

NOTICE OF PLANNING DECISION

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Your Ref:
93 Bollo Lane

Our Ref:
214710FUL

Direct line:
020 8825 6600

Date:
DRAFT

Dear Sir/Madam

Your application has been considered in accordance with the provisions of the Town and Country Planning Act 1990 (as amended) and its Orders:

Application Received: 12.07.2021

Drawings/Schedules References:

L00 (Existing Location Plan); L01 (Proposed Location Plan); S00 (Existing Site Plan); S01 rev B (Proposed Site Plan); GAB rev B (Proposed Basement Floor Plan); GALG rev B (Proposed Lower Ground Floor Plan); GA00 rev B (Proposed Ground Floor Plan); GA02 rev B (Proposed Typical Floor Plan); GA07 rev B (Proposed 7th Floor Plan); GA08 rev B (Proposed 8th Floor Plan); GA09 rev B (Proposed 9th Floor Plan); GA10 rev B (Proposed 10th Floor Plan); GARF rev B (Proposed Roof Plan); GS01-1 (Proposed Section 01-1); GS01-2 (Proposed Section 01-2); GS02-1 (Proposed Section 02-1); GS02-2 (Proposed Section 02-2); GS03 (Proposed Section 03); GS04 (Proposed Section 04); GS11 (Proposed Section 11); GS12 (Proposed Section 12); GE01-1 (Proposed Elevation 01-1); GE01-2 (Proposed Elevation 01-2); GE02-1 (Proposed Elevation 02-1); GE02-2 (Proposed Elevation 02-2); GE03 (Proposed Elevation 03); GE04 (Proposed Elevation 04); GE11 (Proposed Elevation 11); GE12 (Proposed Elevation 12); GA00 rev 1 (General Landscape Plan Roof Terraces); GA01 rev 1 (General Landscape Plan Ground Floor); GS00 rev 1 (General Sections 1); GS01 (General Sections 2); GS02 (General Sections 3); GS03 rev 1 (General Sections 4); DT00 (General Landscape Details); SP00 rev 1 (Tree and Specimen Shrub Plan Roof Terraces); SP01 (Tree and Specimen Shrub Plan Ground Floor), Planning Statement (prepared by Iceni Projects); Design and Access Statement (prepared by Alistaire Downie Studios); Heritage and Townscape Visual Impact Assessment (prepared by Iceni Projects); Commercial Report (prepared by AND); Daylight Sunlight Assessment (prepared by Avison Young); Flood Risk Assessment (prepared by Logika); Landscaping (prepared by MRG Studio); Transport Statement (prepared by Iceni Projects); Construction Logistics Plan (prepared by Iceni Projects); Framework Travel Plan (prepared by Iceni Projects); Delivery and Servicing Plan (prepared by Iceni Projects); Preliminary Ecological Appraisal (prepared by Greengage); Arboricultural Plans (prepared by Crown Trees); Arboricultural Method Statement and Tree Protection Plan (prepared by Crown Trees); Tree Report (prepared by Crown Trees); Tree Schedule (prepared by Crown Trees); Statement of Community Engagement (prepared by Iceni Projects); Energy Report (prepared by Greengage); Biodiversity Impact Report (prepared by Greengage); Overheating Assessment, (prepared

by Greengage); Whole Life Carbon Assessment (prepared by Greengage); Circular Economy Report (prepared by Greengage); BREEAM Pre-Assessment (prepared by Greengage); Sustainability Report (prepared by Greengage); Air Quality Assessment (prepared by AQ Consultants); Noise Assessment (prepared by Cass Allen); Community Infrastructure Assessment (prepared by Icen Projects); Phase 1 Contaminated Land Assessment (prepared by EAME); Fire Statement,

Site: 93 Bollo Lane Chiswick London W4 5LU

Proposal: Redevelopment to provide a mixed use scheme comprising a building upto eleven storeys with basement for 96 self contained residential units ; 1618sqm light industrial floorspace (Use Class E(g); associated landscaping, access and cycle parking (Following the demolition of existing buildings)

The Council give notice that permