order to achieve the required critical mass, the development of new and high-quality office floorspace is key. It is considered that the proposed development to provide a significant quantity of high-quality office floorspace would attract new businesses. By providing a sufficient supply of premises and delivering sustainable commercial development as prescribed by Policy 2.5 of the Ealing Development Strategy (2012), the proposal would contribute towards revitalisation of Ealing Metropolitan Centre, in accordance with London Plan Policy 6.9.

Furthermore, the Site is located in a PTAL area of 6b, with proximity to the Ealing Broadway Station. Its location is ideal for office use in this regard and the locality is considered appropriate for the intensification of the Site, in line with the site-specific allocation.

Given all of the above, it can be concluded that the principle of the proposed office development is strongly supported in land use terms by the strategic and local planning policies. In particular the proposal complies with London Plan Policy SD6 that identifies Town Centres as the primary location for commercial activity, Policy SD8 which states that Metropolitan Centres should be the focus for higher density employment and office, together with Local Plan Policy E1, which states that an increase in offices should be supported in town centres.

Office space in Ealing Town Centre is sought under policy E2, as well as the site-specific allocation under Site EAL3 (Arcadia Centre). As such, the proposal is acceptable in land use terms.

Retail Use

The development proposes flexible retail and food and beverage floorspace (Use Class E). The proposed retail floorspace would be provided in a range of different sized units fronting The Broadway and the newly created central courtyard and will accommodate a mix of retailers, cafes, and restaurants.

London Plan Policy SD7 states that development proposals should sustain and enhance the vitality and viability of the town centre, support and enhance the competitiveness, quality and

diversity of town centre retail, leisure and other services. Core Strategy Policy 2.5(b), seeks to define and reinforce the distinctive character and roles of the Ealing Metropolitan Town Centre and identifies Ealing Broadway as a high quality retail destination. Part (c) of the policy seeks to strengthen and extend the core of the town centre leading to an increase in the quantum, quality and diversity of the existing retail, café and restaurant offer and sustain the town centre's position in the retail hierarchy. This is reinforced further by the Site allocation within LBE's Development Sites DPD (2012) (EAL3 Arcadia). It reconfirms that the proposed retail uses are acceptable, but it too had aspirations to increase the scale of retail development.

Whilst there are some good quality retailers on the site, many of the existing units are of poor quality and attract a range of uses such as second-hand phone shops, estate agents, hair salons, money exchange, second hand clothes stores and a kebab shop. Although the proposal would lead to a net reduction in retail floorspace on the Site, the proposal would offer more modern outlets that will help attract a better quality and mix of retailers, restaurants and cafes in line with London Plan Policy SD7.

The Broadway is a designated Primary Retail Frontage, where Policy 4B(a) of the Development Management DPD states that "*A1 retail uses should constitute 100% of the designated Primary Shopping Frontage*". The first consideration to highlight is that some of the existing units do not currently comprise retail units within the old Use Class A1 anyway. Second is to consider part C of policy 4B, which states that *Development in any designated frontage should not result in a net loss of active frontage and should increase the active frontage where appropriate*, which is arguably more important (in light of recent changes to the Use Class Order and the flexibility afforded to Use Class E).

Although the proposed development would result in a reduction of retail floorspace, almost all the frontage along The Broadway would be retained as active frontages, other than for the creation of entrances into the new area of public realm being created, together with the new through route linking the station with the rest of the Town Centre more directly. The new active frontages and higher quality commercial units created by the proposal onto this new space and the route, more than compensate for that loss.

Therefore overall, the proposed retail, restaurants and cafés are entirely acceptable in land use terms. Whilst local policies also seek quantitative increases in retail floorspace, the proposal both increases active frontages and would deliver qualitative improvements to this part of the Town Centre. As such it is considered that the proposal complies with London Plan Policies SD6 and SD7, as well as local policies 2.5, 4B and EAL3.

Leisure Use

A gym is proposed at first floor level, with an entrance fronting onto The Broadway (station side). It comprises 748m² GIA of floorspace. Leisure is one of the uses which the London Plan directs to Metropolitan centres (Policy SD8). At the local level Core Strategy Policy 2.5 encourages leisure development to help regenerate Ealing Town Centre. The allocation covering the site EAL3 also includes leisure within the list of uses are acceptable.

The proposed leisure uses would sustain and enhance the vitality and viability of the Metropolitan Centre and support and enhance the competitiveness, quality and diversity of uses within the Metropolitan Centre in line with London Plan Policies SD7, SD8, Core Strategy Policy 2.5 and EAL3.

The Ealing Club would be offered a right of first refusal for a new venue within a 445m² GIA basement unit located off the new courtyard. Consultees noted that The Ealing Club had a notable history as a music venue and would like to see it retained if possible. The applicant has therefore been involved in discussions with the Ealing Club and other relevant stakeholders and has agreed to provide an opportunity for them to come back to the site, in a similar location to its historic home.

The new music venue would be more than double the size at 445m² GIA (the existing nightclub operated by The Red Room is 197m² GIA). The venue would be able to hold live music and other uses are being explored so that it is active throughout the week, instead of being shut for the majority of the time (as the Ealing Club would use the venue as and when they require). The replacement of the music venue would enable The Ealing Club to become re-established on site and is therefore supported by London Plan Policy SD6 and local policy 2.5.

Loss of Residential

It is noted that as part of the proposed re-development of this Site, the existing terrace of four housing, along the western boundary of the site fronting onto Haven Place, would be lost. Both local and London Plan policies generally resist the loss of existing housing unless it is being replaced as part of the proposal.

However, in this case the loss of four units is justified for the following five reasons. Firstly, the number of units involved is not significant, with there being just four units, three of which are vacant and are boarded up. Discussions are being held with the one remaining property.

Secondly, the existing terrace offers a poor quality of accommodation, with limited outlook and poor amenity, including poor levels of daylight and sunlight. Access to these units is also poor, being off Haven Place, which is considered insecure and unsafe.

Thirdly, the retention or reprovision of just four residential units would compromise the comprehensive development of the rest of the application site, resulting in a disproportionate reduction in the quantum of other town centre uses that could be delivered.

Fourthly, there has been a significant loss of existing office space to residential elsewhere in the Borough (particularly through Permitted Development Rights). The applicant's planning agent, Rapleys, has assessed the loss of office floorspace through Permitted Development Rights over the last five years using Ealing's Annual Monitoring Report (AMR) 2014/15-2018/19 which was published in October 2021. The AMR shows that a total of 30,820m² of office floorspace has been lost to residential use over this five-year period through prior approval completions. In terms of all approvals, a total of 78,076m² of office floorspace was approved via prior approval over the five-year period and therefore, it is likely that some of these approvals will have now been completed since the last AMR was published. In any event, it is clear that there has been a substantial net increase in new homes at the expense of existing office floorspace, such that the very limited loss of residential here should not be of concern.

Finally, although residential is within the list of acceptable uses within the site-specific Allocation, so is retail and commercial space. With the vast majority of the office space

required within the Borough being directed towards Ealing town centre in accordance with Ealing Core Strategy Policy 1.2, it is sound planning that such a centrally located site in close proximity to the station, which will be served by Crossrail, is used to help meet the office needs.

Conclusion

Given all of the above, The Broadway Connection proposals are strongly supported in policy terms, both for the nature and mix of uses, which will support and strengthen Ealing Metropolitan Town Centre, and the scale and critical mass of the proposed office space. These proposals come at a crucial time and directly address historical weaknesses in Ealing's office market at precisely the point that existing provision must either be replaced or transition to other uses.

Affordable workspace

London Plan Policy E3 does allow in defined circumstances for Local Planning Authorities to secure affordable workspace at rents maintained below the market rate, where a specified need has been identified in a local Development Plan Document or where there is affordable workspace on-site currently. As part of the benefits offered by the proposal, affordable workspace is proposed to be provided within the existing and new frontage buildings along The Broadway.

The above required specified need has been identified as part of the Councils Draft Local Plan and therefore the applicant will be required to provide affordable workspace within this proposed scheme. Policy E3 (local variation) of the Ealing Draft Local Plan (Reg 18) states that "*Affordable workspace in Ealing will be provided on the basis of a levy on development of 10% of gross floor area in mixed use schemes, and 5% of net floorspace in office and industrial schemes.*" It also states that "*Affordable workspace will be provided at 80% discount for a period of 15 years.*"

The applicant has committed to provide two main types of affordable workspace on site. The first is incubator space for start-ups, which would be provided at first and second floor levels within all the units above 9–16 and 16-19 The Broadway. This flexible space totals 321sqm NIA, representing 1.3% of the net internal area of the total office space.

It is proposed that all of these units would be given the largest discount in rent initially, benefiting from a discount of 60% of market rent for the first year (paying 40% of market rent). This would assist small companies and individuals find their feet when they first start. In the second year, the discount would be 40% of market rent (paying 60% of market rent). From the third year onwards, the discount would be 20% of market rent (paying 80% of market rent). This space would remain available at these discounted market rents for total period of 15 years. It is noted that this period was increased from 10 years following the GLAs stage 1 response.

The second type of affordable workspace would be in the form of discounted office space around 35 The Broadway at first, second and third floors. This space would receive a discount of 15% of market rent (paying 85% of market rents). These offices provide a further 1,168sqm NIA. This space would remain available at these discounted market rents for total period of 15 years. Together, these office units would provide a total of 1,489sqm NIA, which

equates to 5.5% of the total office development being proposed as affordable workspace, for a 15-year period.

Despite not being in full compliance with the Ealing Draft Local Plan policy due to the level of discounts offered, it is important to note that the discounts offered would still be of significant benefit for small and start-up businesses, overall complying with the spirit of the draft policy. The affordable workspace provision is considered to be a significant benefit of the proposal.

Design, appearance, and impact on character of the area

The NPPF (Section 12 'achieving well designed places') states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 124 emphasises the importance of good quality design in making better places for people, stating that it is a key part of sustainable development and indivisible from good planning. Paragraph 127 sets out several considerations to incorporate in developments, including the functioning of a site and surrounding area, visual appeal, sympathetic to local character and history, sense of place, inclusive and accessible place, and mixed developments (where appropriate).

Paragraph 127 emphasises that developments should create "attractive, welcoming and distinctive places to live, work and visit." Paragraph 132 states that Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

Paragraph 134 of the NPPF emphasises how significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. The National Design Guide (2021) sets out ten characteristics of beautiful, enduring and successful places, comprising: context; identity; built form; movement; nature; public spaces; uses; homes and buildings; resources; and lifespan.

Policy D3 (Optimising Site Capacity Through the Design-Led Approach) of the London Plan (2021) indicates that development must make the best use of land by following a design-led approach that optimises the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. Policy D4 of the London Plan (2021) seeks to ensure that new development is informed by and compliments its surroundings.

The above policy is reinforced by policies 7.4 and 7B of the Ealing Development Management Development Plan (2013) which state that developments should complement their street sequence, building pattern, scale, materials and detailing and should have high quality architecture.

There are multiple elements to the design of the proposed development. Each of these are considered in detail below.

Scale and Massing

The townscape approach to the proposed scheme has been to introduce new pedestrian routes through the centre of the site; reinforce and improve the active retail street frontage; and to create a strong civic presence opposite the new station entrance. This approach has informed the position of the massing of the scheme, with the bulk of the height and massing being located towards the north of the site, where it is away from The Broadway and closer to the railway lines.

The applicant has, following the above approach, produced a series of massing options that were considered prior to settling on the current massing strategy. The massing evolution started with the quantum of development required as a single mass. New public routes through the site, the creation of a new public realm, the proposed heritage retention and finally the refurbishment strategy were all added, and the massing moulded accordingly. Then, the largest volume was shifted to the northern of the site, furthest from the street scene, in order to address the surrounding context and to create an optimum massing diagram for the proposed design. Of the options presented following this approach, the proposed massing strategy best addresses the site context, site constraints (including the weighting of importance of the different key views) and overall design strategy.

Looking at the scale of each element of the proposal, and its relationship with the site's wider context, it is noted that the retained and refurbished buildings, including their extensions, maintain the height and massing relationship to The Broadway street frontage, strengthening the edge of The Broadway. A two-storey volume then fills the remainder of the site, mediating between the scale of The Broadway to the south and the larger volumes of the tallest element of the proposed development to the north and west. This 'plinth' volume is 'carved' out to form pedestrian routes and the proposed courtyard space.

A lower "mineral" volume to the main building, which is clearly separate in materiality to the tallest element, relates to the height of the nearby taller buildings in the immediate context, such as Villiers House, and essentially grounds itself in the wider streetscape, addressing the station side of The Broadway and sitting below the treeline of Haven Green. From this volume, a single slender upper volume emerges to the north-west of the site towards the railway and away from The Broadway. Its orientation minimises the impact on Haven Green with a single narrow proportioned volume. Materially this volume is conceived as more light weight, highly glazed and reflective.

The two volumes interlock but are separated by a metalwork and glazed element that also forms the pavilion storey at level 10. This helps articulate the overall volume of the scheme and clearly separates each of the building's component parts. Large areas of green space, green roofs and green walls are located across all roof areas and at steps between volumes, in the form of terraces and on two walls. Both volumes are also enhanced by a variety of green terraces and landscaping.

The proposed material choice and façade articulation helps to visually break down the overall volume of the main building proposed, articulating the two primary component parts that make up the scheme. The proposal is clearly divided into two main volumes. The first being the

lower building volume, which is visually articulated as sitting upon a “plinth” addressing the townscape and connected to the surrounding buildings. This is visually proposed as a “mineral” element. The upper volume contrasts to the lower levels and is lighter and more reflective.



Figure 30: Diagram illustration the two clearly separate massing’s

The lower ‘mineral’ volume of the proposed development would be conceived as visually being connected to and of the ground. It is primarily a solid façade with materiality, texture and tone that references a number of the key civic buildings in the surrounding area and along The Broadway. These include the Christ the Saviour Parish Church, Our Lady Mother, and Ealing Town Hall.

Areas of two storey, textured, faceted façade, create a depth and relief to each elevation, breaking down the scale of the volume. This volume captures the north and south side of the public courtyard and creates a backdrop to the existing street. The façade incorporates balconies and terraces which articulate key junctions and corners and differentiate between volumes.

At the lower levels, a secondary language has been developed in order to express the different scale of the reception entrance and shopfronts and address the surrounding townscape. This level reads as part of the ‘plinth’ level. A precast, ‘mineral’ material is proposed to the solid areas of the façade at these levels, with a tone and texture referencing existing buildings, which express surface and detail with a variety of smooth and tooled precast “mineral” surfaces.

The upper, tallest volume of the proposed development is expressed with a lighter weight more reflective façade, to contrast with the more solid ‘mineral’ base below. The surface of this façade is again broken down into double storeys which are expressed with horizontal, recessed ‘negative’ joints. Increased glazing at the corners of the building allows views out from every office floor. To mitigate additional solar gain and glare in these areas, a mesh interlayer is proposed, maintaining the view out and external glazed appearance, but maintaining a consistent reflective surface externally.

Areas of flat profiled metalwork form a frame which captures the highly glazed areas of faceted and flat façade. Like the lower volume the façade expresses the passive design

principles across all elevations. Metal louvres are located to balcony areas, where both shading and protection from wind is required, and at roof level, screening the plant areas.

Overall, the proposed massing strategy and design treatment of each of the proposals key elements have been carefully considered in order to ensure that the proposed development would fit and relate well to its context while successfully breaking down the overall height and massing to an acceptable degree.

The Broadway Frontage

A key element of the proposed design strategy of the current application is the retention, refurbishment and then extension of some of the existing buildings on site that are considered to contribute positively to the street scene and character of the area (as opposed to the wholesale demolition of all buildings on site). There are three distinct groups of buildings to be retained, which are 9-16 The Broadway, 25-29 The Broadway and 35 The Broadway. These buildings are to be retained as whole buildings (not just their facades) with sufficient visual integrity, so that their principle original volumes are clearly identifiable within the proposed development. In addition, the existing unsightly shopfronts and rear extensions to these buildings are to be removed.

This approach allows for the significance and integrity of these buildings and the contribution they make to both the character of the area and the significance of the wider conservation area, through their restoration and enhancement.

The demolition and redevelopment of this site subsequently focuses on those areas that detract from the Conservation Area and appearance of the area (as identified in both the Ealing Town Centre Conservation Area Appraisal and by the applicant's Heritage Consultant) and therefore the removal of these elements would improve the appearance of the street scene along The Broadway.

Where appropriate, modern and coherent shop fronts are added along the Broadway. The design of the proposed frontages along The Broadway have been considered alongside the wider site and street frontage elevations. The proposals would create a strong and coherent street frontage and a clearly articulated group of buildings. These works would enhance the quality and functionality of this frontage (which is designated as a Primary Shopping Frontage) within the Ealing Town Centre Conservation Area and would dramatically improve the appearance of the street scene along The Broadway.

The proposed height, scale and massing of the buildings along The Broadway would maintain the existing height of two to four storeys, in line with the existing frontage. The proposed refurbishment and extensions to The Broadway frontage buildings would complement the existing street sequence, building pattern, scale and detailing.

External Appearance and Materiality

The proposed development incorporates a range of materials that have been carefully selected to complement the character and detailing of the surrounding Conservation Area, in accordance with policy D3 of the London Plan (2021). The design of the lower two to four storey elements along The Broadway frontage seeks to preserve as much of the existing materials as possible, while incorporating contemporary extensions in a light colour brickwork

with glazed openings and deep brickwork reveals. Modern metal and glass shopfronts are also proposed to enhance the retail frontage which will appear more coherent than the existing less attractive shopfronts.

The ground plus nine storey volume of the main proposed building would be constructed of a precast, mineral material with a texture that references the existing buildings on the site, while the upper volume (the tallest element) would feature a lighter weight reflective façade with a more contemporary design, including a faceted glass facade made from frameless clear glazing and frameless opaque glass panels and spandrels. This approach to the design of the buildings ensures that they are visually striking and contribute positively to the appearance of the site and the local area, in accordance with various policies such as London Plan Policies D3, D4 and D9, Core Strategy Policy 2.5, and CENP Policy HBE2.

Landscaping

The proposed landscaping plans for this site aim to enhance its visual appeal by creating a large central courtyard, roof terraces, and green walls. These features will not only improve the appearance of the site but will also offer attractive areas for the public and office occupants to enjoy.

The central courtyard will be surrounded by various amenities, including outdoor seating for the cafés and ample space to accommodate pedestrian foot traffic along the new through route across the site. The landscaping design for the central courtyard and roof terraces would be of a high-quality, creating brand new amenity spaces in line with London Plan Policy G5.

Additionally, the creation of public space within the proposed courtyard aligns with the principles of London Plan Policy D8. This public space would serve various functions and cater to different activities throughout the day and night, all year round.

Conclusion

The proposed development would align with paragraph 117 of the NPPF, by intensifying an existing brownfield site within the town centre. The proposal seeks to make the most of this urban site while adhering to London Plan Policy GG2, which prioritises optimal land use.

The proposed buildings across the site would adopt a varied approach to height, scale, and massing, taking into consideration the diverse and evolving context of the local area. This approach responds to neighbouring buildings' varying nature while creating a development that stands out in this key town centre location and optimises the use of this site in line with strategic policy.

The proposed development's design has been carefully considered to ensure visual cohesiveness and integration within The Broadway. Each element of the development and refurbishment of the retained frontage has been designed with a high level of quality and consideration, aligning with relevant planning policies. These works would enhance the site's layout, function, and appearance, positively and complementarily contributing to the surrounding area in accordance with London Plan Policies D3 and D4. Moreover, the proposed materials would harmonize with the existing character, materials, and detailing in line with Local Plan Policy 7.4.

Tall Buildings

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

It is first appropriate to determine how ‘tall buildings’ are defined and if the proposed development falls within the policy definition of a tall building.

Policy D9 of the London Plan states that *“based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey”*.

Policy D9 (local variation) of the Councils Draft Local Plan (Reg 18) identifies what constitutes a tall building based on its location and context. The definition of a tall building is therefore different in different parts of Ealing and depends on what sub area in which it falls. This policy also states that *“Tall buildings above this threshold should be located upon allocated development sites defined in the development plan”*. The application site is located within sub area E14, which states that a tall building is defined as being 21 storeys (73.5m) or more.

Policy 7.7 of the Ealing Development Management DPD states that a tall building is defined as those that are substantially taller than their neighbours and/or which significantly change the skyline. Therefore, as the proposed development would be 21 storeys (policy D9) and would be substantially taller than its neighbours, it is considered to be a tall building in policy terms. Therefore, the proposal is assessed in accordance with its compliance with the relevant policy on tall buildings below.

In terms of the appropriate location of tall buildings, policy D9(B) states that:

- 1) *Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.*
- 2) *Any such locations and appropriate tall building heights should be identified on maps in Development Plans.*
- 3) *Tall buildings should only be developed in locations that are identified as suitable in Development Plans.*

Both the Councils current and emerging Local Plan has identified this site as appropriate for a tall building, in accordance with the above criteria. Site allocation EAL3 of the Development Sites DPD (2013) states that this site is considered in principle an appropriate location for a tall building. Similarly, site allocation EA01 of Ealing’s Draft Local Plan (Reg 18) states that this site falls within an area potentially appropriate for tall buildings. Therefore, the proposal complies with the criteria set out in policy D9(B) of the London Plan (2021) in regard to its location.

Part C of policy D9 then goes on to state that development proposals (for tall building in this context) should address the following impacts, which are considered in detail below:

- 1) visual impact
- 2) functional impact
- 3) environmental impact
- 4) cumulative impacts

Visual impacts

When assessing the visual impacts of a tall building, London Plan policy D9 states that consideration should be had to (where relevant to this scheme):

- a) the views of the building(s) from different distances (i.e., long range views, mid-range views and immediate views from the surrounding streets);
- b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding;
- c) the architectural quality and materials, which should be of an exemplary standard;
- d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings;
- g) buildings should not cause adverse reflected glare;
- h) buildings should be designed to minimise light pollution from internal and external lighting.

The visual impact of the proposed development has been assessed from long-range views, mid-range views and immediate views in accordance with part C.1(a) of policy D9 and all views are displayed within the supporting Design and Access Statement and the impact is assessed in the Heritage, Townscape Visual Impact Assessment.

In terms of long-range views, policy D9 requires attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views. In terms of mid-range views from the surrounding neighbourhood, policy D9 requires particular attention to be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality.

In terms of immediate views from the surrounding streets, policy D9 requires attention to be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.

Thirty-five (35) representative views were selected and tested as part of the submitted Townscape and Visual Impact Assessment, to reflect the character and quality of typical views from key receptors in order to comprise a baseline against which the visual effect of the proposed development from a range of key views. The location of each of these 'representative views' can be seen in the below image.

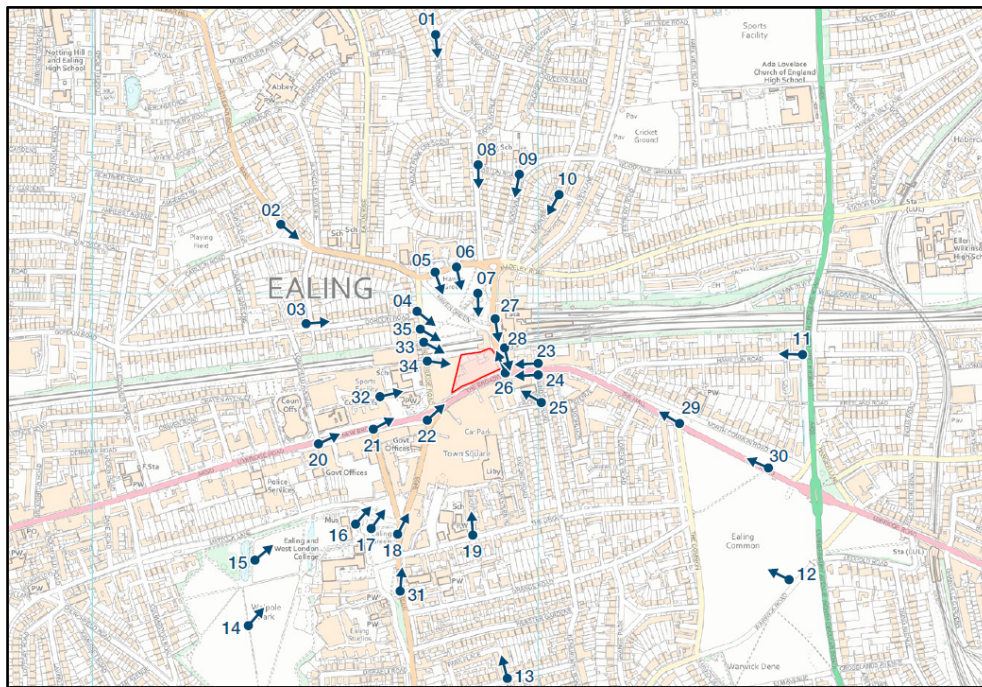


Figure 31: Representative Viewpoint Location Map

The below table summarises the nature and degree of the likely impact on each of the 35 representative views.

View #	Location	Nature of Impact	Degree of Impact
RV1	Mount Park Road	Adverse	Medium
RV2	Castlebar Road	Adverse	Medium
RV3	Gordon Road/Longfield Road	Adverse	Medium
RV4	Haven Green/ Gordon Road	Adverse	Large
RV5	Haven Green, North-West corner	Adverse	Large
RV6	North of Haven Green	Adverse	Large
RV7	Haven Green	Adverse	Large
RV8	Mount Park Road/Aston Road	Adverse	Medium
RV9	Woodville Road	Neutral	Minor
RV10	Mountfield Road	Adverse	Medium
RV11	Hamilton Road	Neutral	Minor
RV12	Ealing Common	Adverse	Large
RV13	The Park	Neutral	Minor
RV14	Walpole Park, South	Neutral	Minor
RV15	Walpole Park, North	Neutral	Minor
RV16	Pitzhanger Manor Steps	Neutral	Minor
RV17	Pitzhanger Manor Gates	Neutral	Minor
RV18	High Street, open space at southern end	Adverse	Minor-Moderate
RV19	The Grove, looking along Grove Road	Adverse	Minor-Moderate
RV20	New Broadway, south side, near junction with Longfield Avenue	Neutral	Minor
RV21	New Broadway, near junction with Bond Street	Beneficial	Medium
RV22	New Broadway, near junction with High Street	Beneficial	Large

RV23	The Mall, northern side	Adverse	Large
RV24	The Mall, southern side, near junction with Windsor Road	Adverse	Large
RV25	Windsor Road/ Oak Road	Adverse	Medium
RV26	The Broadway, South	Beneficial	Large
RV27	The Broadway, North	Beneficial	Large
RV28	The Broadway, South station		
RV29	Ealing Common, North	No Impact	None
RV30	The Broadway, North	Neutral	Minor
RV31	Ealing Green	Neutral	Minor
RV32	Dickens Yard	Neutral	Negligible
RV33	Haven Green	Neutral	Large
RV34	Spring Bridge Road south of bridge	Neutral	Large
RV35	Haven Green/ Gordon Road, southern side of street	Adverse	Large

Table 7: Summary of nature and degree of the likely impact on each representative view

In summary, it has been identified that the proposed development would have significant effects on visual receptors in the vicinity of the site, being largest in the case of pedestrians and road users on roads in proximity to the site (which has been assessed as being ‘large adverse’ in EIA terms) and users of the open spaces of Haven Green and Ealing Common (which has been assessed as being ‘large adverse’ in EIA terms) reducing in magnitude with separating distances (assessed as being ‘medium adverse and medium neutral’ in EIA terms) and where the proposed development would form a new element in urban views from residential properties (assessed as being ‘large neutral’ in EIA terms).

The effects of the proposal on local views would range from low to large in magnitude and include adverse, beneficial and neutral effects. The visual assessment demonstrates that there would be localised significant effects where streets and open spaces align with the tallest elements of the proposed scheme, for example from Haven Green and residential streets to the north of the railway line; The Broadway and Ealing Common to the east; and New Broadway to the east.

Embedded mitigation measures proposed to prevent, reduce or offset any negative effects that may arise from the scheme include the proposed disposition of taller buildings within the site; the overall design quality; and the retention and refurbishment of buildings within the site that contribute positively to the townscape character of TCAA.

In terms of long-range views, whilst the tallest element of the proposal is likely to be visible from some viewpoints beyond 1km from the site, it would appear as a minor element in the background of the view and would not significantly alter the character or quality of these views. Effects are, therefore, unlikely to be considered significant.

It is clear from the above that the design of the proposed development has been cognisant of the impact it would have on views of the proposed buildings from different distances. Where adverse impacts have been identified, appropriate embedded mitigation measures have been implemented to minimise the associated level of harm. For this reason, the proposal would comply with the aims and objectives of C.1(a) of policy D9.

The proposed massing of the development can be broken down into several elements. These include a two-storey volume, which would fill much of the site mediating between the scale of The Broadway to the south and the larger volumes of the proposed taller building to the north-east and in the western part of the site. Of these larger volumes, the element to the north-east, which consists of ten stories, relates to the height of the nearby Villiers House. The building grounds itself where it faces the station. The single upper volume then sits to the north-west of the site towards the railway and set back from The Broadway. Its orientation minimises the impact on Haven Green with the narrowest elevation facing north towards this park. As this volume breaks the skyline in this and other views, it is designed to be highly glazed and reflective.

The two main elements interlock but are separated by a metalwork and glazed element that also forms the pavilion storey on the lower mineral storeys, helping to break down the overall mass of the scheme and clearly articulate the language of each of the separate elements. The design of this massing approach incorporates local design features in a contemporary way, ensuring local character is incorporated into the design. Therefore, the proposed building reinforces the spatial hierarchy of the local and wider context in terms of scale and height as well as the proposed material pallets incorporating local design features, all in accordance with part C.1(b) and (c) of policy D9.

The design and placement of the proposed scale and massing of the taller element of the proposal has sought to balance the visual impacts from different distances and viewpoints. Various massing studies were undertaken and are demonstrated in the submitted Design and Access statement. Part of the massing strategy was to pull the massing of the tallest element away from the Broadway as much as practically possible, to improve the view of the Christ the Saviour Church (Grade II* Listed) when viewed from the east. The massing studies demonstrate that when viewed across the range of key views around the Site, and taking into consideration the different factors impacting massing, the chosen proposal responds to the key considerations and constraints to find an optimum massing solution for the quantum of development required. Particular care has been taken to ensure that the appearance of the proposal is of the highest standard to enhance its appearance in long views of the Site and to make a positive contribution to the skyline and local townscape.

The massing of the upper volume is distributed and orientated to provide a single tall vertical element, this approach means that the tower is viewed as a more slender building from the views from Haven Green, whilst framing the view from the east towards Christ the Saviour Church, therefore reducing the impacts upon designated heritage assets where possible in accordance with Criterion C.1(d).

Notwithstanding the above, it is recognised that the proposal would result in harm to designated heritage assets. The full impact of the development on designated and non-designated heritage assets is discussed in more detail in the next section of this report. However, for the purposes of policy D9, this harm has been recognised.

Policy D9, part C.1(d), goes on to state that *“Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.”*

Clear and convincing justification is provided in later sections of this report, relating to the public benefits of the scheme and the overall planning balance. In addition, as noted above, alternatives have been explored and the public benefits of the scheme are considered significant in this case (see section below on public benefits). Therefore, it is considered that the proposal would comply with part C.1(d) of policy D9.

In terms of part C.1(g), the submitted Environmental Statement assesses in detail the impact of reflected glare caused by the proposed development and concludes that the majority of effects would be negligible or minor adverse which are not considered significant. Therefore, the proposal is considered to comply with part C.1.g of policy D9.

In terms of part C.1(h), an External Lighting Statement has been submitted (included at Appendix B of the Design and Access Statement) which details how the proposed internal and external lighting has been designed to minimise light spill. This detail has been reviewed by the Councils Pollution Technical (EH) department who have raised no objection to the degree of light spill caused by the development, subject to an appropriate compliance condition of consent.

Functional impact

Part C.2(a) of policy D9 requires the internal and external design, including construction detailing, the building's materials and its emergency exit routes, must ensure the safety of all occupants. In support of this application a Fire Strategy Report and an Access Strategy have been submitted, which sufficiently demonstrates how the proposal has been designed to ensure occupant safety. It is noted that following comments from the GLA, an addendum to the Fire Strategy Report was submitted, addressing questions raised by the GLA. Please refer to the 'Fire' section later in this report for more details. Given the above, the proposal would comply with Part C.2(a) of policy D9.

Part C.2(b) of policy D9 states that (tall) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to the surrounding public realm. The proposal includes a dedicated onsite service yard, accessed to the rear of the site using the Arcadia access and not via any surrounding public realm. A Servicing and Delivery Plan is contained within the supporting Transport Assessment and outlines the proposed strategy (please see Transport section below for more detail). The future maintenance and management of the development would also be secured by way of appropriate conditions of consent (please see appendix A). Therefore, the proposal would comply with Part C.2(b) of policy D9.

Part C.2(c) of policy D9 states that entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas. The proposed ground floor layout and public realm has been designed following a detailed pedestrian stress analysis which is outlined within the supporting Transport Assessment, with the proposed pedestrian routes having been designed to accommodate the peak time flows. The proposed design would also reduce the existing pedestrian traffic stress on the footpath along The Broadway, by providing a pedestrian route through the site. Therefore, the proposal would comply with Part C.2(c) of policy D9.

Part C.2(d) of policy D9 states that it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building. The submitted Transport Assessment assesses the impacts of the proposed development on the surrounding transport network and concludes that given the highly sustainable location next to a railway station, the proposed development would not have any negative impacts upon the local transport network. Furthermore, the proposal is car free and would not lead to a large or harmful increase in vehicle trip generation. A more thorough assessment of the impact of the development on the local transport network is provided later in this report (Please see Transport section below). As such, the proposal would comply with Part C.2(d) of policy D9.

Part C.2(e) of policy D9 states that jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area and maximises the role of the development as a catalyst for further change in the area. The proposed development has been designed to ensure that the site maximises the potential for encouraging economic activity and is in itself a fully commercial scheme. The proposed retail units, cafes and restaurants have been designed to activate the ground floor and new public courtyard. They would benefit from the large footfall that will pass through the new pedestrian route through the courtyard and along The Broadway. The proposed design and size of the office space and its floorplates have been informed through market analysis to ensure that they provide the required critical mass and to ensure that it would meet the needs of modern office occupiers. As such, the proposal would comply with Part C.2(e) of policy D9.

Part C.2(f) of policy D9 states that buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings. The proposed scheme would have no interference in terms of aviation, navigation or telecommunications. The building would fall below any flight paths and will therefore not impact upon aviation and a Utilities Report has been included as part of this application and details all the consultation undertaken with relevant networks in relation to this development. In addition, all relevant stakeholders (including Heathrow Airport, National Air Traffic Services and the Ministry of Defence) have been consulted and no objections have been received in this regard. As such, the proposal would comply with Part C.2(f) of policy D9.

Environmental impact

Part C.3(a) of policy D9 states that wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces. In support of this application an Environmental Statement has been submitted which assesses the environmental impacts of the proposed scheme. This assessment includes details of the proposed impacts in terms of wind, daylight and sunlight in further detail and confirms that there are no detrimental environmental impacts (Please refer to the Environmental Impact section earlier in this report). Therefore, the proposal would comply with Part C.3(a) of policy D9.

Part C.3(b) of policy D9 states that air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions. An Air Quality Chapter is included within the supporting Environmental Statement and confirms that

there would be no negative adverse impact upon the local air quality (Please refer to the Environmental Health section later in this report). It is noted however that there would be some impacts on air quality during the demolition and construction phase of the developed, as well as from vehicles traveling to and from the site (including servicing vehicles). Therefore, several conditions of consent have been recommended (See Appendix A) to ensure that air quality is maintained, and a S106 financial contribution is required, to monitor and mitigate the impact of the development on the local air quality. Subject to these conditions and S106 contributions, the proposal would comply with Part C.3(b) of policy D9.

Part C.3(c) of policy D9 states that noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building. An Environmental Noise and Vibration Assessment has been submitted in support of this application and demonstrates that the proposed development is considered compliant with the noise criteria and would comply with the relevant noise limits. The Councils Pollution Technical (EH) department have reviewed the submitted details and raised no objection to the proposal on these grounds, subject to an appropriate compliance condition of consent (please refer to Environmental Health section later in this report and Appendix A). Therefore, the proposal would comply with Part C.3(c) of policy D9.

Cumulative impacts

Part C.4(a) of policy D9 states that the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area.

In accordance with the above, a list of surrounding proposed, consented and emerging developments has been provided and considered within the submitted Environmental Statement. The cumulative impacts of these developments have therefore been considered (Please refer to Environmental Impact Assessment section above for more detail). Based on this assessment, it is considered that the proposal would comply with Part C.4(a) of policy D9.

Part D of policy D9 states that free to enter publicly accessible areas should be incorporated into tall buildings **where appropriate**, particularly more prominent tall buildings where they should normally be located at the top of the building to afford wider views across London. With only office space proposed at all the upper levels, it is not considered appropriate to incorporate high level public access. However, a key part of the proposed development is the creation of the new public courtyard and pedestrian route at ground floor level for the enjoyment of the public.

Conclusion

In summary, the site is identified in the Local Plan as a suitable location for a tall building. This site-specific allocation, together with its town centre location and highly accessible public transport links, ensures that it accords with London Plan Policy D9. Sufficient information has been provided to demonstrate that consideration has been had to the various impact of the proposed tall building, and subsequently demonstrate compliance with the overall aims and objectives of policy D9 of the London Plan (2021).

Heritage Impacts

This section of the officers report first sets out the policy context for the assessment of the proposed development in terms of its impact on both designated and non-designated heritage assets that may be affected by the proposed development. This section then provides context on the site history and Historic England’s previous involvement and advice (during the course of the most recent previous major application at this site), which has informed the current proposed design approach.

Following on from the above, this section sets out the heritage significance of each of the various heritage assets that may be affected by the proposed development, and a subsequent assessment of the impact of the proposed development on this significance. Finally, this section concludes with a summary of the identified impacts (including positive, neutral and harmful impacts) and their degree.

Policy Context

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in making planning decisions. Where it concerns listed buildings, all decisions should: *‘have special regard to the desirability of preserving the building or its setting or any other features of special architectural or historic interest which it possesses.’* In considering the impact of the proposal on the significance of a heritage asset, the NPPF states great weight should be given to the asset’s conservation and the more important the asset the greater the weight should be.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in the exercise of planning functions. Subsection (1) provides that:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

It is also a statutory duty for the decision maker when determining applications for planning permission within conservation areas that (Section 72): *“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Guidance in the NPPF is that substantial harm to a designated heritage asset should be exceptional. Substantial harm is a high test that is rarely encountered and in general would necessitate or involve some demolition of the asset itself. No such demolition is comprised in the scheme.

Paragraph 194 of the NPPF states that when determining applications, *“local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological*

interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

Paragraph 195 highlights that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

Paragraph 197 of the NPPF, in accordance with the legal position, advises that local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;*
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) The desirability of new development making a positive contribution to local character and distinctiveness.*

It is clear that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings and conservation areas. These duties, and the appropriate weight to be afforded to them, must be at the forefront of the decision makers mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. The Secretary of State, in appeal decisions, has confirmed that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’.

Paragraph 198 of the NPPF states that when considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal. Paragraph 199 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.

When considering the potential impacts of a scheme on designated heritage asset, paragraph 200 states that when there is harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), there should be clear and convincing justification.

Paragraph 201 states that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 202 states that this harm should be weighed against the public benefits of the proposal. Determining whether the impact of development on a designated heritage asset would be “less than substantial” in policy terms involves a comprehensive assessment of the significance of the asset and the potential harm that may result from the proposed development.

The NPPF sets out a range of factors that should be considered when assessing the impact of development on heritage assets, including the nature, extent, and level of harm that may occur. Other considerations include:

- The significance of the heritage asset: This involves assessing the asset's historical, architectural, archaeological, and cultural importance, as well as its rarity, integrity, and authenticity.
- The nature of the proposed development: The scale, design, and location of the development must be assessed to determine whether it would affect the significance of the heritage asset.
- The level of harm that may occur: This involves considering the extent to which the proposed development may harm the heritage asset, whether physical or non-physical.
- The public benefits of the proposed development: The benefits of the development, including economic, social, and environmental factors, must be weighed against the potential harm to the heritage asset.
- The availability of alternatives: The availability and suitability of alternative locations or designs that would avoid or minimise harm to the heritage asset must be assessed.

The decision on whether the impact of development on a designated heritage asset would be "less than substantial" in policy terms requires a careful balancing of these factors. If the harm to the heritage asset is deemed to be "less than substantial" within the meaning of the relevant legislation, and the public benefits of the proposed development outweigh any harm caused, the development may be approved.

The NPPF also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Paragraph 203 states that *"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

Policy HC1 (Heritage, Conservation and Growth) of the London Plan (2021) requires development proposals which affect heritage assets, and their settings to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy 7C (Heritage) of the Ealing Development Management DPD (2013) states that development in Conservation Areas should retain and enhance characteristic features and avoid undermining the significance of the Conservation Area. Policy HBE2 (Protecting the Townscape) of the Central Ealing Neighbourhood Development Plan (2017) states that development will be required to compliment the historic character and scale of existing streetscapes.

The planning application is accompanied by both a Heritage Statement and a Townscape and Visual Impact Assessment, both of which have been undertaken by specialists at Turley. These documents analyse the Ealing Town Centre Conservation Area, as well as Haven Green Conservation Area, which lies to the north on the far side of the railway tracks, Ealing Common Conservation Area, which lies further to the east and southeast and Ealing Green Conservation Area, which lies further to the southwest.

The submitted Heritage Statement also undertakes an assessment of the buildings within the application site, to consider whether they make a positive contribution to the Ealing Town Centre Conservation Area, are neutral, or have a negative effect upon it.

Consideration is also given to listed buildings within the wider vicinity that have the potential to be affected by the proposed development in terms of their setting. The effect of the proposal on that setting is then considered within the Visual Impact Assessment using verified images that have been commissioned.

In accordance with the relevant legislative and policy requirements, the below assessment first identifies the relevant heritage assets within the vicinity of the Site, which may be affected by the proposed development, directly or indirectly. A proportionate description of significance is also outlined for the relevant built heritage asset affected, including an assessment of the site’s contribution to the significance of each asset and / or its setting.

Background

As noted previously, the most recent planning application at this site was submitted in 2015 for the proposed demolition and redevelopment of 9-42 The Broadway and 1-4 Haven Place. The proposal included 8 new buildings for mixed use, ranging from 2 to 18 storeys in height. However, the application was withdrawn prior to going to Inquiry, despite receiving resolution to grant planning permission from the Councils Planning Committee. Historic England was due to provide evidence at the inquiry. They believed that the site was suitable for substantial development but wanted it to be in a different form to minimize the perceived impact on the historic environment’s significance. To support their case, Historic England commissioned Farrells to present an alternative form of development that could be acceptable on the site, including a large-scale development set back behind some of the existing positively contributing buildings. These buildings are highlighted in yellow on the below image.

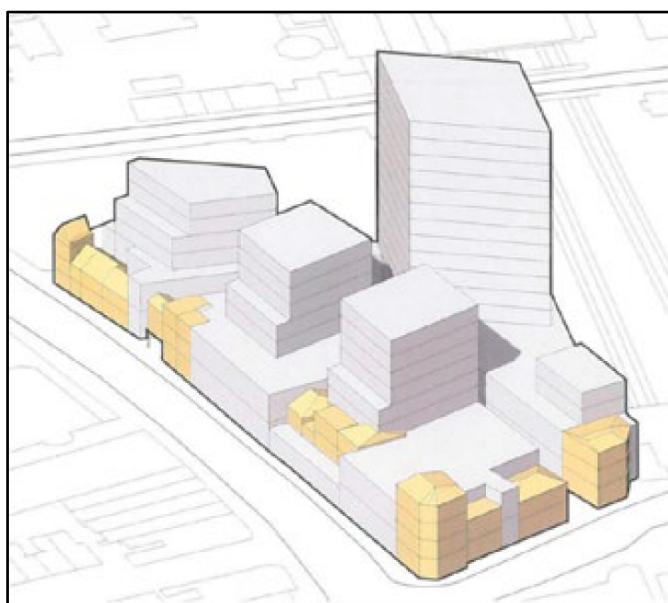


Figure 32: Extract from Heritage Assessment (Historic England Alternative form of Development)

The current planning application follows the principles set out in Historic England’s alternative scheme by retaining (and refurbishing) key buildings along The Broadway and setting the bulk of the new development back behind these retained elements.

Based on a review of the submitted Heritage Assessment (prepared by Turley), along with representations received from relevant consultees (including Historic England), it is clear that the proposed development would have varying impacts, with elements of the proposal having beneficial impacts, natural impacts and harmful impacts of certain aspects of the relevant heritage assets affected. These varying impacts are outlined below.

Heritage Significance of the Ealing Town Centre Conservation Area

The application site is located along the northern boundary of the Ealing Town Centre Conservation Area, within character “Sub Area 1”, being the main shopping streets of The Broadway, New Broadway and the High Street.

The summary reasons for designating Ealing Town Centre as a conservation area set out in the Conservation Area Appraisal relate primarily to its Victorian and Edwardian architectural heritage, giving it the special character and appearance of a desirable suburban town centre – the ‘Queen of the Suburbs’. As a suburb it expanded rapidly but incrementally in the late 19th and early 20th century, stimulated by the arrival of the District Railway in 1879 enabling easy commuting to central London.

In summary, the Ealing Town Centre has been designated as a Conservation Area due to its Victorian and Edwardian architectural heritage that gives it the special character and appearance of a desirable suburban town centre. The area forms part of the expansion of central Ealing around the railway, which was developed in the second half of the 19th century. The historical value of the conservation area lies in illustrating the growing wealth, expansion, and intensification of Ealing from its rural origins beyond the boundaries of London. The area has aesthetic/architectural value as a varied, predominantly Victorian, and Edwardian townscape, with a distinctive sense of place. The expansion and ongoing development of the town centre has been largely incremental, with many sites developed and redeveloped particularly on the north side of The Broadway. However, some buildings and more recent alterations, notably poor-quality shopfronts, and prominent signage, have an adverse impact on the significance of the conservation area.

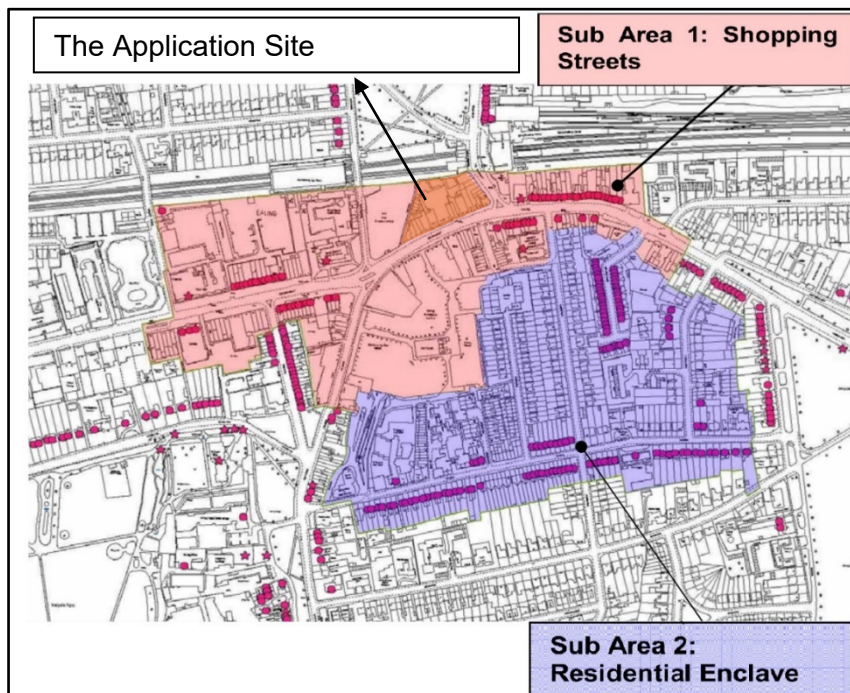


Figure 33: Ealing Town Centre CA in relation to the Application Site

The site allocation (EAL3) states that *“Individually or together the buildings have little architectural merit, such that the nature, form and scale of development is not considered to make a positive contribution to the Conservation Area or the townscape.”* Some of the frontages onto the Broadway were previously identified as ‘Buildings of Facade or Group Value,’ comprising Nos. 27/29 and 35 The Broadway. However, these buildings were removed off the Local Heritage List in 2014. The Character Appraisal for the Conservation Area identifies only numbers 14, 15-16 and 35 The Broadway as buildings making a positive contribution to the conservation area.

The submitted Heritage Statement provides a more detailed assessment of the contribution of elements of the application site to the significance of the conservation area. The assessment confirms that in overall terms the site makes a largely positive contribution to the significance of the conservation area, albeit that contribution is not consistent. Some elements make a greater or lesser contribution. The positively contributing buildings within the application site enable the history of the conservation area and patterns of important phases of development to be understood and better appreciated as part of its character and appearance. Those buildings provide a legible legacy of Ealing’s importance as a Victorian town centre. The iterative and incremental pattern of development means that the positively contributing buildings create variety and rhythm in the conservation area’s townscape character, which is amplified by their overall, cohesive group value. The Ealing Club is part of the vibrant use character of the conservation area, with the blue plaque (a non-designated heritage asset) commemorating its foundation and cultural heritage.

There are however some buildings within the Site that detract from an appreciation and understanding of the conservation area’s significance. Also, more recent alterations, notably poor-quality shopfronts, and prominent signage, have an adverse impact on the significance of the conservation area, and the experience of that significance from the public realm.

It is noted that there are no statutory listed or locally listed buildings within the application site. Therefore, there would be no direct loss of a designated listed building. The submitted Heritage Assessment concluded that the only direct effects of the proposal are on the Ealing Town Centre Conservation Area by virtue of the fact that the application site lies within it and to the group value of buildings that contribute positively to the character of the conservation area comprising the frontages of Nos. 27/29 and 35 The Broadway. In respect to the latter, not only are these façades retained, but the whole buildings are kept and refurbished, along with 12 buildings (with 15 different addresses), comprising 9, 9a, 10, 11, 12, 13, 14, 15, 16, 25, 26, 27, 28, 29 and 35 The Broadway, almost all of which have been identified by the submitted Heritage Assessment as making a positive contribution to the Conservation Area. All other affects are indirect and are concerned with setting.

As already noted, there are differing opinions on the contribution some of the existing buildings on site make to the significance of the conservation area. For instance, in Historic England’s objection, reference is made to the contribution that the perimeter buildings along Station Broadway make to the conservation area. These buildings were noted as being of some interest despite their poor condition and could make a more positive contribution to the conservation area through retention and restoration. Historic England also noted that the Station Broadway buildings play an important role in defining the perimeter frontage of the block and historic urban development of Ealing. These include buildings at 36 – 42 The Broadway.

An in-depth analysis of these buildings by the applicant heritage consultants, and the contribution they make to the significance of the wider conservation area, indicates varying contributions. Numbers 36-37, 40, 41 and 42 are all identified as being positive contributors to the significance of the wider conservation area. Number 38, which appears to be post-Second World War infill development of no particular aesthetic or historic value, was assessed as having a negative impact on the conservation area. Number 39 was assessed as having a neutral impact. While number 39 retains its historic scale and form, it was heavily altered. While none of these buildings are recognised in policy terms as being either non-designated or designated heritage assets, their relative contribution to the overall significance of the wider conservation area is acknowledged.

Impacts on the Ealing Town Centre Conservation Area

Beneficial Impacts

The proposed development has maximised the retention of the existing buildings on site which contribute positively to the conservation area’s character and appearance, including non-designated heritage assets formally identified by the Council and the positively contributing buildings identified in the adopted conservation area appraisal. That approach is facilitated by the overall height and massing strategy, which moves the bulk of the height and massing within the site and goes beyond simple façade retention. This approach allows for the meaningful integration of those buildings, so they can be appreciated as 3 dimensional volumes, with traditional roofscapes and internal/party walls. The proposed development also allows for the reinstatement of missing historic features, the removal of existing poor-quality additions, the reversal of harmful modifications (identified as contributing negatively to the conservation area) and the addition of new shopfronts of traditional design, thereby recovering their contribution to the significance of the conservation area.

The retained buildings, alongside the carefully considered introduction of new buildings and routes, ensures the retention and enhancement of a significant part of the late 19th and early 20th century commercial townscape that contributes to the significance of this part of the conservation area. For example, number 35 The Broadway is to be retained as a legible, high-quality Edwardian commercial building that defines a street corner as one part of an important road junction within the Ealing Town Centre Conservation Area, marked by the canted bay and Dutch gable. The proposed development includes works of repair and refurbishment to reinforce an appreciation of number 35’s architectural value and townscape role in defining this corner of the street junction, thereby enhancing its local heritage significance and contribution to the significance of the conservation area at this important road junction.

While the proposed shopfront extensions to the south of the site are contemporary in design, they are considered to be appropriate interpretations of the traditional pattern of shopfront additions that were added in the later 19th century in the former front gardens of the domestic properties and are nevertheless a significant improvement on the existing poor-quality additions.

The proposed development would also make good previous unfortunate and harmful alterations, including the removal of the inappropriate dormer window and poor-quality 20th century roof finish to numbers 25 and 27 respectively. These works would enhance the local

heritage significance of these non-designated heritage assets (and related contribution to the significance of the conservation area) and allow for better appreciation of that significance.

These works delivered by the building retention strategy are tangible and important heritage benefits that would enhance the local significance of numbers 27, 29 & 35 The Broadway and reinforce the related townscape qualities and contribution to the significance of the conservation area, which are derived from the architectural/aesthetic and historic values of the non-designated heritage asset.

The proposed public space would improve pedestrian permeability and connections within the conservation area, supporting the proposed vibrant mix of town centre/commercial uses. This is seen as a net benefit to the conservation area. Similarly, the proposed mix of town centre/commercial uses would support and improve vitality and vibrancy of this part of the conservation area and is consistent with its use character. Furthermore, the proposed development provides for more active uses above ground floor of the retained and proposed buildings addressing The Broadway, allowing for ongoing maintenance of the properties, and further supporting the vibrance and vitality of the town centre.

It is proposed to re-provide space for the Ealing Club, including meaningful retention and re-use of the existing plaque (a non-designated heritage asset), that would secure the retention of the contribution made by the more intangible cultural qualities of that institution to the conservation area's use character. This is seen again as a net heritage benefit of the proposal.

Overall, the above works would deliver important heritage benefits that would enhance the significance of the Ealing Town Centre Conservation Area as well as numbers 27, 29 and 35 The Broadway. These works are considered to constitute substantive heritage benefits.

Neutral Impacts

The demolition of buildings and elements of the site identified as being non-contributing elements within the rear of the site (behind street frontages to The Broadway and The Broadway (Station Side)) and numbers 17 and 19; 20-24; 30-34; 38 and 39 The Broadway, and numbers 1-4 Haven Place (all neutral or negative elements of the conservation area) would have no impact on the significance of the conservation area or the ability to understand or appreciate that significance as a high quality townscape that illustrates the 19th and early 20th century rapid growth of Ealing and allows the opportunity to better reveal their significance once the proposed development is completed.

Harmful Impacts

Historic England have noted, in their view, that the principal impact of the proposed development is on the significance of Ealing Town Centre Conservation Area through the 'sheer scale' of the proposed development and the 'discordant visual effect' of this on an area which they have characterised as being largely of low scale buildings.

The taller building proposed would clearly have largest impact on the significance (character or appearance) of the Ealing Town Centre Conservation Area (and the locally listed buildings contained therein). This harm is derived from the marked change in the prevailing character, scale, and height of buildings within this part of the conservation area (it is however noted that

there are existing taller buildings within the conservation area, such as Dickens Yard and consented developments, such as Perceval House). The significant contrast in height, scale, and form of the taller buildings mean that they would appear as significant new elements that can distract from an appreciation of the character and appearance of this part of the conservation area, largely as a diverse commercial townscape of traditional mid-19th and early 20th century character, including numbers 27-29 and 35 The Broadway.

The visual impacts of the taller elements of the proposed development on the significance of the conservation area have however been mitigated and reduced, where possible, through the overall massing strategy of setting them deep within the site, closest to the railway, with the lower masonry element providing a transition to the taller glazed element. This design approach provides spatial and visual separation and 'breathing space' to the retained buildings addressing The Broadway and views towards the Church of Christ the Saviour (Grade II* listed building) from the east.

The impact of the proposed development on the significance of the Parish Church of Christ the Saviour as a listed building is assessed in more detail below. However, in terms of the impact of the development on important views within the conservation area, it has been identified that the relative visual prominence of the church spire in important views from within the conservation area would be reduced, but it would not be removed or be obscured by the principal tall building of the proposed development. Effort has been made to pull the massing of the tallest element of the development back from the view of this Church when viewed from the east of the site. Therefore, it is clear that a concerted effort has been made to reduce the impact of the tallest element of the scheme on the views of this listed building.

Similarly, to the above (albeit to a lesser extent) the taller elements of the proposed development would be a major new addition to the townscape setting of the Ealing Broadway Methodist Church (now closed) and Memorial Hall (Grade II listed building), being visible as part of the commercial core of Ealing Town Centre. In overall terms, the architectural composition of the church and memorial hall, alongside the historic and aesthetic reciprocal relationships with the Victorian domestic townscape context, would remain readable. There would, however, be some visual competition with the prominence of the church tower and spire, which will reduce, to a degree, the legibility of its role as a local landmark within the wider conservation area.

To a lesser extent, the demolition of some buildings within the site to accommodate the proposed development, has been assessed as having a permanent adverse impact on the significance of the conservation area, when considered in isolation. These include numbers 36 & 37; 40; 41 and 42 The Broadway. Historic England has noted that the loss of these buildings would result in additional harm (in addition to the scale of the tallest buildings proposed) to the conservation area. Historic England noted that these building have 'some interest' despite their poor condition and could make a more positive contribution to the conservation area through retention and restoration.

The demolition of these properties would remove mid to late 19th century buildings, which notwithstanding later harmful/detracting alterations, have been identified in the submitted Heritage Assessment and by Historic England as contributing positively to the significance of the conservation area. However, it is worth noting that the Ealing Town Centre Conservation Area Appraisal does not identify these buildings as positively contributing elements of the conservation area's significance.

The adverse effects of demolishing those buildings are most pronounced within a limited area within the conservation area, being the commercial townscape of central Ealing (identified as sub area 1 within the submitted Heritage Assessment), and comparatively less so in other parts of the conservation area. It is however important to note that where demolition of the existing positively contributing buildings are proposed, it is considered necessary to support delivery of plan-led placemaking objectives and comprehensive regeneration of the site and cannot be avoided.

Given all of the above, the impact of the proposed development on the historic significance of the Ealing Town Centre Conservation Area has been assessed as being 'less than substantial' in policy terms by both the applicant's heritage consultants and Historic England. The level of harm identified has been assessed as being above the middle of the less than substantial harm spectrum by the applicant's heritage consultants, whereas Historic England are of the view that the level of harm would be on the higher end of the less than substantial harm spectrum.

Historic England's assessment concludes that the proposed development would have a major impact on the character and appearance of this part of the conservation area as set out above. When considering this impact in the context of the significance of the Ealing Town Centre Conservation Area as a whole, Historic England recognised that this impact is on a relatively small part of the conservation area geographically. Albeit this part forms the heart of the conservation area and is the oldest part of the town centre. As such it makes an important contribution to the conservation area's overall significance. This is, in part, why the level of harm has been assessed as being on the higher end of the less than substantial spectrum.

It is also however noted that the townscape of this part of the conservation area is evolving and changing. Taller developments have been constructed and consented within this part of the conservation area, or immediately adjacent to it. These include the Dickens Yard development and the consented scheme at Perceval House. The later scheme includes a 26-storey building. While the Perceval House scheme sits just outside the Ealing Town Centre Conservation Area, it is still within Ealing Town Centre itself, and forms a part of the setting of the conservation area. Therefore, once constructed, the proposed development would not be the tallest in the wider area, or within the setting of the conservation area. Therefore, its scale would not appear completely alien to the conservation area or its setting. This however does not dismiss the impact of the scale of the development altogether.

Taking all of the above into account, it is considered that the level of harm to the significance of the Ealing Town Centre Conservation Area would be above the middle of the less than substantial spectrum. However, it is not considered to be at the highest level of this spectrum based on the scale of development alone, for all the reason set out above. Therefore, in conclusion, the level of harm has been assessed as being between the middle and highest end of the less than substantial spectrum. Nevertheless, it is noted that this level of harm is given significant weight in the planning balance, which is set out later in this report.

Heritage Significance of Haven Green Conservation Area

Haven Green Conservation Area is located directly to the north of the application site, separated by the railway.

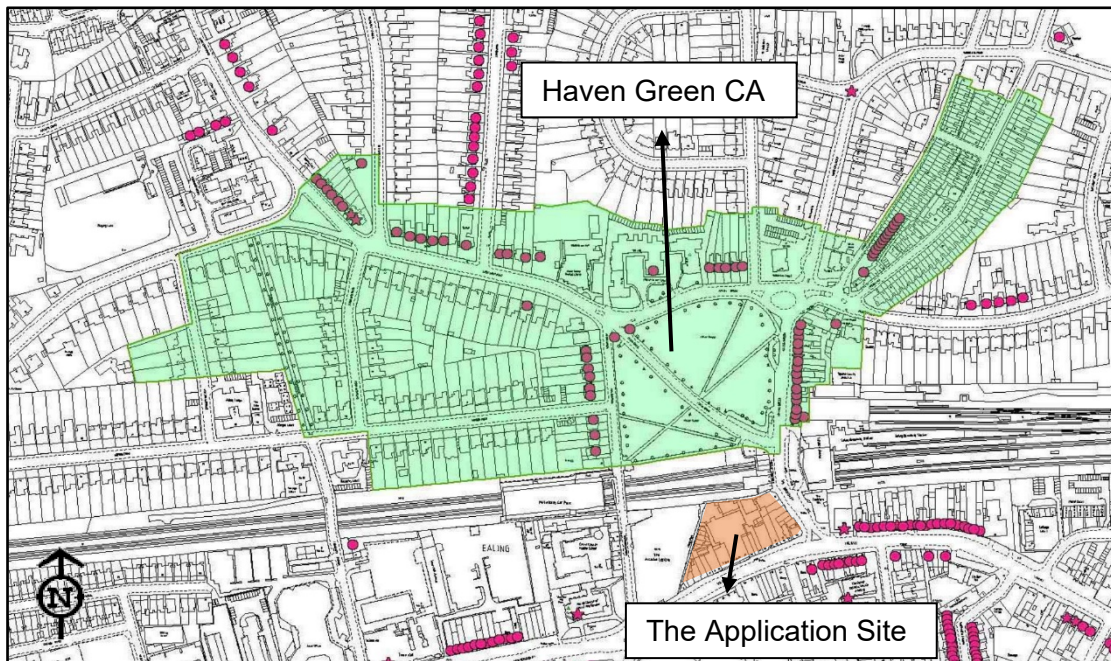


Figure 34: Location of Haven Green Conservation Area in relation to the Application Site

The significance of the Haven Green Conservation Area is derived from its historical development, which remains legible in its distinctive urban layout of streets and predominantly Victorian architecture and the central green space of medieval origin. The conservation area forms part of the suburban expansion of Ealing to the north of the railway, which was developed over a short period of time during the second half of the 19th Century.

There is historic interest in illustrating the growing wealth, expansion, and intensification of Ealing as it became incorporated as part of London in the 19th Century, and how its use and character has continued to evolve today. The conservation area also has architectural value as a varied suburban townscape of 19th Century domestic buildings, with a small number of community buildings i.e., the Baptist Church (1880 by J Wallis Chapman) and Methodist Church (1868), focused on the attractive open space of Haven Green.

The Site forms an element of the wider townscape setting of the conservation area, beyond and separated by the railway tracks. The 19th and early 20th century buildings within the Site (see earlier for the Ealing Town Centre Conservation Area) are complementary to the scale and materiality of the Haven Green Conservation Area and help to illustrate the same process of growth following the arrival of the railway. However, the Site has a different character, being part of Ealing’s commercial town centre, which contrasts with the domestic use-character of the Haven Green Conservation Area.

Impact on the Haven Green Conservation Area

It is principally the taller elements of the proposed development that would have an impact on the significance of the Haven Green Conservation Area. The rest of the proposed development would be visually separated from the conservation area by the taller elements and would have no impact on the significance of the conservation area or appreciation of that significance.

The taller element of the proposed buildings within the proposed development would add substantial new elements to the skyline visible from the open green space of Haven Green.

The taller elements would be highly visible from this green space, albeit the visual effects of this would vary in by season due to leaf coverage of trees within the green space.

The design approach of expressing the distinct characters and physical features of the two taller structures within the proposed development can be observed from Haven Green, ensuring that they are recognisable as distinct, yet interconnected components of the commercial complex situated in the heart of the town. These effects would be noticeable in relation to other tall buildings that can be seen from within Haven Green, specifically Villiers House and Greenlaw Court, which contrast with the prevailing townscape character of the traditional domestic properties that enclose it.

The taller components of the proposed development, especially the tallest element, would be visible from the north, east, and west from the residential streets branching out from Haven Green. These taller elements would stand out as distinct and different from the conservation area's overall appearance and character. Depending on the viewer's location, the taller elements would have varying degrees of visibility, with some views showing a slender profile and others revealing longer elevations such that it would have a major visual presence that can distract from an appreciation of the cohesive aesthetic character of the 19th and early 20th century domestic townscape. Despite their unique form and volume relative to that of the Haven Green conservation area, the architectural character, materiality, and detailing of the proposed taller buildings would contribute richness and articulation to their visible elevations from these parts of the conservation area.

Historic England have raised concern that the dramatic contrast in scale from that seen from within this conservation area would have a harmful impact on it. The prevailing character of a village green with rural origins would therefore be undermined by the dominant scale of the proposed development in full view to the south.

It is therefore the tallest element of the proposal that would have a harmful impact on Haven Green Conservation Area. Due to their commercial urban scale, height, and character, the taller components of the proposed development may divert attention from Haven Green's village green character and the cohesive residential streets' domestic character.

For the reasons set out above, the impact of the taller elements of the proposed development on the historic significance of the Haven Green Conservation Area has been assessed as being 'less than substantial' in policy terms. The level of harm identified has been assessed as being in the middle of the less than substantial harm spectrum. While the applicants consultants have assessed the level of harm as being below the middle of the less than substantial spectrum, the Local Planning Authority is of the view that the height and visibility of the tallest elements of the proposal from within Haven Green, and the lack of commensurate height within these same views, means the level of harm would be slightly higher and closer to that assessed by Historic England.

Heritage Significance of Ealing Common

Ealing Common is located approximately 270m to the southeast of the application site along The Broadway. The significance of the Ealing Common conservation area is derived from the large open space of Ealing Common, which has been present in the area since the medieval period and by the residential roads surrounding it. Ealing Common is the core and the main open space of the conservation area, with trees along the streets adding to the suburban and

leafy character. The conservation area is characterised by the contrast of the Common with the busy environment of Ealing Broadway to the west and the busy Uxbridge Road and Gunnersbury Avenue (which forms part of the North Circular) that cross the common. The Common provides the open setting for the large houses at its perimeter and along the surrounding streets, which date from the Victorian and Edwardian development of the area.

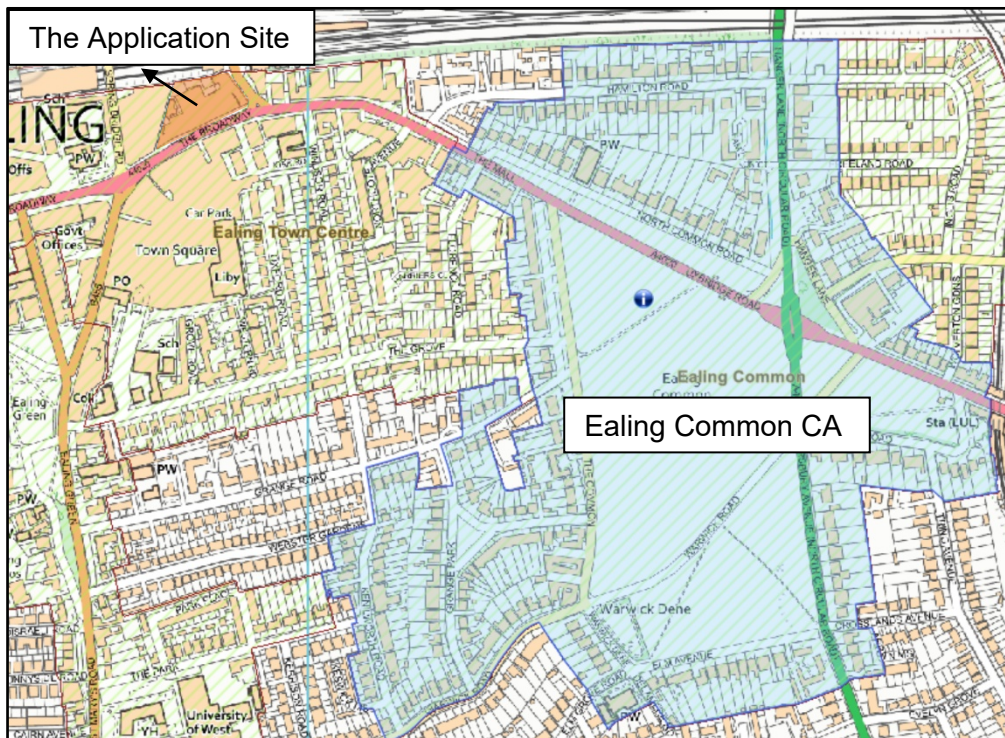


Figure 35: Location of Ealing Common Conservation Area in relation to the Application Site

The adopted conservation area appraisal identifies key views and vistas, stating that views across the Common containing the profile of the houses along the northern, western, and south-ern edge are particularly suggestive. There are also views across the Common towards the Church of St Mathews (to the north) and the Church of All Saints (to the south). There are also close views of the small enclaves of St Mathews and St Marks and Vine Place. Ealing town centre is discernible from the north-west edge of the conservation area where Villiers House on Haven Green is visible. The relatively unchanged historic skyline on the west side of the conservation area would result in a high susceptibility to development of similar scale on the Site.

Impact on the Ealing Common Conservation Area

Similarly, to the above, it is principally the taller elements of the proposed development that would have an impact on the significance of the Ealing Common Conservation Area. The rest of the proposed development would be visually separated from the conservation area by the taller elements and would have no impact on the significance of the conservation area or appreciation of that significance.

The historic origins of this space as common land, and its related verdant character, contrast with its varied suburban context, which encloses and surrounds the space. The taller element of the proposed buildings within the proposed development would add substantial new elements to the skyline visible from the open green space of Ealing Common. The taller elements would be highly visible from this green space, albeit the visual effects of this would vary in by season due to leaf coverage of trees within the green space. In other views, from

around the common, the proposed development would not be visible or have a material impact on the significance of the conservation area due to interposing buildings and landscaping.

The design approach to articulating the different characters and materiality of the two taller elements can be appreciated from within the green space, ensuring their legibility as separate but related elements of the commercial development located within the town centre beyond the designated boundaries of this conservation area. The taller elements of the proposal would be viewed in the context of taller buildings within the townscape context of the conservation area in views from the common to the northwest (namely Villiers House and Dickens Yard), which contrast with the prevailing suburban and leafy townscape character of the traditional domestic properties that enclose Ealing Common.

The proposed development would be most visible from the northern part of the Conservation Area where the streets are aligned towards the site. From these locations, the taller elements of the proposal, mostly the principal tall building, would be viewed as contrasting buildings that are separate and distinct from the character or appearance of the conservation area. This would strengthen the perception of Ealing Commons own significance within the designated boundary by emphasising the area's essential qualities, which originated as a cohesive and appealing 19th and 20th century suburban residential development, by emphasising the areas distinctiveness to its wider surroundings. The development would ensure that these essential qualities remain intact and easily recognisable.

The proposed development would sustain, and therefore preserve the essential qualities of Ealing Common as a historical open space that links to Ealing's rural heritage before its rapid expansion in the 19th and 20th centuries. However, due to their commercial urban scale, height, and character, the taller components of the proposed development may divert attention from an appreciation of the leafy green character of Ealing Common.

Given all of the above, the impact of the taller elements of the proposed development on the historic significance of the Ealing Common Conservation Area has been assessed as being 'less than substantial' in policy terms. The level of harm identified has been assessed as being below the middle of the less than substantial harm spectrum.

Heritage Significance of The Parish Church of Christ the Saviour

Christ the Saviour Parish Church is a Grade II* Listed Building which is located approximately 70m to the west of the applications site along The Broadway. This Church was constructed in 1852 by Sir George Gilbert Scott and later modified by GF Bodley, features Kentish Rag and Bath stone and is built in the Early English Style. The church comprises a five-bay nave with aisles, chancel, west tower, and spire. Its interior is lavish, with a hammer beam roof and exquisite details, making it an outstanding example of an urban parish church designed in the English Gothic Revival style, which was prevalent in the mid-19th century. The church's architectural interest is amplified by its high quality and detailed interior, making it an excellent specimen of 19th-century ecclesiastical design.

This historical site is valuable in that it illustrates the rapid urban growth of Ealing in the 19th century. Additionally, the church's Early English style is historically significant, reflecting typical 19th-century ecclesiastical design preferences and national architectural design and theory trends. It also represents the search for an appropriate "English" language of architecture

suitable for the revived interest in Anglican faith. The church is also historically significant due to its association with two renowned architects, Sir George Gilbert Scott and Bodley, both of whom specialized in ecclesiastical architecture.

Furthermore, the church's ongoing use as a place of worship contributes to its communal value and historical significance. The site is located to the east of the church, along The Broadway, and the traditional scale and height of existing buildings on the south perimeter of the site maintain a link with and appreciation of the church's landmark character derived from the prominence and singularity of its tower and spire in the local townscape views. Thus, these parts of the site positively contribute to the significance of the listed building, enhancing our understanding and appreciation of its aesthetic, architectural, and historical values.

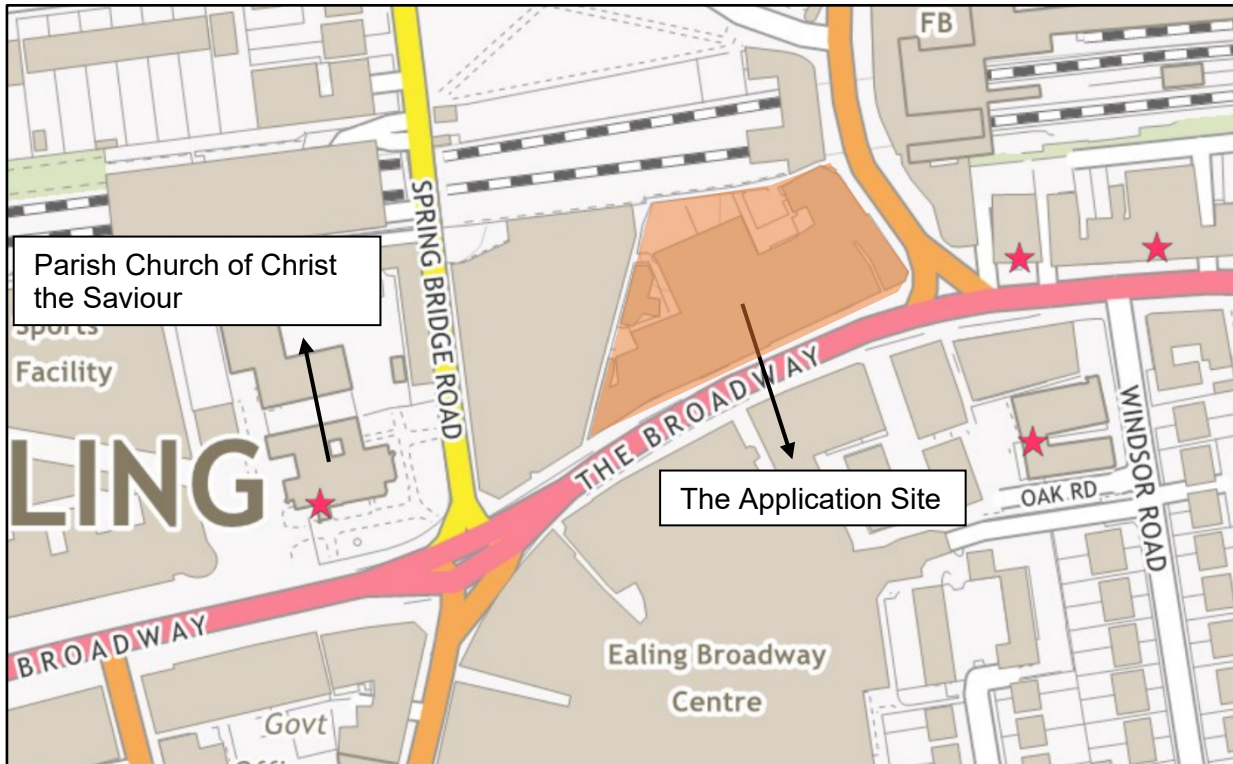


Figure 36: Location of Christ the Saviour Parish Church in relation to the Application Site

Impact on the Parish Church of Christ the Saviour (Grade II* Listed Building)

No works proposed would result in the loss of any key features of this listed building, nor would the proposed development completely obscure views of this building from the public realm. Therefore, this heritage asset would continue to be visible and enjoyed by the public.

However, it is noted that the development would have an impact on the significance of this heritage asset. The taller elements of the proposed development have been identified as having the largest relative impact on the heritage significance of this listed building by introducing large scaled and tall new elements into the setting of this listed building, as experienced in views from the local townscape. The taller elements of the proposal are an integral part of that transformational change signalling major regeneration of this key town centre site. However, the height of the tallest elements proposed introduce a step change in the character, scale, and height of buildings within this part of the listed building’s townscape setting. It is however noted that there are other existing taller buildings in closer proximity, such as Dickens Yard.

Due to the above, the tallest element of the proposed development would, to a degree, reduce the relative legibility of the landmark status of the spire of listed building in some views from the east and west. It is noted that Historic England have raised similar concerns. These impacts are however reduced by interposing buildings that already limit an appreciation of the landmark quality of the church.

It is noted that additional townscape views of the church have been established from the public space in Dickens Yard, from where the composition of the tower and spire, their role as a landmark feature, and the church's relationship to the churchyard, can all be fully appreciated. This view, along with shorter term views from the east and south, would remain uninterrupted (and in this sense the heritage significance of this listed building would be preserved).

The proposed development would also have no impact on the richly detailed and high-quality exterior and interior appearance of the listed building. In this sense, very important parts of the aesthetic and historic value of the listed building's significance are not affected by the proposed development and would be preserved.

In addition, the retention and refurbishment of the most positively contributing buildings to the Ealing Town Centre CA, addressing The Broadway, and proposed coherent infill buildings, would sustain and, in some ways enhance, a positively contributing element of the listed building's townscape setting.

All considered, it is acknowledged that the relative prominence of the church tower and spire in important views from within its setting of positively contributing late 19th and early 20th century townscape, will be reduced. However, this important feature of the listed building would not be removed or be obscured by the tallest elements of the proposed development. These impacts have been reduced, where possible through the massing strategy of the proposal, whereby the tallest elements are located deeper into the site and away from The Broadway.

Therefore, the impact of the taller elements of the proposed development on the historic significance of the Parish Church of Christ the Saviour has been assessed as being 'less than substantial' in policy terms. The level of harm identified has been assessed as being in the middle of the less than substantial harm spectrum, in line with both the applicant's heritage consultants' views and those of Historic England.

Heritage Significance of the National Westminster Bank

The National Westminster Bank is located approximately 30m to the east of the application site, directly across The Broadway. The National Westminster bank is a Grade II Listed Building. It was originally constructed in 1874 by Charles Jones as the first Town Hall, is an impressive example of French Gothic municipal architecture. Its ornate features, such as tracery decorations and a steeply pitched French pavilion roof and tower, contribute to its imposing civic scale and prominent position at the junction of The Mall and The Broadway. Despite key internal features having been removed, the building remains of great architectural interest due to its unique style for this type of building at the time of construction.

Historically, the building serves as a physical reminder of the civic pride associated with Ealing's growth and expansion during the late 19th and early 20th centuries, and the rapid

development of the town centre which led to its replacement by a larger town hall only 14 years after its opening. It also reflects wider national trends, demonstrating the increasing professionalism and expansion of local government during the 19th century.

While the site is located west of the listed building and has no direct visual connection, the traditional scale, height, and architectural character of the surrounding buildings on The Broadway provide an important historical context that enhances the significance of the listed building. These complementary features contribute to the overall historic value of the site.



Figure 37: Location of NatWest Bank in relation to the Application Site

Impact on the National Westminster Bank (Grade II Listed Building)

As previously noted, part of the design approach to the proposed scheme is to retain the historic buildings fronting The Broadway that are considered to contribute positively to the historic character of the area. This approach is facilitated by the overall strategy for the disposition of height and massing, and goes beyond façade retention, allowing for the meaningful retention of those buildings, so they can be appreciated as 3 dimensional volumes, with traditional roofscapes. This strategy also includes the reinstatement of missing historic features, removal of existing poor-quality additions and reverse harmful modifications i.e., new shopfronts of traditional design.

This approach to the retention and refurbishment of buildings fronting The Broadway ensures the enhancement of a positively contributing part of the late 19th and early 20th century commercial townscape setting, which would have been served by the original functions of the listed building as Ealing’s first town hall. The works to the retained buildings addressing The Broadway and proposed infill buildings would therefore enhance a positively contributing element of the listed building’s townscape setting.

The proposal includes new buildings in addition to the proposed taller elements. Where those new buildings are proposed to replace demolished structures, these have been carefully considered to respond to the prevailing materiality; scale of the traditional buildings addressing The Broadway; prevailing building lines; and commercial uses with shopfronts at ground floor

level. The replacement buildings would be new additions consistent with the iterative and informal townscape character of this part of the listed building's setting and would therefore preserve its heritage significance.

The tallest element of the proposed development would however have the largest impact on the heritage significance of the National Westminster Bank, being a step change in the character, scale, and height of buildings within this part of its townscape setting. As part of that step-change in character, the length of the eastern and western elevations of the principal tall building, in conjunction with its height and siting, means that this part of the proposed development would reduce the legibility of the architectural composition of the French Gothic tower and steeply pitched mansard roof in some views from the east.

The views of this listed building from the south, where it is possible to appreciate the full composition of the listed building's front elevation, alongside its aesthetic role as part of the townscape group (with the former Feathers Hotel to the north of the listed building (now the Metro Bank) and No.35 The Broadway) that defines an important road junction, would be preserved.

The visual impacts of the taller elements have been reduced, where possible, via the massing strategy of setting them deeper within the site, with the lower masonry/ mineral element providing a transition to the taller glazed element. This approach provides spatial and visual separation and 'breathing space' to the retained buildings addressing The Broadway and views towards the National Westminster Bank from the east. The historic interest of this listed building would be preserved with its role as Ealing's original town hall that reflects the rapid growth and the associated expressions of civic pride being unaffected by the proposal.

The taller elements of the Proposed Development, particularly the principal tall building, would therefore clearly cause some harm to the heritage significance of this listed building. This harm has been assessed as being on the lower end of the 'less than substantial' harm spectrum.

Heritage Significance of the Ealing Broadway Methodist Church (Now Closed) and Memorial Hall

The former Ealing Broadway Methodist Church and Memorial Hall is a Grade II Listed Building and is located approximately 60m to the southeast of the application site, just beyond 64 to 71 The Broadway.

John Tarring designed the Ealing Broadway Methodist Church and Memorial Hall in 1868, using Kentish rag stone, a common material in the late 19th century for civic and religious buildings in the conservation area. The Church is designed in the Gothic Revival style, featuring a nave with aisles and transepts, along with a tower that gives it a distinctive landmark quality. The Memorial Hall was created in 1925, extending the Church towards the street.

This listed building is a significant example of mid-19th century ecclesiastical architecture, using high-quality materials, fine architectural detailing, and craftsmanship, including tracery and ornamentation. The Gothic style reflects common approaches to designing Methodist places of worship during this time period. Additionally, the Memorial Hall demonstrates the

lasting influence of Gothic Revival architecture for ecclesiastical-related buildings into the 20th century.

As a community facility, the Church is historically significant, illustrating the provision of amenities to support the rapid growth of Ealing after the arrival of the railway and the plurality of Christian denominations in the area at the time. Its continued use as a place of worship amplifies its historical value, providing communal value to past and present congregations.

While the Site is not visible from the Church due to existing buildings and interposing development, the later 19th and early 20th century buildings form part of the traditional townscape context in which the listed building is experienced, and its significance understood. The spire is visible from Haven Green, forming an attractive element of the skyline alongside the spire of the Parish Church to the west.

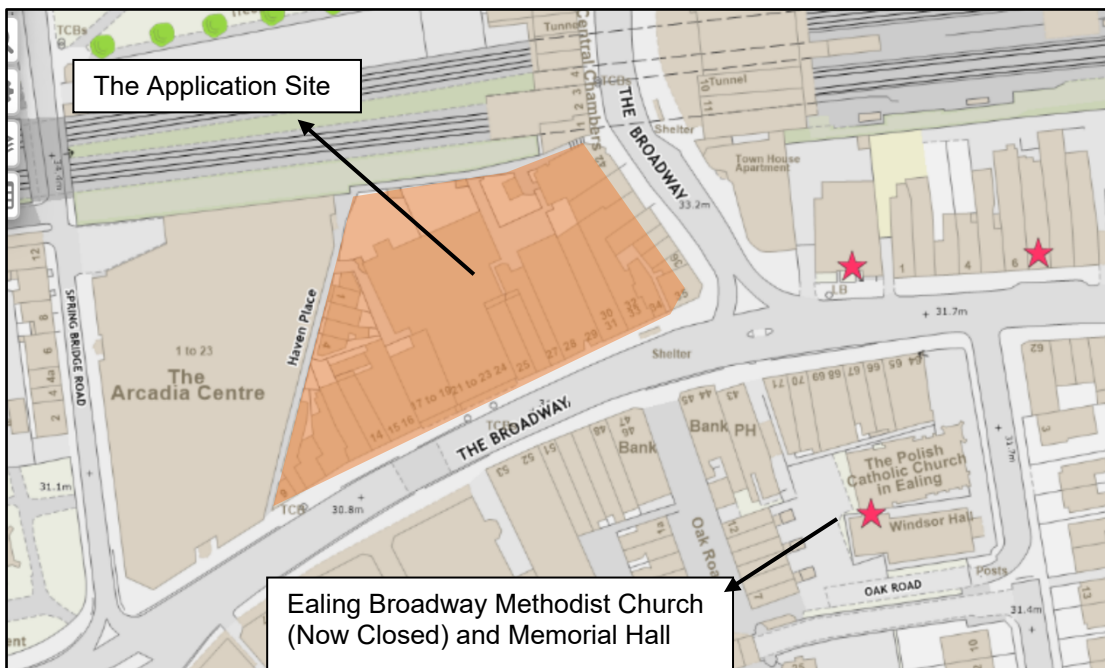


Figure 38: Location of Ealing Broadway Methodist Church (Now Closed) and Memorial Hall in relation to the Application Site

Impact on the Ealing Broadway Methodist Church (Now Closed) and Memorial Hall (Grade II Listed Building)

As is relevant to other heritage assets within close proximity of the site, within sub-character area 1 in the Ealing Town Centre CA, the retention and refurbishment of the buildings to the southern part of the site that contribute most positively to the townscape character of this part of the conservation area, enhances the positively contributing part of the late 19th and early 20th century commercial townscape setting of this listed Church. This, along with the rationalisation of the more modern shopfronts in a coherent manner all contribute to improving the commercial townscape setting of this listed Church and in this way would preserve the significance of this listed buildings setting.

Notwithstanding the above, it is acknowledged that the greatest impact on the significance of this listed church would derive from the tallest elements of the proposal. The tallest elements of the proposal would represent a step change in the character, scale, and height of buildings within this part of the listed building’s townscape setting.

It is important to re-iterate that the applicants have taken a plan-led approach to the proposed densification of this key town centre site, which is identified in policy as an appropriate location for tall buildings. This policy context recognises the town centre first approach to major commercial development and the site’s proximity to Ealing Broadway station (LUL & Elizabeth Line and bus interchange). The taller elements of the proposal are an integral part of the transformational change that signals the major regeneration of this important town centre Site.

The architectural composition of the church and memorial hall, as interrelated buildings of shared character and fine architectural detailing, would remain clearly visible and understood, due to the contrast with the materiality and form of the proposed development, its distance from this building and the existing developments between them. There would also be no reduction in the legibility of the historic and visual relationships with the Victorian domestic townscape context in which it is located and built to serve (sub-character area 2 of the Ealing Town Centre CA).

There would, however, be some potential visual competition with the prominence of the church tower and spire, with the height of the proposed tallest element of this scheme, in the local townscape context, which would reduce the legibility of the listed building as a local landmark and impact on its significance in those terms only.

Therefore, the impact of the taller elements of the proposed development on the historic significance of the Ealing Broadway Methodist Church (Now Closed) and Memorial Hall has been assessed as being ‘less than substantial’ in policy terms. The level of harm identified has been assessed as being below the middle of the less than substantial harm spectrum.

Heritage Significance of the Ealing Town Hall

The Ealing Town Hall is located approximately 235m from the application site to the west along The Broadway, separated by intervening developments.



Figure 39: Location of The Ealing Town Hall in relation to the Application Site

The Ealing Town Hall is a Grade II Listed Building. It was built in 1888 and underwent extensions in 1913 and the 1930s. It was designed by local surveyor Charles Jones, who also designed the former town hall (currently the NatWest Bank) and the nearby Church of Christ

the Saviour (Grade II* listed building). Together, these buildings were significant in the late 19th century development of Ealing town centre and share the same materiality.

The Ealing Town Hall is an architecturally noteworthy example of a Neo-Gothic municipal building. The two-storey building is asymmetrical, with a three-storey gabled entrance and hipped centre bay. It features an off-centre tower with lancet windows that recede and culminate in a spirelet, resulting in an attractive and picturesque composition. The building is of a greater and more imposing civic scale than the former town hall and occupies a prominent position along New Broadway, making it a local landmark. Although the interiors are mostly contemporary, the building features good stair-halls in both sections.

The listed building is also of historical interest as a visible example of the civic pride associated with Ealing's late 19th and early 20th century success and expansion. It serves as evidence of the need for a larger and grander town hall, reflecting the town's rapid growth and the local government's expanding status, authority, and responsibilities. The continued civic use of the building enhances this historical value, providing communal value for community and civic use.

While the Ealing Town Hall is part of the wider urban context of the area, there is no visual connection to the site due to existing buildings, separation distances, and extensive interposing development.

Impact on the Ealing Town Hall (Grade II Listed Building)

The top of the tallest building proposed at this site would be visible in the townscape context and setting of this listed building, separated by interjecting buildings. The townscape setting of the Ealing Town Hall includes later substantial buildings and has been significantly altered. Given the separating distances, limited visibility, interjecting buildings and orientation of the site, the proposed development would have no impact on an appreciation of this listed building in terms of its architectural value, as a high-quality example of a Neo-Gothic municipal building or its historic value, derived from its ongoing civic function that illustrates the civic pride associated with the late-19th and early-20th century success and expansion of Ealing and the development of local government's status, authority and responsibilities.

Given the above, it has been assessed that the heritage significance of the Ealing Town Hall would be preserved, by preserving the special interest and setting.

Heritage Significance of Pitzhanger Manor Group, comprising the Ealing Common Conservation Area, Entrance Archway and Gates at Pitzhanger Manor (Grade II Listed Building) Pitzhanger Manor (public library (Grade I Listed Building)); Lodge at Pitzhanger Manor at Northeast end of Park (Grade II Listed Building); Ealing War Memorial (Grade II Listed Building); and Walpole Park Registered Park and Garden of Special Historic Interest (Grade II)

These heritage assets are situated approximately 400m away from the application site, separated by later 19th, early 20th century, post-Second World War, and more recent development of some scale. There are several large mature trees in Ealing Green, which are interposing features between the Pitzhanger Manor (and related structures) and the site.

The significance of Walpole Park (Grade II Registered Park & Garden), the Ealing Green Conservation Area, and the Pitzhanger Manor group of listed buildings are complex and

overlapping and therefore their relevant significance has been assessed together.

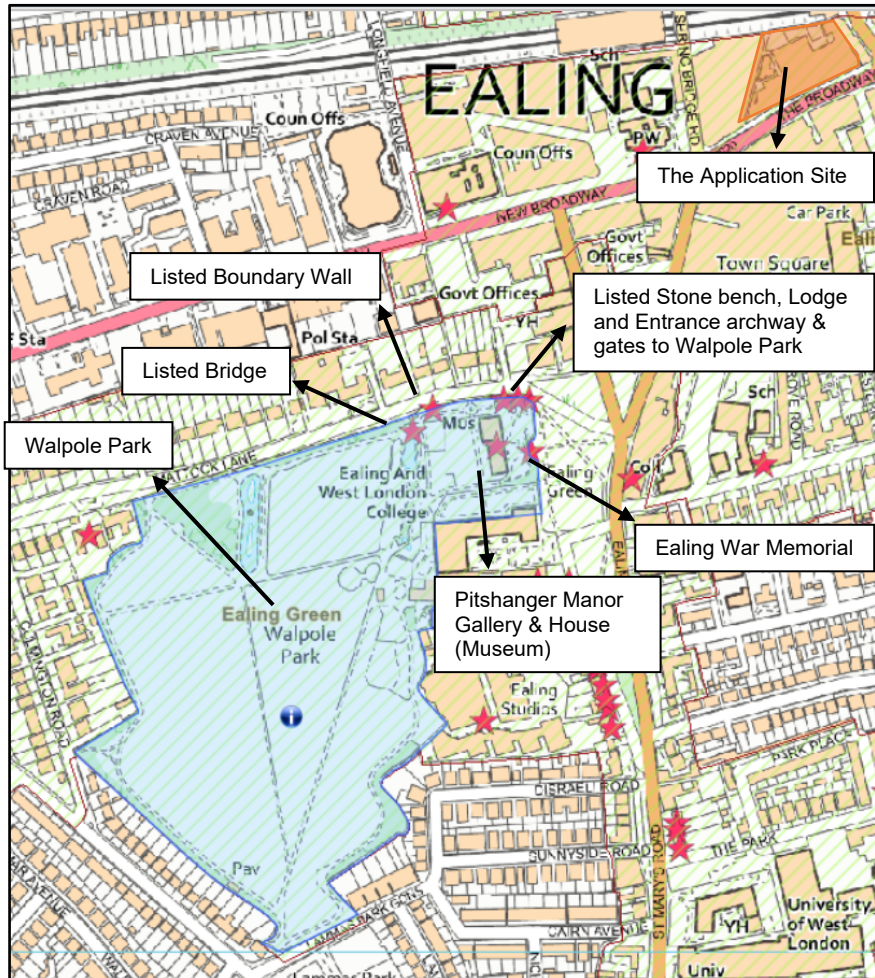


Figure 40: Location of ‘Pitzhanger Manor Group’ in relation to the Application Site

According to the first issue of the Register Entry for Walpole Park (in October 1987), a ‘substantial structure’ has existed on the site of Pitzhanger Manor since the mid-17th century. Pitzhanger Manor was later mostly demolished except for a southern extension, with the main block being replaced in 1800. The property passed through a series of owners until, in 1843, it was sold to the politician, Spencer Walpole. By 1900, the house and estate were purchased by Ealing District Council, the name Walpole Park was adopted, and the house was converted into a public library by 1902.

Other major alterations to the then library building was completed by 1940 and then, in 1984, the Central Library was moved to new premises in Ealing. The following year a continuing programme of restoration and repair to both the mansion and the grounds began. The restored manor house was reopened as a museum and centre for cultural events in the late 1990s and remains under the ownership of the Council.

Pitzhanger Manor is a Grade I listed building designed by Sir John Soane, an influential neo-classical architect. It is internationally famous and notable for its unique features, such as bare walls contrasting with grand Portland stone. Pitzhanger Manor served as a test bed for many of Soane's ideas, and it demonstrates the development of his design philosophy. It is located within the Walpole Park, which includes a number of associated listed structures, and together they form part of an integrated estate design that shares aesthetic and architectural values. The Ealing War Memorial, a Grade II listed building, was erected in 1921, and it adds

poignancy to the group's heritage significance as it provides a witness to the tragic impact of world events on the Ealing community. The immediate setting of this listed building group comprises the gardens of Walpole Park, which contribute the most to the significance of the listed buildings. However, the wider setting has been altered due to the rapid expansion of Ealing, which has led to the redevelopment of the townscape context to the north.

Walpole Park itself is of significance for its landscape, architectural and historic interests. It derives that heritage significance from its evolution from an 18th century park and garden (designed by John Haverfield – 1744 to 1820), associated with Pitzhanger Manor. The park has a strong reciprocal relationship with the manor, and the two assets amplify each other's significance. That heritage significance is best appreciated from within the designated boundaries of the registered park and garden, where the landscape history and reciprocal relationships with the manor and associated structures is highly understandable.

The park's picturesque design lends itself to dynamic views as one moves through the park, as emphasised by the serpentine nature of the lake. The viewpoint of the Grade II* listed bridge from the southern end of the serpentine lake is an important perspective to appreciate the bridge's architectural quality and its role as an integrated part of the historic parkland character associated with Pitzhanger Manor. The bridge has a strong visual and historic connection with the manor, and this viewpoint helps to understand its significance as a highly graded heritage asset. There are however other important viewpoints for understanding the park's architectural quality and historic connection. Overall, the park's significance is best appreciated from within the designated boundaries of the registered park and garden.

The setting of Walpole Park has changed significantly since its origins as a country house estate in the 18th century due to the rapid expansion of Ealing as a suburb of London. The park's current setting is multi-layered, with Victorian semi-detached houses on Mattock Lane and taller buildings in Ealing town centre. The townscape setting illustrates the pressure for the delivery of urban public open spaces in Ealing, including Walpole Park. However, these elements of the setting do not strongly contribute to the park's heritage values. The leafy character of Ealing Common to the east of the park, along with traditional pre-mid-19th century townscape elements, helps to better understand the historic origins of Pitzhanger Manor but are experienced within an urban context.

Impact on the Pitzhanger Manor Group, comprising the Ealing Common Conservation Area, Entrance Archway and Gates at Pitzhanger Manor (Grade II Listed Building) Pitzhanger Manor (public library (Grade I Listed Building)); Lodge at Pitzhanger Manor at Northeast end of Park (Grade II Listed Building); Ealing War Memorial (Grade II Listed Building); and Walpole Park Registered Park and Garden of Special Historic Interest (Grade II)

It is the tallest element of the proposal that would be visible from within some parts of the open space of Walpole Park and Ealing Common and in the vicinity of Pitzhanger Manor. The other elements of the proposal would not be visible, due to interposing buildings and landscaping.

The tallest element of the proposed development would result in a new background element in views from the steps to the main entrance of Pitzhanger Manor. The proposal would be viewed in the context of and beyond the interjecting and contrasting townscape of the Ealing Metropolitan Town Centre, with the boundary between the Ealing Common Conservation Area setting of this listed building and the Ealing Town Centre Conservation Area being signalled by

the larger scale buildings that are sited between this listed building and the proposed development site and filtered by existing mature trees.

The proposed development would be consistent with the character and contribution of that element of the asset’s heritage significance. In those terms, there would be no reduction in an appreciation of the architectural quality of Pitzhanger Manor, including the distinctive front elevation, or the legibility of the reciprocal relationships between Pitzhanger Manor and the Ealing Common townscape and landscaped green space or the shared group value with the lodge. In addition, the group value with the later war memorial (Grade II listed building) within that landscape context would also remain legible and easily understood as separate and distinct elements from the town centre context to the north.

The proposed development would be visible from within parts of Walpole Park. Particularly in the summer months, it would be seen within and beyond the existing tree canopies in the foreground, and substantially screened by the trees. Even in winter, when they are not in leaf, the proposal would appear well to the left of Pitzhanger Manor and would be screened to a large extent by trees.

Where visible, the tallest element of the proposal would be viewed in combination with larger scale developments in the town centre, and as an element clearly in the distance. In this regard, the proposed development would be clearly legible as part of the varied and layered urban context which encloses the park. The landscape character of Walpole Park, which is formed by the layered historic development, structural landscape elements and buildings, and visual qualities (part of the interrelated historic and aesthetic values), including the important reciprocal relationships with Pitzhanger Manor across a designed landscape, would all be preserved.

Given the above, it is considered that the proposed development would preserve the significance of the above heritage assets.

Heritage Significance of 7 The Mall (Grade II Listed Building)

7 The Mall is a Grade II Listed Building and is located approximately 90m to the east of the application site, along The Broadway.

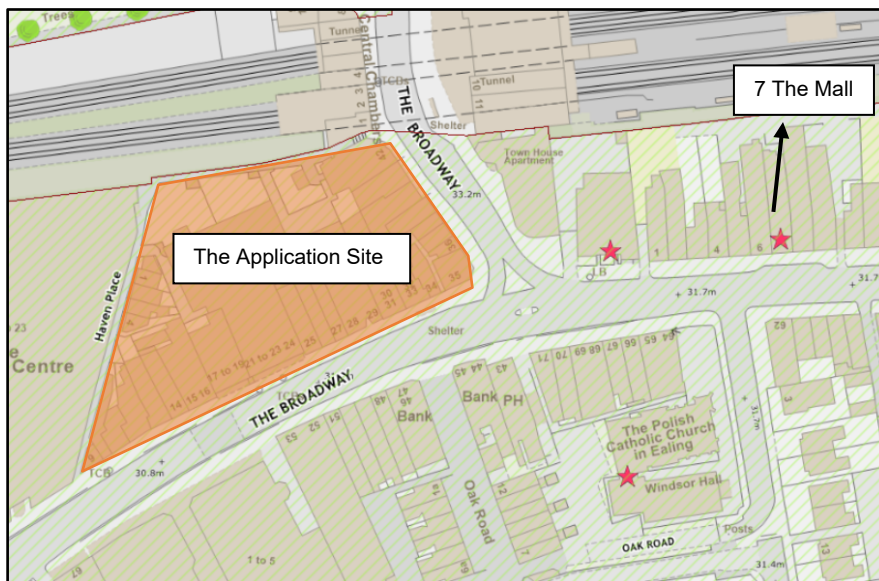


Figure 41: Location of 7 The Mall in relation to the Application Site

According to the listed buildings entry, 7 The Mall was identified as being of special architectural or historic interest for its “...*rarity and quality of its art nouveau shopfront, which together with the clock above makes for a striking piece of townscape.*” Therefore, the special historic interest of this building is specific and clearly articulated and understood.

The building was constructed in the early 1880s as part of the wider terrace. It contained a commercial ground floor level with residential properties above. The shop front has a central glazed door in timber surround, which is set well back behind curved frontage, with rounded glass sheets and scrolling, slightly Art Nouveau style tracery. The front window is flat, but similarly set on a plinth of Norwegian 'black pearl' granite. Above the entrance is further tracery, and mirror glass. A projecting clock, contemporary with the building, is set on an elaborate cast-iron bracket. This clock was an elaborate advertisement for one of the first known occupants of this shop (E D Walters Jeweller), dating back to 1884. This clock is an integral part of the listed building’s particular significance.

Impact on 7 The Mall (Grade II Listed Building)

The significance (special interest) of the listed building is defined in the list entry as being due to the ‘*rarity and quality of its art nouveau shopfront, which together with the clock above makes for a striking piece of townscape.*’ The late 19th century parade, of which this listed building forms an integrated part, and which provides the architectural framework in which its significance is understood and appreciated, would remain legible and clearly understood.

The proposed development would have no impact on appreciating the finer grain of detailing and quality of the shopfront design (and the projecting clock, which announces the historic use of the listed building) when viewed from the pavement outside this listed building.

In this context, it has been assessed that the proposed development would preserve the significance of this listed building, by preserving its special interest and setting, due to the limited contribution made by setting to the particular significance of the listed building.

Heritage Significance of 62 The Mall (Local Heritage Asset)

62 The Mall is located approximately 90m to the east of the application site, on the southern side of The Mall (The Broadway becomes The Mall at the junction nearest to the site).

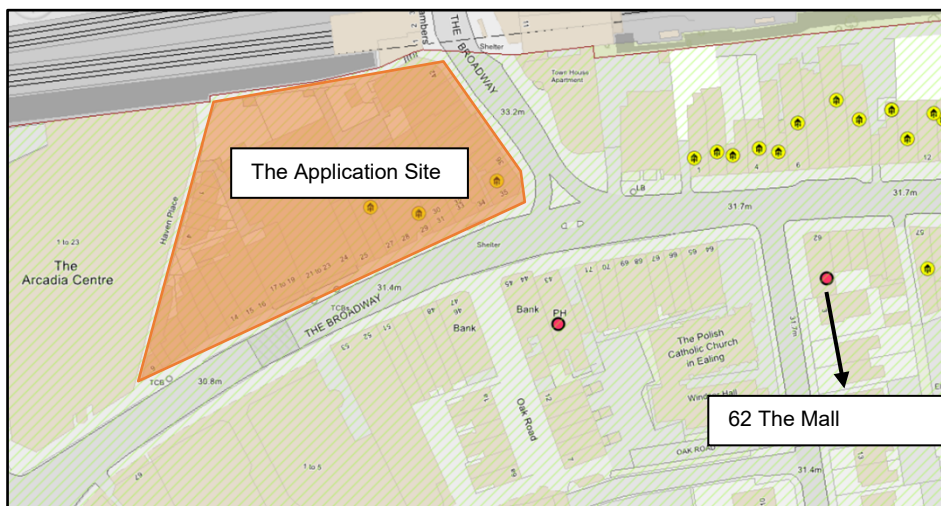


Figure 42: Location of 62 The Mall in relation to the Application Site

62 The Mall is designated as a Local Heritage Asset and is the former Allied Irish bank. Its designation as a local heritage asset derives from it being an example of a compact and elegant 1920s building in Portland Stone. The principal façades retain the building’s historic appearance, faced completely in stone with subtle art deco motifs to the window surrounds and double height entry way. The building’s architectural interest is amplified by its contrasting character with the prevailing 19th and early 20th century townscape context in terms of its materiality, character and scale, which make it a distinctive element within the Ealing Town Centre Conservation Area.

Impact on 62 The Mall (Local Heritage Asset)

This non-designated heritage asset would retain its historical appearance on its principal facades, which are entirely clad in stone and feature subtle Art Deco motifs around the windows and double-height entranceway. The building’s local heritage significance lies in its architectural interest as a small yet refined interwar commercial building that stands out as a distinct element on a street corner in the diverse commercial context of Ealing Town Centre Conservation Area.

This listed building’s heritage significance is best appreciated from local views and when viewed from the front, where the quality of its materiality, detailing, and Art Deco design can be fully appreciated. In this sense, the proposed development would be a substantial new addition to its townscape environment, but its relative positioning and separation distances would allow for the continued appreciation of the building’s architectural value as the foundation of its heritage significance. Therefore, the proposed development would preserve the heritage significance of this non-designated heritage asset.

Heritage Significance of Numbers 27, 29 & 35 The Broadway

Numbers 27, 29 & 35 The Broadway, all located within the application site itself (identified by the yellow circles in the below image), have been identified as buildings that contribute positively to the significance of the Ealing Town Centre CA. The historic significance of these buildings is directly related to their contribution to the significance of the Ealing Town Centre Conservation Area, which provides context for their local heritage significance.



Figure 43: Location of 27, 29 & 35 The Broadway in relation to the Application Site

Impact on Numbers 27, 29 & 35 The Broadway

The proposed development would have both adverse and beneficial effects on the heritage significance of these positively contributing buildings that are to be weighed in the overall balance.

The beneficial effects relate to the design strategy for the retention and refurbishment of these buildings. As previously noted, the design approach of the proposed development has sought to maximise the retention of the existing buildings on site which contribute positively to the conservation area’s character and appearance. These include numbers 27, 29 & 35 The Broadway.

This approach allows for the meaningful integration of those buildings, so they can be appreciated as 3 dimensional volumes, with traditional roofscapes and internal/party walls. The proposed development also allows for the reinstatement of missing historic features, the removal of existing poor-quality additions, the reversal of harmful modifications (identified as contributing negatively to the conservation area) and the addition of new shopfronts of traditional design, thereby recovering their contribution to the significance of the conservation area. In this sense, the proposal would enhance the historic significance of these buildings and the contribution they make to this part of the conservation area. For more on this strategy, please refer to the above section on ‘Impact on the Ealing Town Centre Conservation Area’.

Notwithstanding the beneficial effects of the proposed works of refurbishment and alteration, the nature and extent of the adverse visual impacts on the setting of these positively contributing elements caused by the taller elements of the proposed scheme means that the proposed development would result in a degree of harm to their significance. A balanced judgement will be required having regard to the scale of any harm or loss which is provided in the conclusion of this section of the officer’s report.

Heritage Significance of The North Star Public House

The North Star Public House is located approximately 25m from the application site, directly across the road at number 43 The Broadway.

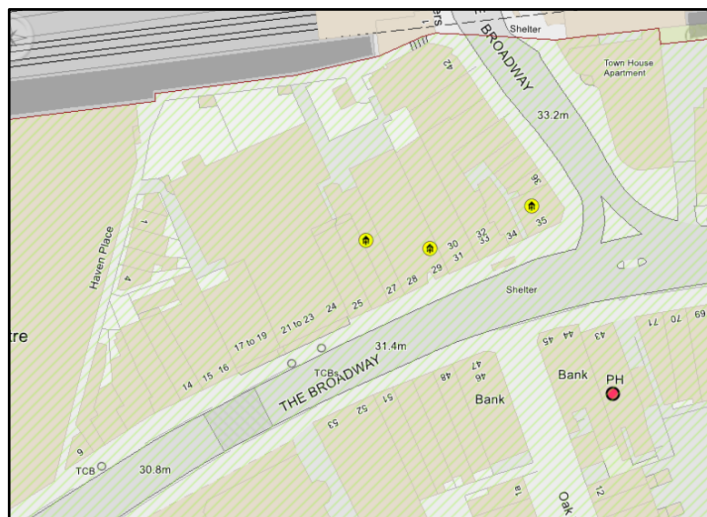


Figure 44: Location of the North Star Public House in relation to the Application Site

The North Star Public House is designated as a Local Heritage Asset. This Public House was originally constructed in the mid-1800s as part of the town centre's wider development in an eclectic style. The principal façade, which features stone dressings in a Classical style and a decorative barge board below two hipped roofs, retains some interesting elements. However, a large extension at the rear of the building detracts from its architectural value.

The building holds local historic interest due to its age and use, and its local heritage value is best appreciated within the wider street scene, where it contributes to a fragmentary historic townscape set within a more developed urban context.

While the 19th and early 20th century buildings on the site are part of the traditional townscape context, their later construction date, use of materials, and disposition relative to the heritage asset do not enhance the understanding or appreciation of the listed building's particular significance. Thus, the site is a neutral element in its setting.

Impact on The North Star Public House

The proposed retention and works to recover the traditional character of the 19th and early 20th century buildings on site would help maintain the overall legibility of the cohesive townscape context of which this local heritage asset forms a part. In this case, the scale, height, and form of the taller elements of the proposed scheme would not reduce the legibility or ability to appreciate the local heritage significance of this building, due to their disposition to the north of the non-designated heritage asset and position within the application site. The architectural value of this non-designated heritage asset derived from the quality of its pub frontage, and historic value, as a long-established and ongoing PH use, would remain easily understood. In this regard, the proposed development would preserve the local heritage significance of this non-designated heritage asset.

Heritage Conclusion

The impact of the proposed development upon the identified significance of the relevant heritage assets has been made in accordance with the relevant statutory duties, planning policy framework and best practice guidance/ advice. The submitted Heritage Statement considers both significant and insignificant effects of the proposed development (in EIA terms) on the heritage significance of the relevant built heritage assets. This report concludes that the significance of the following built heritage assets would be sustained by the proposed development:

- The Ealing Common Conservation Area.
- Entrance Archway and Gates at Pitzhanger Manor (Grade II Listed Building).
- Pitzhanger Manor (public library (Grade I Listed Building).
- Lodge at Pitzhanger Manor at Northeast end of Park (Grade II Listed Building).
- Ealing War Memorial (Grade II Listed Building).
- Walpole Park Registered Park and Garden of Special Historic Interest (Grade II).
- Ealing Town Hall (Grade II Listed Building).
- No.7 The Mall (Grade II Listed Building).
- The North Star Public House, No.43 The Broadway (Local Heritage Asset)
- No.62 The Mall (Local Heritage Asset).

In respect of the above, the proposal is consistent with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; paragraphs 197, 199, 203 and 206 of the NPPF and Development Plan policy.

The submitted Heritage Statement and Visual Impact Assessment also find that proposed development would deliver a range of significant heritage benefits derived from the building retention strategy that have been integrated as part of the approach to regenerating this town centre site. The heritage assessment states that those opportunities to 'recover' the authenticity of the retained buildings, including those that make a positive contribution to the character of the CA, comprise:

- Reinstatement of missing historic features.
- Replacement of detracting modern shopfronts and signage with high-quality examples that integrate with the character of the parent property.
- Removal of existing poor quality and harmful later alterations to recover the significance of these buildings and their contribution to the significance of the conservation area.
- Replacement of buildings that detract from the significance of the Ealing Town Centre Conservation Area with good quality new buildings that better respond to its character or appearance.
- Creation of a new public pedestrian route through the Site allowing for a new appreciation of the revealed rear elevations of Nos.25-29 The Broadway, and the works of targeted and high-quality interventions, which allows for their original form as mid-19th century domestic villas to be more fully understood, while maintaining the legacy of adaptation through the retention of existing openings and creation of contrasting glazing/materials to avoid speculative reconstruction and enabling the activation of this space.

Those works would enhance the significance of the following heritage assets:

- Ealing Town Centre Conservation Area.
- Parish Church of Christ the Saviour (Grade II* Listed Building).
- Ealing Broadway Methodist Church (Now Closed) and Memorial Hall (Grade II Listed Building).
- National Westminster Bank (Grade II Listed Building).
- Numbers 27, 29 & 35 The Broadway (positive contributors to the CA).

Notwithstanding the above-mentioned heritage benefits, in overall terms, the proposal would cause 'less than substantial harm' to the significance of the identified heritage assets through demolition of existing buildings within the application site and/or the visual impacts of the taller elements of the proposed development. This view is shared by both the applicant's heritage consultants and Historic England (albeit there is a differing opinion on the level of harm on the spectrum of 'less than substantial for 2 of the assessed heritage assets). Within this identification of heritage harm, the levels of less than substantial harm can be identified, on the following basis:

- The Ealing Town Centre Conservation Area: between the middle and higher end of the less than substantial harm spectrum.
- The Haven Green Conservation Area: the middle of the less than substantial harm spectrum.
- The Ealing Common Conservation Area: below the middle of the less than substantial harm spectrum

- Parish Church of Christ the Saviour (Grade II* Listed Building): in the middle of the less than substantial harm spectrum.
- Ealing Broadway Methodist Church (Now Closed) and Memorial Hall (Grade II Listed Building): below the middle of the less than substantial harm spectrum.
- National Westminster Bank (Grade II Listed Building): towards the lower end of the less than substantial harm spectrum.
- The Proposed Development would harm the local heritage significance of Nos.27, 29 & 35 The Broadway.
- The proposal would harm the heritage significance of Nos.27, 29 & 35 The Broadway.

As outlined above, there is clearly a level of harm, caused by the proposed development, that has been identified. This level of harm, in policy terms, has been identified by both the applicant's heritage consultants and Historic England as being 'less than substantial'. Therefore, in accordance with paragraph 202 of the NPPF, this harm needs to be weighed against the public benefits of the proposal including, where appropriate, securing the sites optimum viable use.

In accordance with paragraph 203 of the NPPF, a balanced judgement is required when considering the impact of the development on the significance of a non-designated heritage assets, having regard to the scale of any harm or loss and the significance of the heritage asset. The public benefits of the proposed development and the subsequent planning balance are set out below.

Public Benefits

Where less than substantial harm is engaged, NPPF paragraph 202 require there must be substantial public benefits that outweigh harm. NPPF guidance does not explain the concept of public benefits. In accordance with statute, policy and case law, the public benefits of the development must be weighed in the planning balance.

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

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long-term conservation.'*

The application is proposed to deliver significant public benefits. In accordance with statute, policy and case law, the public benefits of the development must be weighed in the planning balance.

Heritage Benefits

Whilst some less than substantial harm to both the Conservation Area and setting of designated Heritage Assets is identified, the proposal also offers a number of important heritage benefits, as follows.

Retention of the buildings which contribute most strongly to the character of the Conservation Area

The Applicant has aimed to preserve the buildings that add the most to the character of the Conservation Area. This involves more than just retaining the facades, but rather the retention and renovation of 12 buildings (consisting of 15 addresses) along The Broadway. By doing so, the proposed development would maintain the current scale along the southern edge of the site and preserve the visual and historic interest these buildings offer. The retention plan includes all the buildings recognized by the Council as having a group value (Nos: 27/29 and 35) and those recognised in the Conservation Area Character Appraisal as making a positive contribution (Nos. 14, 15-16, and 35).

Improvements to the retained buildings

In addition to preserving the most significant buildings along the southern frontage and corners, a crucial aspect of the proposal involves enhancing these areas by restoring lost historic fabric, such as shop fronts. This will entail removing poor quality, worn, and overly flashy shop facades and signs, and replacing them with traditional awnings and high-quality materials. This approach will have a significant impact on the villas, whose garden-front extensions have reduced the area's appeal and detract from its Conservation Area status. The proposed consistent and attractive frontages will improve the streetscape and allow the villas to be better appreciated. The proposal also involves removing later rear extensions and modifications from the preserved buildings, which will enable the original structures to be better appreciated.

Removes those elements that detract from the Conservation Area

All of those elements which are identified in the Conservation Area Character Appraisal as detracting from the Conservation Area are to be removed and replaced with new high-quality buildings. Removing such detractors would contribute to the enhancement of the overall appearance of the Conservation Area.

Re-provision of improved space for the Ealing Club and relocation of the local blue heritage plaque

The proposed addition of a new space for use by the Ealing Club, coupled with the relocation of the blue heritage plaque to the facility's entrance (secured in the S106 agreement), would help preserve and enhance the site's rich cultural and music heritage. Presently, the Ealing Club is underutilised and not open for the most part. The proposition aims to expand its appeal by potentially incorporating recording studios and other events during weekdays, with the caveat that it is subject to further negotiations and the owner's aspirations.

Transport Related Benefits

By providing off street servicing to the rear of the site, to service the new offices as well as the retail, restaurants and cafes, via a link with the existing service access and yard at first floor level above the Arcadia Centre, the proposal would reduce the level of on street servicing along the Broadway, including by HGVs.

The proposed pedestrian route through the site could create a new route from the station to bus stops along The Broadway, which in turn would reduce the level of pedestrian congestion and pinch points along The Broadway particularly on the corner around Wenzels Bakery (as there would be a more direct route available for many journeys). This route, along with the closure of public access to Haven Place, would provide a more attractive and safer route through the site with improved natural surveillance, improving the safety of pedestrians.

It is proposed, as part of this development, to provide an improved crossing over The Broadway, with the introduction of a new Toucan crossing, which would better accommodate both pedestrians and cyclists in a safer manner, having been relocated to better accommodate natural desire lines with the routes to the south and north.

Securing wider pavements on The Broadway (station side) to be given over to the public realm, with a widened pavement and landscaping, would also help reduce pedestrian congestion and improve the pedestrian experience around the site.

Economic Related Benefits

Generation of new jobs and training - The proposal would create 2800 permanent jobs and the equivalent of 252 jobs in construction. This would directly contribute to one of the Councils key strategic objectives and would have a direct benefit to the local economy.

In addition to this, the scheme would maximise the benefit and opportunities created for local people, including the creation of employment, apprenticeships and training. The applicant has already commissioned a specialist who has drafted a “Local Employment, Apprenticeship and Training Strategy” which has been submitted with this application. It includes an objective to use reasonable endeavours to ensure that 25% of all vacancies in construction on site are filled by local residents, with priority given to those who are unemployed. Any subsequent consent of this application would be subject to a S106 agreement that would require the development to submit Local Employment & Training Plan, to be developed with the support of LB Ealing Employment & Skills Officer, in order to secure the above objectives.

The proposal would strengthen the economic base of the town - By introducing the proposed extent of additional office floorspace and renewed retail offer within the town centre, the proposal would inevitably strengthen the economic base of the town, by placing more people in the town and different times of the day, all of whom would spend time and money in the town centre. The benefit to the economy as a whole has been estimated to be some £268 million Gross Value Added, with an estimated £130 million in employee wages every year.

This will help to halt the trend of Ealing increasingly becoming a dormitory town and enhance the amount of trade during weekdays and in the evening, thereby reducing its reliance on the weekend. The economic analysis carried out by Quod estimates an additional £7.76 million will be spent in the local economy every year by those working in the new offices.

The proposal would secure additional tax revenue - The development is predicted to generate an estimated £3.84 million of business rates revenue every year for the Council. While some of this will be to help fund the services required, some of this revenue would help fund services for the wider public benefit. In addition, it is estimated that some £1.7 million will be raised for Mayoral CIL, with additional funds paid through the S106 Agreement. Such local

finance considerations are material to the determination of a planning application in accordance with S70(2) of the Town and Country Planning Act 1990.

The proposal would deliver on site affordable workspace - A total of 1,489sqm NIA, which equates to 5.5% of the total office development being proposed, would be secured as 'affordable workspace', with rents discounted by between 20% and 60% for a 15-year period. These discounts would be of significant benefit for small and start-up businesses. The affordable workspace provision is a significant benefit of the proposal.

Other Benefits

Creation of a new public space and route through the site - The creation of the proposed new route through the site and area of public realm, which replaces the existing shed like structures and insensitive rear extensions in the central part of the site, with a high quality public space in which visitors can dwell, or walk through on a more direct and convenient route connecting the station with the town centre, would be a significant public benefit of the proposed development.

Meets some of the required additional office space - At the local level, of the 94,500m² of additional office space sought by Policy 1.1 in the Core Strategy, Policy 1.2 seeks to deliver 90,000m² of it in Ealing Town Centre. The need to deliver more office space in Ealing is exacerbated as a substantial amount of office space within the town centre has been lost through office to residential permitted development rights. The application proposal would therefore make a significant contribution to this and furthermore would help to demonstrate confidence in the office market in Ealing. The proposal offers the opportunity to secure the most substantial office investment in the town centre since the adoption of the Local Plan in 2012.

The provision of high-quality office space within Ealing Town Centre, would also increase the opportunity for local residents to be able to work locally. This in turn would reduce the need for travel, freeing up capacity on the transport network and potentially enhancing the wellbeing of local residents.

Optimises the use of a key, accessible and centrally located site within the Town Centre - This is due to both its proximity to the train station and London Underground, as well as its closeness to shops and services, enabling the needs of those working in the offices to be met locally. The optimisation of an important allocated site within the Town Centre in a meaningful way not only ensures the most effective use of the land, but in this case also the regeneration and revitalisation of Ealing Town Centre into a leading office hub. This would result in significant public benefit to the local area.

Delivers qualitative improvement to the retail related uses - The proposal would offer more modern and/or refurbished outlets in a more coherent manner than are currently existing on site that would help attract a good mix of retailers, restaurants and cafes along this designated retail frontage in the heart of the Town Centre.

Provides enhances leisure uses - A further benefit of the mix of uses proposed is that it includes improved leisure facilities which the area is in need of, with the introduction of a gym and a new space for the Ealing Club. Within the proposed music/ entertainment space, it is envisioned that the range of music related activities can be broadened, potentially to include

music studios and other activities which will significantly enhance the current occasional use, to one that provides a vibrant local facility, well used seven days a week.

The proposal would deliver ecological enhancements - Given the nature of the site and its relatively ad hoc recent developments, the site currently has little ecological value. The proposed development would instead deliver extensive planting and landscaping improvements, including the introduction of green and brown roofs, and potentially bat and bird boxes. This would result in a biodiversity net gain of 60%. In addition, the proposal achieves an urban greening factor of 0.28 thereby representing a substantial improvement over the existing situation.

The above benefits are the components advanced against the acknowledged harm. In accordance with the NPPG, they are considered to be clear, substantial and genuine and of a scale and nature to benefit the public at large.

Paragraph 8 of the Framework explains that *“achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives”*. The proposed development meets all three objectives:

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

b) social objective – it makes a meaningful contribution to the supply of office space within a key location in the town centre (being within the office quarter identified in the local plan) as well as affordable workspace (in the form of discounted office floorspace) that would be provided at discounted market rents to new and small businesses in the area. It would also improve the public realm and provide a new pedestrian route through the site and provide access to a drinking water fountain. It would contribute towards enhancing a strong, vibrant and healthy community, with a range of new retail outlets and a safe built environment, with accessible services and facilities and high-quality open spaces including a new public realm.

c) environmental objective – contributes to protecting and enhancing the natural, built, and historic environment, including making effective use of land and improving the sites urban greening factor through the use of green roofs, green walls, landscaped roof terraces and other soft landscaping.

Conclusion/ Planning Balance in heritage terms

It is clear from the policy context set out above, that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings and conservation areas. These duties, and the appropriate weight to be afforded to them, must be at the forefront of the decision makers mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. To this end, the harm identified above to designated heritage assets within the wider context of the application site has been given considerable weight in the planning balance.

Paragraph 11 of the Framework states that planning decisions should apply a presumption in favour of sustainable development. As it has been demonstrated that the proposal accords with the Development Plan as a whole, and with Government policy and advice set out in the Framework, it should clearly be regarded as a sustainable development.

The presumption in favour of sustainable development means that the Council can support this proposal that would create a high quality and attractive addition to this part of Ealing centre, help to support a thriving and active community and economy, make an important contribution to the delivery of high quality office space within the 'office quarter', local jobs and public realm improvements and while respecting the significance of the areas heritage assets, local character and sense of place.

The regeneration benefits set out above are the components of the planning balance to advance against the acknowledged harm. Having given careful consideration to all the material planning considerations, including that contained in the NPPF and NPPG, GLA and LBE development plans both adopted and to be adopted and taking policy as a whole and in applying the Planning Balance, the conclusion is that this would be a sustainable development in accordance with Framework criteria.

Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 202 states that this harm should be weighed against the public benefits of the proposal. Determining whether the impact of development on a designated heritage asset would be "less than substantial" in policy terms involves a comprehensive assessment of the significance of the asset and the potential harm that may result from the proposed development.

Given the comprehensive assessment of the significance of the asset and the potential harm that may result from the proposed development provided above, it has been concluded that where there is identified harm to a designated heritage asset, the level of harm has been assessed as being 'less than substantial' in policy terms.

Collectively, the public benefits are considered to have sufficient weight to outbalance the less than substantial harm to the significance of the above designated heritage assets, as well as to outweigh the harm identified to non-designated heritage assets. Therefore, it is considered they would, taking all considerations into account, tip the balance under NPPF paragraph 202 and 203 in favour of the supporting a grant of permission for this positively beneficial development in accordance with the development plan as a whole and having regard to all other material considerations.

Impact on neighbouring properties

Development is expected to be sensitive to the impacts that it would have on the local area and avoid reducing the level of amenity available to both the site itself and its surroundings (London Plan - Policies D3, D4 and D6; and Development Management DPD - Policy 7A). The impact of the proposed development on neighbouring amenity has been assessed in terms of its impacts on:

- Daylight/ Sunlight, overshadowing and Solar Glare
- Noise and vibration
- Lighting

Daylight/Sunlight, Overshadowing and Solar Glare

The application is supported by a Daylight/Sunlight, Overshadowing and Solar Glare Assessment prepared by GIA, which included a Chapter in the Environmental Statement. This section in the ES assesses the likely significant effects on daylight, sunlight, overshadowing and solar glare on neighbouring residential properties. This section in the ES also assesses the effect of the proposed development on levels of overshadowing within relevant amenity areas and public open space surrounding the application site and the effect of the proposed development on road users and train drivers and possible solar glare.

For daylight, a total of eight buildings comprising sensitive residential uses have been identified and assessed. Two of these residential properties would meet BRE's criteria and experience 'Negligible' effects and one, 43 The Broadway, would experience an overall 'Minor Adverse effect', which was considered not significant. The remaining five residential receptors are considered to experience significant effects which are considered to be 'Minor to Moderate Adverse' to The Townhouse and 'Moderate to Major Adverse' to 52-53 The Broadway. The final three, 49, 50 and 51 The Mall would experience 'Major Adverse effects'.

However, it is important to note that despite the significant alterations, each of these buildings would retain levels of daylight which have been considered acceptable for a dense urban London location and are therefore considered to remain adequately daylight.

For sunlight, most of the sensitive receptors are located south of the Site and would therefore not be affected by the proposed development. Only 52-53 The Broadway and The Townhouse required assessment, which would be BRE compliant and see 'Negligible to Minor Adverse' effects respectively, which are not considered significant.

Haven Green would remain compliant with BRE's recommendation of receiving more than two hours of sun on over half the total area on March 21st. As a small amount of overshadowing occurs to the area, the effect is considered 'Negligible to Minor Adverse' (not significant).

In terms of solar glare, the majority of effects have been assessed to be 'Negligible' or 'Minor Adverse' which are not significant. The remaining four viewpoints located at surrounding road junctions would see 'Moderate Adverse' significant effects.

It is noted that the proposed development would not lead to any additional cumulative effects or effects to future sensitive receptors.

Based on the results of the daylight and sunlight, overshadowing and solar glare analysis, it is clear that the development proposals would result in some harm in respect of sunlight and daylight. However, given the sites context, its re-development potential and its location within the heart of the Ealing Metropolitan Town Centre, any significant re-development of the site would be expected to have similar or worse effects. Considered on balance, no unacceptable harm has been identified in respect of the daylight and sunlight amenity to the surrounding residential properties, to the degree that would warrant a refusal in this regard.

Overall, the proposed development is therefore considered to have an acceptable impact on surrounding properties given its location and is therefore would be in accordance with policy 7B of the Ealing Development Plan DPD (2013).

Noise and Vibration

London Plan Policy D14 requires new development to minimise its noise impact and provide improved practices to reduce noise and Core Strategy Policy 1.1 (j) aims to protect and improve ambient noise levels. The submitted Environmental Noise and Vibration Assessment prepared by Sharpes Redmore establishes the existing background sound levels in the vicinity of nearby sensitive noise premises to set appropriate limits for noise egress from the proposed development.

To determine existing noise levels an initial attended noise survey was completed in 2019, which was updated in 2021 and May 2022. The 2021 survey included periods when Covid-19 restrictions were in place during which traffic levels were lower than would normally be expected. This may have impacted on noise levels, therefore in determining typical baseline noise levels the assessment has considered all three sets of measurements. Measurements were taken at eight separate locations over the three separate assessments in 2019, 2021 and 2022. The attended surveys concluded that the existing noise climate is dominated by road noise on all sides with rail noise dominant intermittently to the north.

Based on the background sounds levels measured at several locations, the representative background sound levels for the day and night-time period have been calculated and are listed within the supporting Environmental Noise and Vibration Assessment. Based on the requirements within local design criteria, as recommended in the SPD10, the cumulative sound level from plant should be at least 5dB below existing background noise levels.

The noise levels from plant will depend on the final selection and plant design, however an indicative assessment has been carried out using SoundPLAN computer model based on the plant details provided. The plant details assessed relate to plant equipment proposed on the roof levels, the 10th floor, first floor, ground floor and the basement.

In all cases predicted noise levels would be below the suggested daytime criteria. At night the critical factor would be noise levels at the closest residential properties, including those in Haven Green to the northwest of the site. The predicted noise levels at night are around 39 dB which is 1dB higher than the suggested noise criteria.

Although only exceeding by 1dB, the assessment highlights that the noise levels will be controlled by a series of planning conditions which will include the requirement for the cumulative noise from building services plant to be lower than the existing background noise levels. Following consultation with the Council's Pollution Technical (EH) team, no objections to the submitted Environmental Noise and Vibration Assessment were raised. However, as expected, several conditions were recommended related to noise and vibration during both the construction and operational phases, including conditions directly related to plant noise and vibration, all in order to ensure that the amenity of occupiers of both the development site and surrounding premises are not adversely affected by noise and vibration. These conditions have been included in this recommendation (See Appendix A).

The development also includes various restaurants and a music facility at basement level, which would replace the existing nightclub currently on the site. The restaurants and basement facility would be designed to mitigate noise break out including through the structure of the building into the adjoining spaces. In relation to the basement facility, this would replace the existing club whose historic use has been as a jazz and rock live band

venue. The submitted Environmental Noise and Vibration Assessment confirms that the music facility would be designed so that music break out from the premises would meet the suggested criteria in the London Borough of Ealing SPG10. To ensure that both noise and smell egress from the proposed restaurant, café and music facility uses are sufficiently mitigated, conditions directly related to these uses have been included in this recommendation (See Appendix A).

An initial vibration survey was also undertaken during the daytime of 28th August 2019, with additional measurements taken on the 13th of September 2019. Overall, the results of the vibration survey indicated levels at the lower end of 'Probably audible during quiet periods, but not considered to be a cause for complaint' under a residential environment.

Based on all of the above, the proposed development is considered compliant with the noise and vibration criteria and would comply with the relevant noise limits in accordance with London Plan Policy D14 and Core Strategy Policy 1.1 (j).

External Artificial Lighting

An External Lighting Statement has been produced by Atelier Ten (appended within the submitted Design and Access Statement) to detail the external lighting proposals that would be incorporated into the public realm within the central courtyard and the proposed lighting to the private amenity terraces and balconies.

The statement highlights that all of the external lighting has been designed to minimise light spill, with light sources concealed within the landscape and architectural detailing where possible. It is noted that all external lighting would be designed to meet the requirements of the ILP notes on the reduction of obtrusive light and lighting equipment and would be carefully selected with appropriate optics and positioned to ensure that light pollution is kept to a minimum.

It is proposed for all external lighting to be controlled via a DALI control system with photocell and time clock to ensure lighting is switched on at dusk and decorative lighting is switched off at a predetermined curfew time. Security lighting will be automatically switched off at dawn.

The statement concludes that the average luminance of the proposed facades would be below 25cd/m² in accordance with ILP Guidance and that the proposed lux level is significantly below the post-curfew recommendation. Therefore, light trespass into neighbouring windows is well below the recommendations of the ILP and would not impact upon the amenity of local residents in accordance with the Development Management DPD Policies 7A and 7B.

Environmental Impacts

Air Quality

London Plan Policy SI 1 seeks to protect people in areas of poor air quality (such as AQMAs) and Core Strategy Policy 1.1 (j) aims to protect and improve air quality levels. Air Quality Chapter included within the Environmental Statement prepared by Stantec assesses the air quality impacts of the proposed development given the site's location within an AQMA.

The Assessment describes the existing air quality within the study area and assesses the impact of the construction and operation of the building on air quality in the study area. The

report highlighted that the construction works have the potential to create dust, which would harm local air quality. During construction, a package of mitigation measures would be put in place through the DCEMP to minimise the risk of elevated PM10 concentrations and dust nuisance in the surrounding area. With mitigation in place the construction impacts were judged as being not significant.

Concentrations of NO₂, PM10 and PM2.5 have been predicted on the site. There are no exceedances of the relevant NAQOs on the site and it was determined that the site is suitable for the proposed land uses. The proposed development would be car-free except for two blue badge spaces and has excellent access to public transport and the cycle network with various local cycle paths and lanes within accessible distance, as well as strategic routes on the London Cycle Network (LCN). As such, traffic generated by the proposed development falls below the EPUK / IAQM screening criteria and, therefore, the impacts of operational traffic generated by the development on existing sensitive receptors within the study area were considered to be 'not significant.'

However, having reviewed the submitted ES, the Councils Pollution Technical (EH) team noted that whilst the development might be car-free, there would still be other traffic emissions associated with this development due to deliveries, servicing, waste collection and so on. Furthermore, as the development is predicted to increase vehicle movements by 34 heavy duty vehicle movements during the construction phase, then a detailed Air Quality assessment needs to be provided. As such, a condition has been recommended that requires the applicant to submit details of an Air Quality and Dust Management Plan (AQDMP) for both the demolition and construction phases, prior to any commencement of works on site. In addition, a contribution of £390,040 is sought to be used towards air quality monitoring and air quality improvement. This would be 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).

Overall, notwithstanding the above, the operational effects of the proposed refurbishment and extensions are determined to not be significant on air quality. The assessment concludes that no further mitigation measures will be required as part of the proposal to reduce the direct effects of the development on the local air quality. The proposed works are therefore considered to be in accordance with the requirements of the NPPF and will not create an unacceptable risk of high levels of exposure of poor air quality in accordance with London Plan Policy SI 1 and local Core Strategy Policy 1.1 (j).

Wind Microclimate

The application is supported by a Wind Microclimate Assessment included at Appendix C.2 of the Environmental Statement, prepared by AKT II. A chapter on Wind Microclimate is also included within the Environmental Statement which assesses the likely significant effects of the proposed development on the wind microclimate.

The Assessment details a Computational Fluid Dynamics (CFD) assessment for the conditions of pedestrian wind (seasonal) comfort and (annual) distress on the surrounding street-level and terraces of the proposed development. The Assessment considered three scenarios which were agreed at part of the Scoping Report. Scenario 1 considered the existing site within the existing context surroundings; Scenario 2 considered the proposed

development within the existing context surroundings and Scenario 3 considered the proposed development within the future cumulative surroundings.

In terms of public spaces at street level, in Scenario 2, the conditions are considered suitable for most pedestrian activities in both summer and winter which is in accordance with the intended use of these areas. In terms of wind distress, there are no unacceptable distress regions identified in any public spaces. Haven Place is only considered suitable for 'strolling' or localised 'business walking' activities within limited local distress issues, however, this area is limited to emergency use with no frequent pedestrian access. Overall, all public spaces at street level are considered suitable for the intended use.

At private terraces and balconies, only summer comfort is relevant given this is the period of the year when frequent pedestrian use is expected. All of the proposed balconies would be within Grade 1 'sitting' with no unacceptable wind distress. Most of the terraces were also assessed as Grade 1 'sitting' condition with occasional Grade 2 'standing' conditions mainly at the southern edges of the proposed Level 2 and Level 9 terraces. 'Strolling' conditions are also observed, largely on the pedestrian walkway and BMU route around the south corner at Level 9 terrace. Wind distress issues are also identified within the 'strolling' areas at Level 9 terrace. Hence, these areas are suitable for short-term pedestrian activities and strategic operational measures are recommended to limit pedestrian access to the distress regions on windy days.

To conclude, the proposed development shows a suitable wind microclimate for all users. Only limited areas along the southern edges of Levels 2 and 9 private terraces are found to be only suitable for short-term pedestrian activities and pedestrian access to those areas is recommended to be limited on windy days. Therefore, the proposed development provides a comfortable pedestrian environment in terms of wind and does not adversely affect street level conditions in accordance with policies D3, D8 and D9 of the London Plan (2021).

Highways, transport and parking

Policy T4 (Assessing and mitigating transport impacts) of the London Plan (2021) states that development proposals should ensure that development should not adversely affect safety on the transport network. Policy T6 (Car parking) provides that an appropriate balance should be struck between promoting new development and preventing excessive car parking and that in locations with high public transport accessibility, car-free developments should be promoted. Planning policy supports development that encourages walking and cycling and that reduces the need to travel, especially by car.

Access

The only vehicular entrance to the Site is proposed at first floor level via the Morrisons ramp to the rear of the site via Spring Bridge Road. This access would lead into a dedicated large loading bay, waste store and plant space. The loading bay can accommodate two 10m loading vehicles, with swept path analysis having been undertaken to ensure they can enter and exit the space effectively. A loading bay office is located within this space to manage incoming and outgoing deliveries.

In terms of pedestrian access, the site is highly accessible, and the proposed development has been designed to create pedestrian permeability through the Site. New entrances are

proposed into the Site through the creation of three pedestrian routes to the proposed Courtyard from The Broadway station side and The Broadway south side. The proposed entrances into the Site and courtyard would create a more legible and easily accessible entrance to the office floorspace proposed and the retail and leisure uses. By virtue of its location in the heart of Ealing town centre, the scheme also provides access to a full range of local facilities and services that are located within the Metropolitan Town Centre, all within easy walking distance.

In addition to the new pedestrian routes into the Site, as part of the highway works, it is proposed to relocate and improve the existing signal-controlled pedestrian crossing across The Broadway to the south. This involves widening the crossing to 10m and creating a Toucan crossing, enabling use by both pedestrians and cyclists. Through creating a shared-use area on both sides of The Broadway, via dropped kerbs, the crossing would enable cyclists to cross The Broadway both from the east and west directions. For those cycling to the development, this will facilitate access to the cycle store from the southern access point.

Lifts would provide inclusive access to the upper floors of the new Broadway Connection building, which would provide good circulation within the building for future office occupiers. All entrances would be designed to be inclusive, and to the recommendations set out in Approved Document M and BS 8300. Level access would be available to all areas of the proposed office building from Reception, including lifts to all floors.

In addition, accessibility has also been considered for the proposed refurbishment of the existing buildings along The Broadway. At 17-21 The Broadway, a passenger lift is proposed per core, at 35 The Broadway there would be one lift from ground floor to the third level and a second lift from basement to the third level. At 9-16 The Broadway there would be one main vertical core with a passenger lift. Therefore, all buildings benefit from lift access and incorporate the highest standards of accessible and inclusive design in accordance with London Plan Policy D5.

Cycling

A cycle store is proposed at ground floor level to the west within the proposed 'Broadway Connection' Building which would accommodate 512 long stay cycle parking spaces. Provision will be made for general cycles, folding cycles and accessible cycles. The proposed cycle store would also provide associated lockers, changing rooms and showers. Access to the secure and fully enclosed cycle store and associated amenities was originally proposed via Haven Place from The Broadway (station side) to the east and from The Broadway to the South. However, following concerns raised by TFL, the GLA and the Council's Design Out Crime Officer, this arrangement was amended. Access to the cycle store is now proposed directly from the Broadway south. The updates to cycle parking arrangements include a revised access point from The Broadway (South) and new internal layout of the cycle storage which has been broken down into four smaller cycle storage rooms. The long-stay cycle parking has been carefully considered to help encourage engagement with active travel. Where possible, consecutive doors enroute to the cycle store have been avoided however the proposed lobbied arrangement to access the cycle stores are for fire safety purposes.

Short stay cycle provisions would be located within the newly proposed public realm areas and would accommodate 48 short stay spaces on the Site (increased from the originally proposed 26). Due to the spatial constraints of the public realm on the Site, the remaining

short stay spaces cannot be accommodated on the site in a practical way, without compromising the new open space. As such, the applicant has committed to contribute £150,000 towards wider cycle infrastructure that would benefit the wider public and not just those visiting the proposed site. It is also noted that short stay cycle parking facilities exist in Haven Green, just outside the station.

The above provision of cycle spaces, lockers and changing facilities will encourage future occupants to travel to and from the site by bicycle and the provision is in line with the objectives of the NPPF (paragraph 108), London Plan Policy T5, Policy 6.13 of the Development Management DPD and T2 of the Neighbourhood Plan.

Car Parking

The application does not propose to provide any car parking spaces as part of the proposed development. The proposed car free development encourages the use of sustainable transport modes in line with the London Plan Policy T2 and having no parking for any of the proposed uses is in accordance with the principles of London Plan Policy T6. There would however be two dedicated disabled parking spaces allocated within the Ealing Broadway Shopping Centre located across The Broadway to serve the proposed development.

Trip Generation

Stantec has undertaken a trip generation assessment to determine the estimated additional demand generated from the proposed development. It is estimated that the development would generate a total of 779 and 568 two-way trips person trips during the AM and PM peak hours, respectively. There is a high proportion of trips undertaken by public transport as a result of the scheme being car free and excellent public transport connections.

The impacts based on the net increase of movements for each key transport mode have been assessed, finding there would be a negligible impact on the local network. The introduction of the Elizabeth Line at Ealing Broadway Station would significantly increase local public transport capacity, able to accommodate additional demand from the development.

It can therefore reasonably be assessed that the proposed development would not generate 'severe' transport impacts and as such, is in accordance with Paragraph 111 of the NPPF and London Plan Policy T2.

Delivery and Servicing Arrangements

A new service yard is proposed on the first floor of The Broadway Connection Building, located in the western part of the Site. The service yard would be accessed via the Morrisons car park and servicing, which is accessed from Spring Bridge Road to the west of the Site.

The service yard has been designed to be able to accommodate two 10m x 3m bays and both bays can accommodate a 10m rigid vehicle, which is the largest vehicle anticipated to access the service yard, this vehicle is commonly used for larger delivery and servicing requirements, with the service yard to be more frequently used by smaller vehicles. The proposed loading bay is in line with TFL guidance which encourages developments to incorporate off-street delivery and servicing locations where possible.

In addition to the new loading bay accessed from Spring Bridge Road, two on-street loading bays are provided along The Broadway south side, involving the relocation of an existing loading bay to improve public transport provision and enhance the loading/ unloading facilities. This is to improve the servicing arrangements for the existing frontage units; however, they will also be able to use the new service yard. Together, these options would represent a significant improvement on the existing arrangement.

An outline Delivery and Service Plan (DSP) has been prepared by Stantec in support of this application. The DSP provides additional details on how delivery and servicing activity would be managed and operated and outlines measures to ensure all retailers and office occupiers are aware of the restrictions on the size of vehicle and that all servicing trips to the office and retail will be accommodated in the servicing yard. The servicing yard would be managed through a booking system. In order to ensure appropriate servicing of the site, a condition has been recommended requiring a detailed Deliver and Servicing Management Plan to be submitted to and approved in writing by the Local Planning Authority prior to the use of the development.

Two bin stores are proposed for the development which would be located on the first-floor loading bay area. The office and retail waste collection would be subject to a private contract, and as such it is proposed that waste is collected once daily. As a result, 14 x 1,100l Eurobins would be provided for the office occupants of the Development, and two equivalent Eurobins for the retail occupants. Recycling and general waste bins would be evenly split in line with the London Borough of Ealing Guidance Document.

Given all of the above and subject to appropriate conditions and the heads of terms of a S106 legal agreement, the development would facilitate appropriate deliveries and servicing, in accordance with London Plan Policy T7.

Travel Plan

In addition to the pedestrian and cycling initiatives, a Framework Travel Plan has also been prepared by Stantec and identifies individual initiatives that can assist future occupants and visitors to reduce private vehicle journeys. The Travel Plan outlines a long-term management strategy which will encourage sustainable travel in line with the requirements of London Plan Policy T2. The implementation of the Travel Plan will be the responsibility of the Applicant, secured through a S106 agreement.

In order to promote sustainable modes of transport, and to ensure that the development does not exacerbate congestion on the local road network, a final revised and detailed Travel Plan will be secured by way of condition, that would be required to be prepared in accordance with the Transport for London Travel Plan Guidance and Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation.

Construction

It is recognised that construction vehicles could potentially cause temporary disruption on local roads. As such, in order to mitigate these impacts, an appropriate condition has been recommended to secure a detailed Demolition and Construction Management Plan to ensure that the amenity of occupiers of surrounding premises are not adversely affected by noise,

vibration, dust, lighting or other emissions from the site and to ensure appropriate mitigation measures regarding highway and site safety (See: Appendix A).

Conclusion

Given all of the above, the proposal is considered to comply with the aims and objectives of policies T1, T2, T3, T4, T5, T6, T7 and T9 of the London Plan (2021).

Energy and sustainability

In April 2019 Ealing Council passed a motion declaring a Climate Emergency with a commitment to draw up and implement policies that will achieve a target of net zero emissions by 2030.

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 SI2 and SI3 of the London Plan (2021) require submission of energy and sustainability strategies showing how the heating and cooling requirements of the development have been selected in accordance with the Mayor's energy hierarchy. Energy strategies should be produced in line with the GLA Energy Assessment guidance (2020).

In particular, policy SI2 that requires new major development to meet zero-carbon standards with at least a 35% CO2 reduction beyond Building Regulations Part L 2013 (or any later version) being achieved onsite. Any shortfall will be met through a S106 carbon offset contribution. Policy SI2 adds a fourth layer to the energy hierarchy which requires development to monitor, verify, and report on energy performance. This policy is reinforced by Ealing Council's 2013 DPD policy E5.2.3 which requires the post-construction monitoring of renewable/low-carbon energy equipment.

London Plan policy SI3 (Energy Infrastructure) recognises that combined heat and power (CHP) may have negative effects on London's air quality. The policy also recognises that because the carbon intensity of grid electricity is steadily dropping due to the increasing use of marine wind turbines, electric air-source-heat-pumps are a better carbon reduction option than gas fired CHP. In addition, section 10.2 of the GLA (2020) Energy Assessment Guidance expects all major development proposals to maximise on-site renewable energy generation regardless of whether a 35% target has already been met.

An Energy and Sustainability Statement prepared by Atelier Ten has been submitted as part of this application to demonstrate how the measures incorporated into the design of the proposed development will comply with the objectives of the London Borough of Ealing's Development Plan and the London Plan (2021).

In terms of energy, the proposed development would deliver both passive and active energy demand reduction measures along with zero carbon technologies in order to reduce energy demand and associated CO2 emissions. The proposed development would adopt a range of passive design measures which include:

- Enhanced thermal insulation and reduced thermal bridging to reduce uncontrolled heat loss/gains through the building fabric;

- Use of thermal mass to passively regulate internal temperatures for low energy use and better thermal comfort;
- Optimised building massing to promote daylight access and reduce heat loss;
- Optimised distribution of glazing (overall 43% glazing on office facades, providing a good balance between access to daylight, unwanted solar heat gains, heat loss and embodied carbon);
- Faceted façade has been designed to eliminate the need for supplementary perimeter cooling;
- Highly selective coating glazing on all facades to admit more daylight while blocking most of the direct solar energy; and
- Improved levels of airtightness to reduce energy lost due to ex/infiltration.

In addition to these passive measures, the proposal includes several active measures, including:

- Underfloor air distribution system to provide exemplary indoor air quality but maintain low fan and cooling energy demand;
- Radiant cooling with passive chilled beams to reduce energy demand for chilled water and improve thermal comfort;
- All major ventilation plant to incorporate demand-led controls and heat recovery ventilation for high energy efficiency;
- Electrical lighting will primarily make use of best in class LED luminaires (aligned with the new 2021 Part L Regulations and emerging BCO 2022 draft guidelines) combined with daylight dimming in the perimeter zones, and occupancy sensing controls where appropriate; and
- Air source heat pumps with integrated heat recovery for simultaneous heating and cooling at high efficiency.

The Council's Energy Officer has reviewed the submitted Energy and Sustainability Statement and has expressed support of the proposed strategy produced by Atelier Ten in August 2022 (version 5) which would deliver an all-electric development built to very high environmental standards.

For the main office element, the energy strategy proposes a building-wide low-temperature (approximately 45/40o flow/return) roof mounted Air Source Heat Pump distribution loop feeding underfloor space heating Air Handling Units (AHU). A second stage Water Source Heat Pump (WSHP) would boost the water up to DHW 60o/65o. The ASHPs would be roof mounted and have an efficiency (SCOP) of 4.36. The WSHP would feed a thermal store tank in the basement and have a SCOP of 3.36. The other new building (wrapping around 35 The Broadway) would use roof mounted VRF ASHPs for space heating with electric point of use DHW (because of minimal demand).

PV appears to be maximised with 37.3 kWp PV array on the main roof. The feasibility of additional PV was examined for the other roof spaces and cladding, but the Council acknowledges that the main tower overshadowing, and the need for M&E plant space, and financial/administrative issues, means it is not viable. In addition, the Council confirms that there is no available "Clean" district heat network (DHN) in the vicinity.

The submitted Energy Strategy has been assessed against the updated Part L Approved Document (ADL) 2121 and follows the standard energy hierarchy of "Lean, Clean, Green" as required by London Plan policy SI2 & SI3, and Ealing Council's Development Management

DPD. An Overheating Analysis report (6.8 of v5 energy strategy) with proposed mitigation measures has been submitted. The analysis was assessed against CIBSE TM52 and following the TM49 methodology of modelling against the DSY1 weather data file.

Mechanical ventilation and heat recovery is proposed along with sophisticated underfloor heating/cooling circulation and chilled beams. All spaces pass the CIBSE overheating/cooling criteria.

At the current design stage, the overall site-wide CO2 emissions would be cut by at least 1.24% (against SAP 10.2). It should be noted that while 1.24% savings appears marginal, this is assessed against the requirements of the Building Regulations Part L 2021. When assessed against the previous version (Building Regulations Part L 2013 – as outlined in policy SI2 of the London Plan), the proposed development would achieve a 45% overall site-wide CO2 emissions savings.

There is a shortfall of 5,464 tonnes CO2 (over 30 years) to achieve zero-carbon, that will be mitigated through an “offset” S106 payment at £95 per tonne to the Council of £519,062. If after three years of in-situ monitoring the renewable 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 SI2) 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.

In line with this, Ealing Council will require the monitoring of the PV array, the main Air Source Heat Pump system, and the thermal store Water Source Heat Pump to evaluate their performance/efficiency for a period of 4 years. Monitoring the heat pumps will involve metering the heat output and the combined parasitic loads. Suitable monitoring devices must be fitted by the Applicant to achieve this. Ealing Council will supply some of the monitoring equipment (through a S106 contribution) and the Developer will need to source the remainder in consultation with Ealing/Emergence.

The Atelier Ten pre-assessment (Stage 3) assessment (v5) states that the whole development will be built to at least “Excellent” standard with a “score” of at least 79.65%, with the main (new Broadway Connection office achieving “Outstanding”. Buildings within the development would achieve the below ratings:

- Broadway Connection office building: 86.0% (Outstanding)
- 35 The Broadway office: 80.5% (Excellent)
- 35 The Broadway retail: 78.3% (Excellent)
- 25-29 The Broadway retail: 79.7% (Excellent)
- 9-16 The Broadway retail: 79.7 (Excellent)

Whole Life Carbon and Circular Economy strategies have been submitted in support of the Application. WLC is assessed twice against CO₂e/m² benchmarks, first against SAP10 and then second, against future grid decarbonisation. The definition of CO₂e is the number of metric tons of CO₂ emissions with the same global warming potential as one metric ton of another greenhouse gas. The WLC assessment is in four modules; A1-A5 (product sourcing and construction – excluding any sequestration), B1-B7 (in-use stage), C1-C4 (end of life), and D (additional benefits from reuse/recycling/energy recovery of materials).

B6 (operational energy as identified in the energy hierarchy strategy), and B7 (operational water), are not included in the WLC benchmark. Assessments should be in line with GLA (2022) guidance, and meet at least the module benchmark targets, but should aim to meet the aspirational target.

The WLC strategy produced by Atelier Ten in August 2022 (5.13 main strategy v5) confirms that the development is compliant with the GLA Benchmark target for modules A1-A5 with a predicted most achievable track of 654 CO₂e/m², however, the strategy does not identify a score for modules B1-C4 (excluding B6-B7). The combined module figure of 1,429 is above the GLA target of 1,400. The Applicant will need to submit a revised WLC strategy at the next stage that is fully compliant with policy SI2(f).

The Circular Economy statement produced by Atelier Ten in August 2022 (version 3) confirms that the development would be compliant with the London Plan targets of diverting 95% of demolition/construction waste from landfill, putting 95% of excavation materials to beneficial use. The GLA target of diverting 65% of Operational Waste from landfill by 2030 has not been identified in the strategy and so a revised strategy will need to be submitted that is fully compliant.

Given all of the above, it is considered that the proposed development would be in accordance with the aims and objectives of policies SI2 and SI3 of the London Plan (2021), policy E5.2.3 of the Ealing Development Management DPD (2013) and paragraph 11 of the NPPF for the Presumption in Favour of Sustainable Development.

Fire Safety

Large schemes may require a number of different consents before they can be built. For example, Building Control approval needs to be obtained to certify that developments and alterations meet building regulations.

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 they 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 that the requirements of the Building Regulations are met. The BCB would examine drawings for the proposed works and carry out site inspection during the course of the work to ensure that the works are carried out correctly. On completion the BCB will issue a Completion Certificate to confirm that the works comply with the requirements of the Building Regulations. In relation to fire safety in high rise residential developments, some of the key measures include protected escape stairways, smoke detection within flats, emergency lighting to commons areas, cavity barriers/fire stopping and the use of sprinklers and wet/dry risers where appropriate.

Policy D12 (Fire Safety) of the London Plan requires all development proposals to achieve the highest standards of fire safety and therefore requires all major development proposals to submit a Fire Statement. This needs to be prepared by a suitably qualified third-party assessor, demonstrating how the development would achieve the highest standards of fire safety and ensure that they: are designed to incorporate appropriate features which reduce the risk to life in the event of a fire; are constructed in an appropriate way to minimise the risk of fire spread; provide suitable and convenient means of escape for all building users; adopt a robust strategy for evacuation which all building users can have confidence in; and provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The applicant has submitted a Fire Strategy Report prepared by Atelier Ten. This Fire Strategy Report has been prepared to outline the approach and provisions relating to fire safety for the proposed development in order to demonstrate compliance with the London Plan Policy D5 and D12. The proposed Fire Strategy includes the following key features:

- The retail, café and restaurant units with a proposed occupancy of greater than 60 should be provided with more than one escape route;
- The occupancy of the upper levels of 30-35 The Broadway shall be limited to 60 due to the single escape route;
- There are several extended travel distances, mostly within the restaurant and café units. These will have a second exit due to occupancy numbers and the introduction of a second exit will allow the travel distances to be achieved;
- The three escape stairs within The Broadway Connection Building will achieve the required escape width;
- Evacuation lifts are proposed within the development. Two evacuation lifts are to be provided in The Broadway Connection Building, one evacuation lift is to be provided to the offices at the front of the development and one evacuation lift is to be provided in 30-35 The Broadway; and
- Two firefighting shafts will be provided in The Broadway Connection Building.

The proposed framework Fire Strategy is considered sufficient for a scheme of this nature in terms of planning considerations. In the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety. Therefore, a Fire Statement requiring further detail has been recommended by way of condition (See: Appendix A).

Community Infrastructure Levy

The Mayoral Community Infrastructure Levy 2 (MCIL2) was adopted on 1st April 2019. This has introduced a charging system within Ealing of £60 per sqm (indexed) of gross internal floor area to be paid to the GLA for applications decided on or after the above date. MCIL2 will be used to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2 and supersedes the previous MCIL1 charging schedule. Please note that the final CIL amount due would be calculated by the Councils CIL Officer.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that in making any determination under the Planning Acts, regard is to be had to the Development Plan, and the determination must be made in accordance with that Plan, unless material considerations indicate otherwise. Based on the above assessment, the proposals taken both as a whole are considered to be acceptable and accord with the local Development Plan.

The proposals deliver significant economic, heritage, transport and other related public benefits, including the optimisation of this key, central, highly accessible, designated development site, securing its optimal viable use. These benefits are considered to outweigh the harms identified, which have all been mitigated as far as practically possible.

The proposals have evolved through extensive pre-application discussions and the proposed scheme is considered to be of a high design quality and would result in the much-needed provision of high-quality office space in line with the strategic objectives of this part of the borough.

The form, layout and design of the proposals is supported and displays good principles of urban design. The taller buildings proposed are appropriately positioned on the site to mitigate adverse impacts and are of a high architectural quality.

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 underutilised, brownfield site which is located in a sustainable location is acceptable.

Human Rights Act

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

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

recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Public Sector Equality Duty

1. 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); and
 - C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
3. 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.
4. It is considered that the recommendation in this case would not have a disproportionately adverse impact on a protected characteristic.

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS:

1. Time Compliance

Development shall commence no later than 5 years following the date of grant of this permission.

Reason: To comply with s91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in accordance with drawing title numbers:

522-SWA-SI-XX-DR-A-PL150 Rev P01 - Proposed - Site Plan; 522-SWA-SI-XX-DR-A-PL151 Rev P01 - Proposed – Location Plan; 522-SWA-SI-00-DR-A-PL200 Rev P02 - Proposed - GA Plan - Ground Floor; 522-SWA-SI-01-DR-A-PL201 Rev P02 - Proposed - GA Plan - 1st Floor; 522-SWA-SI-02-DR-A-PL202 Rev P02 - Proposed - GA Plan - 2nd Floor; 522-SWA-SI-03-DR-A-PL203 Rev P02 - Proposed - GA Plan - 3rd Floor; 522-SWA-SI-03-DR-A-PL204 Rev P02 - Proposed - GA Plan – 4/6/8th Floor; 522-SWA-SI-05-DR-A-PL205 Rev P01 - Proposed - GA Plan - 5/7th Floor; 522-SWA-SI-09-DR-A-PL209 Rev P01 - Proposed - GA Plan - 9th Floor; 522-SWA-SI-10-DR-A-PL210 Rev P01 - Proposed - GA Plan - 10th Floor; 522-SWA-SI-11-DR-A-PL211 Rev P01 - Proposed - GA Plan - 11/13/15/17th Floor; 522-SWA-SI-12-DR-A-PL212 Rev P01 - Proposed - GA Plan - 12/14/16/18/19th Floor; 522-SWA-SI-20-DR-A-PL220 Rev P01 - Proposed - GA Plan - 20th Floor; 522-SWA-SI-RF-DR-A-PL221 Rev P02 - Proposed - GA Plan – Roof; 522-SWA-SI-B1-DR-A-PL230 Rev 01 - Proposed - GA Plan – Basement; 522-SWA-SI-ZZ-DR-A-PL341 Rev P02 - Proposed - GA Sections – BB; 522-SWA-SI-ZZ-DR-A-PL342 Rev P01 - Proposed - GA Sections – CC; 522-SWA-SI-ZZ-DR-A-PL342 Rev P02 - Proposed - GA Sections – DD; 522-SWA-SI-ZZ-DR-A-PL344 Rev P02 - Proposed - GA Sections – EE; 522-SWA-SI-ZZ-DR-A-PL345 Rev P02 - Proposed - GA Sections – FF; 522-SWA-SI-ZZ-DR-A-PL346 Rev P02 - Proposed - GA Sections – GG; 522-SWA-SI-ZZ-DR-A-PL347 Rev P02 - Proposed - GA Sections – HH; 522-SWA-SI-ZZ-DR-A-PL348 Rev P02 - Proposed - GA Sections – JJ; 522-SWA-SI-ZZ-DR-A-PL351 Rev P02 - Proposed - GA Sections – LL; 522-SWA-SI-ZZ-DR-A-PL352 Rev P02 - Proposed - GA Sections – MM; 522-SWA-SI-ZZ-DR-A-PL354 Rev P02 - Proposed - GA Sections – PP; 522-SWA-SI-ZZ-DR-A-PL355 Rev P02 - Proposed - GA Sections – QQ; 522-SWA-SI-ZZ-DR-A-PL400 Rev P01 - Demolition - GA Elevations – 01; 522-SWA-SI-ZZ-DR-A-PL401 Rev P01 - Demolition - GA Elevations – 02; 522-SWA-SI-RF-DR-A-PL404 Rev P01 - Demolition - GA Plan – Roof; 522-SWA-SI-B1-DR-A-PL430 Rev P01 - Demolition - GA Plan – Basement; 522-SWA-SI-00-DR-A-PL450 Rev P01 - Demolition - GA Plan - 25-29 The Broadway; 522-SWA-SI-00-DR-A-PL451 Rev P01 - Demolition - GA Plan - 35 The Broadway; 522-SWA-SI-00-DR-A-PL452 Rev P01 - Demolition - GA Plan - 35 The Broadway; 522-SWA-SI-00-DR-A-PL453 Rev P01 - Demolition - GA Plan - 09-16 The Broadway; 522-SWA-SI-00-DR-A-PL454 Rev P01 - Demolition - GA Plan - 09-16 The Broadway; 522-SWA-XA-ZZ-DR-A-PL500 Rev P01 - Proposed - Partial Facade - Type 1 - Sheet 01; 522-SWA-XA-ZZ-DR-A-PL501 Rev P01 - Proposed - Partial Facade (Axo) - Type 1 - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL502 Rev P01 - Proposed - Partial Facade - Type 2 - Sheet 01; 522-SWA-XA-ZZ-DR-A-PL503 Rev P01 - Proposed - Partial Facade (Axo) - Type 2 - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL504 Rev P01 - Proposed

- Partial Facade (Axo) - Type 3 - Sheet 01; 522-SWA-XA-ZZ-DR-A-PL505 Rev P01 - Proposed - Partial Facade (Axo) - Type 3 - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL506 Rev P01 - Proposed - Partial Facade (Axo) - Type 4 - Sheet 01; 522-SWA-XA-ZZ-DR-A-PL507 Rev P01 - Proposed - Partial Facade (Axo) - Type 4 - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL508 Rev P01 - Proposed - Partial Facade (Axo) - Type 5 - Sheet 01; 522-SWA-XA-ZZ-DR-A-PL509 Rev P01 - Proposed - Partial Facade (Axo) - Type 5 - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL511 Rev P01 - Proposed - Partial Façade (Axo)- Type 1 (Corner South) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL515 Rev P01 - Proposed - Partial Façade (Axo)- Type 2 (Corner South) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL517 Rev P01 - Proposed - Partial Façade (Axo) - Type 1 (Corner East) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL519 Rev P01 - Proposed - Partial Façade (Axo)- Type 2 (Corner South) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL521 Rev P01 - Proposed - Partial Façade (Axo) - Type 4 (Typ Corner) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL524 Rev P01 - Proposed - Partial Façade (Axo) - Type 5 (Balcony) - Sheet 03; 522-SWA-XA-ZZ-DR-A-PL526 Rev P01 - Proposed - Partial Façade (Axo) - Type 5 (Base) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL528 Rev P01 - Proposed - Partial Façade (Axo) - Type 5 (Core) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL530 Rev P01 - Proposed - Partial Façade (Axo) - Type 6 (Level 9 Pavilion) - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL550 Rev P01 - Proposed - Bay Study - Building B – South Elevation; 522-SWA-XA-ZZ-DR-A-PL551 Rev P01 - Proposed - Bay Study - Building B - North Elevation; 522-SWA-XA-ZZ-DR-A-PL552 Rev P02 - Proposed - Bay Study - Building C - South Elevation; 522-SWA-XA-ZZ-DR-A-PL553 Rev P01 - Proposed - Bay Study - Building D - South Elevation; 522-SWA-XA-ZZ-DR-A-PL554 Rev P02 - Proposed - Bay Study - Building A - Courtyard Elevation; 522-SWA-XA-ZZ-DR-A-PL555 Rev P01 - Proposed - Bay Study - Building A - GF East Elevation; 522-SWA-XA-ZZ-DR-A-PL556 Rev P01 - Proposed - Bay Study - Building A - Main Office Entrance; 522-SWA-XA-ZZ-DR-A-PL557 Rev P02 - Proposed - Bay Study - Building A – Courtyard Elevation East; 522-SWA-XA-ZZ-DR-A-PL558 Rev P01 - Proposed - Bay Study - Building A – Courtyard Elevation South; 522-SWA-XA-ZZ-DR-A-PL559 Rev P01 - Proposed - Bay Study - Building A - Level 2 Terrace South; 522-SWA-XA-ZZ-DR-A-PL560 Rev P01 - Proposed - Bay Study - Building A - Level 2 Terrace East; 522-SWA-XA-ZZ-DR-A-PL569 Rev P02 - Proposed - Bay Study (Axo) - Building A – Courtyard Elevation - Sheet 02; 522-SWA-XA-ZZ-DR-A-PL570 Rev P01 - Proposed - Bay Study (Axo) - Building A - GF East Elevation - Sheet 02; 522-SWA-SI-ZZ-DR-A-PL600 Rev P02 - Broadway View - looking west; 522-SWA-SI-ZZ-DR-A-PL601 Rev P02 - Broadway Connection Arrival View - towards the courtyard; 522-SWA-SI-ZZ-DR-A-PL602 Rev P02 - Broadway Connection courtyard View; 522-SWA-SI-ZZ-DR-A-PL603 Rev P02 - Broadway Connection Arrival view - from the Broadway; 522-SWA-SI-ZZ-DR-A-PL604 Rev P02 - Broadway Connection Courtyard View; 522-SWA-SI-ZZ-DR-A-PL605 Rev P01 - Broadway View - looking east; 522-SWA-SI-ZZ-DR-A-PL606 Rev P01 - Broadway Connection view from Haven Green; 522-SWA-SI-ZZ-DR-A-PL607 Rev P02 - 9-16 The Broadway; 522-SWA-SI-ZZ-DR-A-PL608 Rev P02 - 30-35 The Broadway; 522-SWA-SI-ZZ-DR-A-PL609 Rev P02 - 25-29 The Broadway; 522-SWA-SI-ZZ-DR-A-PL610 Rev P02 - Ealing Broadway Station View; 522-SWA-SI-ZZ-DR-A-PL611 Rev P02 - 15-35 the Broadway Aerial View; 522-SWA-SI-ZZ-DR-A-PL612 Rev P01 - Broadway Connection View from Springbridge Road

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

3. Materials

Prior to the commencement of superstructure works of the development hereby approved, details and samples of all external materials, including all hard landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

constructed in accordance with the approved materials and be retained as such permanently thereafter.

Reason: To ensure that the materials harmonise with the surroundings in accordance with policies 1.1(h) and 2.1(c) of the Ealing Development Strategy (2012), policy D4, D6 and D8 of the London Plan (2021) and policy 7B of the Ealing Development Management Development Plan Document 2013.

4. Hard and Soft Landscaping

Details of biodiverse landscaping, boundary treatments, tree planting, green and brown roofs, and a detailed Landscaping Management Plan for a minimum period of 5 years from the implementation of final planting shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the new build office space hereby approved. The development shall be implemented only in accordance with these approved details and retained thereafter.

Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season. All planting shall be replaced with others of a similar size and species and in the same position and shall be retained thereafter.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances biodiversity and the visual amenity of the locality, in accordance with policies 5.10, 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies S4 and G5 of the London Plan (2021) and the Mayor's Supplementary Planning Guidance on Play and Informal Recreation; the London Environment Strategy (2018) and the National Planning Policy Framework (2021).

5. Demolition Method Statement and a Construction Management Plan

Prior to commencement of the development hereby approved, a detailed Demolition Method Statement and a Construction Management Plan shall be submitted to and approved in writing by the Council, in consultation with TFL and in accordance with TfL guidance. Details shall include:

- a) Control measures for:
 - noise and vibration (according to Approved CoP BS 5228-1 and -2:2009+A1:2014);
 - dust (according to Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition);
 - lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light' by the Institution of Lighting Professionals);
 - delivery locations;
 - audit of existing condition of roads and footways to ensure that they be restored if damaged during construction;
 - hours of work and all associated activities audible beyond the site boundary restricted to 0800-1800hrs Mondays to Fridays, 0800 -1300 Saturdays;
 - neighbour liaison, notifications to interested parties;
 - public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works.
- b) Details related to:

- The construction lorry route from the main distributor roads and the number of construction related vehicles, which would be travelling to the application site. A drawing showing signing for the construction vehicles is also required;
- Key dates of various stages and all the emergency contacts during construction;
- Abnormal load delivery vehicle routes and dates of these deliveries;
- Swept path envelopes for construction lorries;
- the safety of pedestrians accessing the station and bus stops during construction, including those with restricted mobility and night-time movements;
- Assurances that the construction of the proposed development will not impact on the safety and function of the adjoining highway network, and the bus stop and its associated operations in proximity to the site.

Reason: To ensure the orderly and satisfactory development of the Site in accordance with the assumptions which underpinned the EIA Process; to ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site; and to minimise highway and traffic impact during the course of the works, whilst allowing enough flexibility to enable the development to be delivered in a manner which accords with the EIA process, 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 T7 and SI1 of the London Plan(2021); and National Planning Policy Framework (2021).

6. 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 Air Quality Assessment report titled "The Broadway Connection Environmental Statement Volume 1: Main Report" dated August 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 always be 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).

7. 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).

8. Diesel Generators

Prior to their operation, details on all new installed diesel generators demonstrating compliance with a minimum NOx emissions standard of 150mg/Nm-3 (at 5% O2) must be submitted and approved in writing by the Local Planning Authority. The details must include the results of NOx emissions testing of the diesel fuelled generator units by an accredited laboratory, emissions concentrations expressed at specific reference conditions for temperature, pressure, oxygen and moisture content under normal operating conditions.

Where any combustion plant does not meet the relevant standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology. Evidence of installation shall be required where secondary abatement is required to meet the NOx Emission standard 150mg/Nm-3 (at 5% O2).

The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation.

Reason: To ensure the Local Authority meets its obligations to deliver air quality objectives for NO2 in accordance with London Local Air Quality Management (LLAQM), and to limit PM2.5 (fine particulates) to safeguard public health and well-being and external amenity of nearby sensitive receptors.

9. 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. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

10. Contaminated Land

No construction approved by this planning permission shall be commenced until:

- a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a Conceptual Site Model (CSM) for the site identifying all potential contaminant sources, pathways and receptors shall be produced and assessment of risk to identified receptors undertaken. The desk study will be submitted for approval in writing by the Local Planning Authority prior to any development work (except demolition and site clearance) commencing.
- b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to future occupants of the site and to groundwater and surface waters associated on and off the site that may be affected;
 - refinement of the Conceptual Model; and
 - the development of a Method Statement detailing the remediation requirements.

Reason: In the interests of public and environmental health and the policies contained in the National Planning Policy Framework 2021; the London Plan 2021; Ealing Core Strategy 2012 and Ealing Development Management Development Plan 2013.

11. Site Investigation

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

12. 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.

13. 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.

14. Energy and CO₂

- a) Prior to construction of the development hereby approved (except for demolition and site clearance works), 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 against SAP10.2 standards of at least 1.24% (equating to 2.287 tonnes of CO₂ per year) beyond Building Regulations Part L 2021. These CO₂ savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Atelier Ten in August 2022 (version 5) and the Part L GLA carbon emission reporting spreadsheet v2.0 including:
- i. Green, renewable energy equipment including the incorporation of photovoltaic panels with a combined total capacity of at least 37.3 kWp, and Air/Water Source Heat Pumps to achieve an annual reduction of at least 5.03%, equating to 9.279 tonnes, in regulated carbon dioxide (CO₂) emissions over the GLA 'Be Lean' case.
 - ii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the heat pump system(s) (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 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 kWp capacity of the PV array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the

commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

- c) On completion of the installation of the LZC equipment copies of the MCS certificates and all relevant commissioning documentation shall be submitted to the Council.
- d) The development shall incorporate the overheating and cooling measures detailed in the dynamic Overheating Assessment produced by Atelier Ten in August 2022 (energy strategy v5). Any later stage version shall be compliant with CIBSE TM52 guidance and modelled against the TM49 DSY1 weather data file.
- e) 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) and/or the Display Energy Certificate(s) (DEC's) shall be submitted to the Council for approval.

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.

15. 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) Upon final construction of the development and prior to occupation, 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.
- b) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable energy equipment for a 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 six months of a performance problem being identified.

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.

16. 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) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and within six months of practical completion, 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.
- b) 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.
- c) 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.

17. Whole Life-Cycle Carbon Assessment

- a) Prior to the Commencement of Construction a Whole Life Carbon Assessment shall be submitted to the Council for approval. The Assessment shall be compliant with policy SI2(F) of the London Plan and in line with the GLA (March 2022) guidance. The

Development shall meet the GLA benchmark targets and seek to achieve the aspirational targets for modules A1-A5, B1-C4 (excluding B6 and B7), and the A1-C4 combined figure including Module D recovery/sequestration benefits.

- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new owner, if applicable), 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.
- c) The Assessment shall detail how Modules A1-A5, B1-C4 (excluding B6/B7), and the combined A1-C4 (incorporating module D benefits) aim to meet the GLA benchmark and Aspirational KgCO₂e/m² targets.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI2(F) of the London Plan (2021).

18. Circular Economy

- a) Prior to Commencement of Construction a Circular Economy statement shall be submitted to the Council for approval that is in line with the GLA CE guidance (March 2022). The Statement should include a Circular Economy compliance table that lists the commitments and targets proposed to meet the minimum levels required by London Plan policies SI2/SI7 for construction and demolition waste, excavation waste, and municipal recycling.
- b) 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). This should be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.
- c) Specific commitments detailed in the Circular Economy statement produced by Atelier Ten in January 2023 (version 4), and accompanying Logistic Plans, should be implemented, including; diverting 95% of construction waste from landfill, putting 95% of excavation materials to beneficial on or off-site use, and diverting the London Plan target of 65% of Operational Waste from landfill by 2030.

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).

19. Non-Residential BREEAM energy/CO₂ accreditation

- a) The non-residential element of the development shall be registered with Building Research Establishment (BRE) and achieve BREEAM Rating "Outstanding/Excellent" for the New Broadway Connection office building (based on BREEAM NC 2018 guidance for Shell and Core), BREEAM rating "Excellent" for 35 The Broadway office (based on BREEAM NC 2018 guidance for Shell and Core), BREEAM rating minimum "Very Good" for new Broadway Connection retail and 35 The Broadway retail (based on BREEAM NC 2018 guidance for Shell only), and BREEAM minimum rating "Very Good" for 25-29 The Broadway retail and 9-16 The Broadway retail (based on BREEAM RFO 2014 guidance).
- b) Within 3 months of completion of each non-residential element of the development, Interim BREEAM NC Assessment and related Certification verified by the BRE shall be submitted to the Local Planning Authority for written approval.
- c) Within 6 months from the date of first occupation of each non-residential element of the development, BREEAM 'Post Construction Stage' Assessment and related Certification verified by the BRE should be submitted to the Local Planning Authority for written approval confirming the BREEAM standard and measures have been implemented.

Reason: In the interest of addressing climate change and to secure 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, policies LV5.2 and 7A of the Ealing Development Management DPD 2013, and Policies 1.1(k) and 1.2(f) of the Ealing Development (Core) Strategy 2012.

20. Transport and commercial/industrial/cultural noise sources

The sound insulation of the office building envelope including glazing specifications shall be assessed and implemented with regard to the Council's standard in the SPG10 and noise limits of BS8233:2014, including aircraft noise - worst mode aircraft 1-day noise contour predicted for 2016 (57/60 dB) (as per Section 6, SPG10). If compliance requires the windows to be closed, then acoustically attenuated mechanical ventilation and cooling shall be installed as necessary (with air intake from the cleanest aspect of the building and low self-noise). Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve criteria specified in BS8233:2014. The above shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

21. Ground and airborne building vibration from railways, road traffic, industrial/commercial uses

Building vibration levels and re-radiated vibration noise generated by the adjacent railway, roads and commercial uses and effective mitigation measures, as necessary, shall ensure that a level of low or no probability of adverse comment is met, in accordance with the criteria and the assessment method specified in BS 6472:2008. No part of the development shall be occupied unless the acceptable vibration levels are achieved.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by ground- or airborne vibration, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

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

Prior to the installation of plant, details shall be submitted to the Local Planning Authority for approval in writing, of plant/ machinery/ equipment/ducting/air in- and outlets/ mechanical installations and their external rating noise level, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing representative background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the development site and at surrounding premises. The assessment shall be made in accordance with BS4142:2014 +A1 2019, with all plant/equipment operating together at maximum capacity. Where required, a post installation sound assessment shall be submitted to the Local Planning Authority for approval in writing. The assessment shall be carried out to confirm compliance with the noise criteria and shall include additional steps to mitigate noise as necessary.

Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

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

Prior to use, all machinery, plant equipment, extraction/ ventilation systems 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 permanently thereafter.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration noise from mechanical installations and equipment, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy

(2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

24. Acoustic lobby where proposal includes loud music or voices etc.

Acoustic lobbies shall be provided to external entrances and exits which would otherwise allow the emission of internal noise to neighbouring noise sensitive premises during opening. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policies D6 and D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

25. Extraction and Odour Control system for non-domestic kitchens

Prior to the use of any non-domestic kitchens, details shall be submitted to the Council for approval in writing, of an odour risk assessment (according to 2018 EMAQ Guidance) and of odour abatement equipment and extract system, including operational details and maintenance schedule and the height of the extract duct. Details shall be provided of a reasonable distance of the extract outlet approximately 20.0 meters from any openable window unless effective odour control is installed. Approved details shall be implemented prior to use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by smell or steam, in accordance with policies 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 and SI 1 of the London Plan (2021), and the National Planning Policy Framework (2021).

26. External kitchen doors and windows to remain shut

The use of cooked food outlets shall not commence until all external doors to the kitchens 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.

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 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management DPD (2013), policy D14 and SI 1 of the London Plan (2021), and the National Planning Policy Framework (2019).

27. Gym Sound insulation and anti-vibration measures

The sound insulation performance of the floor, ceiling and walls separating the gym from noise sensitive premises shall achieve the following criteria, with anti-vibration fittings and other

mitigation measures required for the isolation of exercise equipment, loudspeakers and floors for use by group exercise, equipment, weights and machines. Noise from the use of the gym including music, instructor's voices, group exercise, activities and use of equipment shall not exceed:

- NR25 Lmax(fast) from structure borne / impact noise
- NR20 Leq,5min from general airborne noise and music

within adjoining or nearby noise sensitive 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: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

28. Music, amplified sounds and patron noise

Entertainment noise, music and associated noise sources shall not exceed the lowest measured background sound level (L90) in each octave frequency band, at the closest and most affected noise sensitive receptors. For amplified sounds, a noise limiter system and distributed speaker system should be installed to prevent noise breakout.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policy D14 of the London Plan (2021), Ealing's SPG10 and the National Planning Policy Framework (2021).

29. 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: To safeguard the amenities of residents and minimize impacts on adjacent land uses, in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policy D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

30. Illuminated signs and advertisements

Prior to the display of the illuminated signs or advertisements, details shall be submitted to the Council for approval in writing, of artificial lighting levels (candelas/m² size of sign/advertisement). Details shall demonstrate that the recommendations of the Institution of

Lighting Professionals in their guidance document PLG05 Brightness of Illuminated Advertisements, 2015, will be met. Approved details shall be implemented prior to use/ display of the sign or advertisement and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by artificial lighting, in accordance with 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policy D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

31. Cycle Parking

A minimum of 521 long stay secure and sheltered cycle parking spaces and 46 short stay cycle parking spaces shall be provided as per the hereby approved plans listed in Condition 2 and in full accordance with the standards and specifications of the London Cycle Design Standards. All the approved cycle parking shall be bought into use prior to first occupation of the new build office floorspace hereby approved and retained in good working order for the life of the development.

Reason: To ensure that there is adequate provision for cycle parking within the site in accordance with policies 1.1, 1.2 & 2.1 of the Ealing Development (Core) Strategy (2012), policy 6.13 of the Ealing Development Management Development Plan Document (2013), policies T3, T4 and T5 of The London Plan (2021), and The National Planning Policy Framework (2021).

32. Car Parking

Prior to the occupation of the development hereby approved, a Car Parking Management Plan shall be submitted and approved in writing by the Local Planning Authority. This plan shall detail the arrangements for the management of:

- Blue Badge car parking.
- How the two spaces are monitored, managed and enforced.
- How the detailed plan will manage access to future disabled users of the development site, considering that parking rates for blue badge parking within the Ealing Broadway Shopping Centre apply.
- Measures for preventing parking in undesignated places throughout the site.
- The provision of two active Electric Vehicle Charging Points (EVCP) for both car parking spaces.

Reason: To provide adequate facilities for disabled drivers, in accordance with policies T6 and D5 of the London Plan 2021 and Ealing Development (Core) Strategy policy 1.1(h).

33. Detailed Delivery and Servicing Plan (DSP)

Prior to first occupation of the development hereby approved, a detailed Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with TFL, detailing servicing arrangements, times, frequency and operational details, including swept path analysis, and details on how parcels will be handled by the site concierge and the proposed mechanism for organising the deliveries within the site.

The servicing of the site shall be operated in accordance with the details approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure a satisfactory standard of residential amenity is provided for future occupiers of the residential units located above the approved non-residential units, in accordance with policies T2, T3, T4, T7 and D14 of the London Plan (2021); policy 1.1(j) of Ealing's Development (or Core) Strategy (2012); policy 7A of Ealing's Development Management DPD (2013), and Ealing's interim SPG10: Noise and Vibration.

34. Travel Plan

Notwithstanding the submitted Framework Travel Plan, prior to first occupation of the development hereby approved, a revised and detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be prepared in accordance with the Transport for London Travel Plan Guidance and Ealing's Sustainable Transport for New Development SPD in use at the time of its preparation. The development shall be carried out in accordance with the approved Travel Plan.

Reason: To promote sustainable modes of transport, and to ensure that the development does not exacerbate congestion on the local road network, in accordance with policies 1.1 (f) (g) of the Ealing Development Strategy 2026 (2012); policies T1, T3, T4, T5, SI1 and SI2 of the London Plan (2021); and Ealing's Sustainable Transport for New Development SPG.

35. Road Safety Audits

Prior to the commencement of development (with the exception of site clearance and enabling works), a Stage 1 Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The Audit shall identify any additional highway measures required and include a timetable for implementation. The approved measures shall be implemented as approved.

Reason: In the interests of highway safety, in accordance with policy T4 of the London Plan (2021).

36. Refuse Storage

The refuse and recycling area identified in the approved drawings listed under condition 2 shall be provided on site prior to the first occupation of the development and permanently retained thereafter and shall not be obstructed or used for any other purpose at any time.

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 1.1, 1.2 & 3.8 of the Ealing Development (Core) Strategy (2012), policies 7A and 7B of the Ealing Development Management Development Plan Document (2013), policies SI 7 and SI 8 of the London Plan (2021), and the National Planning Policy Framework (2021).

37. Fire Statement

The development hereby permitted shall be implemented in accordance with the recommendations, terms and provisions of the Fire Safety Strategy prepared by Atelier Ten dated 21.12.2022 (Stage 3a) accompanying the application.

Reason: In the interests of public safety and in accordance with London Plan Policy D5 and D12.

38. Bird Hazard Management Plan

Prior to the commencement of superstructure works of the development hereby approved, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

39. Written Scheme of Investigation

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. 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 in writing by the local planning authority. For land that is included within the stage 2 WSI, no demolition or 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 and 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 safeguard the archaeological interest on the site, in accordance with policy HC1 of the London Plan (2021), policy 7C of the Ealing Development Management DPD (2013) and Section 16 of the NPPF (2021).

40. Written Record of Existing Building

No demolition or development shall take place until a written and photographic record of those buildings identified on the Local List as having a group value, has been undertaken and has been submitted to and approved in writing by the local planning authority.

Reason: To provide a record of the architectural interest on the site, in accordance with policy HC1 of the London Plan (2021), policy 7C of the Ealing Development Management DPD (2013) and Section 16 of the NPPF (2021).

41. Office Use

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) or the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the development hereby approved, where indicated on the plans listed in Condition 2 as office floorspace, shall only be used as office floorspace (Use Class E (g)(i)) and shall be used for no other purposes within that Use Class, without the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To enable the local planning authority to maintain strict control over the nature of the use in order to restrict the use of the premises to one compatible with the surrounding area, in accordance with policies 1.1, 1.2, 2.1 & 2.8 of the Ealing Core Strategy (2012), policy 4.5 of the Ealing Development Management DPD (2013), policy SD6, SD7 and SD8 of the London Plan 2021 and the National Planning Policy Framework (2021).

INFORMATIVES:

The decision to grant planning permission has been taken having regard to the policies and proposals in the Ealing Development (Core) Strategy 2012, the Ealing Development Management Development Plan Document 2013, the London Plan 2021, the National Planning Policy Framework 2021 and to all relevant material considerations including Supplementary Planning Guidance and the National Design Guide. The scheme complied with policy and guidance. The Local Planning Authority delivered the decision proactively in accordance with requirements of the National Planning Policy Framework.

National Planning Policy Framework 2021

National Design Guide 2019

Historic England Tall Buildings Advice Note

London Plan (2021)

GG1 – Strong and inclusive communities

GG2 – Making Best use of land

GG3 – Creating a healthy city
GG5 Growing a good economy
GG6 – Increasing efficiency and resilience
SD6 – Town Centres and High Streets
SD7 – Town centres: Development Principles
D1 – London’s Form Character and Capacity for Growth
D2 – Infrastructure Requirements
D3 – Optimising Site Capacity
D4 – Delivering Good Design
D5 – Inclusive Design
D6 – Housing quality and standards
D8 - Public Realm
D9 – Tall buildings
D12 - Fire Safety
D13 – Agent of Change
D14 – Noise
E1 – Offices
E2 – providing suitable business space
E3 – Affordable workspace
HC1 – Heritage Conservation
G1 – Green infrastructure
G4 – Open Space
G5 – Urban Greening
G6 – Biodiversity
G7 – Trees
SI 7 – Reducing Waste and Supporting the Circular Economy
S11 – Improving Air Quality
S13 – Energy Infrastructure
S14– Managing Heat Risk
S15 – Water Infrastructure
S12 - Minimising CO₂ emissions
S113 - Sustainable Drainage
T2 – Healthy Streets
T4 – Assessing and Mitigating Transport Effects
T5 – Cycling
T6 – Car Parking
T6.1 – Residential Parking
T6.2 Office parking
T7 – Deliveries Servicing and Construction
DF1 - Delivery of the Plan and Planning Obligations

London Plan Supplementary Planning Guidance

Accessible London: achieving an inclusive environment
Sustainable Design & Construction
Shaping Neighbourhoods: Play and Informal Recreation
Energy Assessment Guidance (2016)

Ealing Adopted Development (or Core) Strategy (April 2012)

Chapter 1 - Vision for Ealing 2026
1.1 Spatial Vision for Ealing

- 1.2 Delivery of the Vision for Ealing 2026
- 2.18 Green Infrastructure
- 2.1 - Realising the potential of the Uxbridge Road/ Crossrail Corridor
- 2.5 - Revitalise Ealing Metropolitan Town Centre
- 3.8 Residential Neighbourhoods
- 5.2 Minimising Carbon Emissions
- 5.4 Protect the Natural Environment
- 5.5 Promoting Parks, Local Green Space and Addressing Deficiency
- 5.10 Urban Greening
- Chapter 6 – Ensuring Sustainable Delivery
- 6.1 Physical Infrastructure
- 6.2 Social Infrastructure
- 6.3 Green Infrastructure
- 6.4 Planning Obligations and Legal Agreements

Ealing Adopted Development Management Development Plan Document (December 2013):

- Ealing Local Variation to London Plan Policy 5.2 Minimising Carbon Dioxide Emissions & 5.2.3. Post-construction energy equipment monitoring.
- 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 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 7C - Heritage
- Ealing Local Variation to London Plan Policy 7.7 Location and design of tall and large buildings
- Policy 7D Open Space
- EA Ealing Local Policy Presumption in Favour of Sustainable Development

Ealing Town Centre Conservation Area Management Plan, 2007

Ealing Town Centre Conservation Area Character Appraisal, 2007

Central Ealing Neighbourhood Plan

- E2 Diversity of Retail provision
- E3 Mixed use development
- E4 Encouraging new business
- HBE1 Quality of design
- HBE2 Protecting the townscape
- HBE3 Building heights
- T1 Sustainable Transport
- T2 Parking
- T3 Servicing
- T4 Cycle Paths
- PR1 Improving public realm

PR2 Landscaping
PR3 Improving permeability
CC3 Cultural Quarter
CENP2 Perceval House and car park (site EAL7).

Development Sites DPD

EAL7 - Longfield Avenue Car Park

London Plan Supplementary Planning Guidance

Accessible London: achieving an inclusive environment
Sustainable Design & Construction
Shaping Neighbourhoods: Play and Informal Recreation
Energy Assessment Guidance (2016)

Mayor's Sustainable Design & Construction SPG

2.5.36 (Best Practice) post-construction monitoring.

Ealing Supplementary Planning Documents/Interim Guidance

Sustainable Transport for New Development SPD (December 2013)
Planning New Garden Space SPD
Legal Agreements SPD
Interim Guidance (SPG 3): Air Quality
Interim Guidance (SPG 10): Noise and Vibration
Ealing Strategic Housing Market Assessment Update

2. Demolition and construction works, audible beyond the boundary of the site shall only be carried on between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Bank Holidays. No bonfires shall be lit on site.

BPM & mitigation measures can be found in the following guidance:

- i. 'Guidance on the Assessment of dust from demolition and construction', IAQM, February 2014
- ii. 'The control of dust and emissions from Construction and Demolition' Draft SPG, GLA, 2013
- iii. BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise

3. Prior to the commencement of any site works, all sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed. A minimum written period of 1 month would be required.

4. Dust mitigation and control of exhaust emissions from construction vehicles should comply with the Mayor's (GLA and London Councils) 'Best Practice Guidance' to control dust and emissions from construction.

5. The developer will be liable for the cost of any repairs to damage to the footway directly resulting from the construction work. It is recommended that a footway/carriage way condition

survey is carried out prior to the start of construction work, in conjunction with the Highways Section.

6. To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, and offers and encourages a comprehensive pre-application advice service, all of which is available on the Council's website and outlined in a 24 hours automated telephone system.

7. Noise:

a) SPG10 requires that acoustic measurements are carried out and that precise calculations are made for the building envelope insulation. In calculating the minimum sound reductions the following is required:

- A precise sound insulation calculation under the method given at BS EN12354-3: 2000, for the various building envelopes, using the worst case one hour data (octave band linear noise spectra from 63 Hz - 4k Hz) by night and day, to arrive at the minimum sound reductions necessary to meet the SPG10 internal data.
- Approved laboratory sound insulation test certificates for the chosen windows, including frames and seals and also for ventilators, in accordance with BS EN ISO 140-3: 1995 & BS EN ISO 10140-2:2010, to verify the minimum sound reductions calculated.
- Compliance with the internal and external criteria set at SPG10

b) Sound insulation between residential dwellings: 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, namely, kitchen/living/dining/bathroom above/below/adjoining bedroom of separate dwelling. The assessment and mitigation measures shall be based on standards of the Council's SPG10 and the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

8. The Mayor's Community Infrastructure Levy (CIL) was adopted on 01/04/2012. This has introduced a charging system within Ealing of £60 per sqm of gross internal area to be paid to the GLA.

9. The developer is advised that should any external plant be installed the rating noise level emitted from the proposed external plant and machinery at the proposed development, as assessed under BS4142: 1997, shall be lower than the existing background noise level by at least 5 dBA as measured at 3.5 m from the nearest ground floor sensitive facade and 1m from upper floor noise sensitive facades, during the relevant periods of operation.

Network Rail

14. The developer must ensure that the Network Rail / MTR Elizabeth Line (MTR) are to have access to and from the Station at all times, any restrictions imposed on accessing the Station are to be discussed and agreed with NR and MTR. MTR are to be consulted by the developer on their specific operational concerns. Should there be any impact to passenger flow to and from the Station, this is to be agreed with MTR locally to minimise passenger disruption.

SAFETY

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a

Basis Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

DRAINAGE

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only

be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

DEMOLITION

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.

Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings/structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

15. 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/user-nrmm/register>

16. CAA Crane Notification - 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

17. Crane Obstacle Lighting - The developer is hereby advised that if a crane is required for construction purposes, then red static omnidirectional lights will need to be applied

at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096.

<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=5705>

18. Written schemes of investigation will need to be prepared and implemented by a suitable professionally accredited archaeological practice in accordance with Historic Englands Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
19. 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.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.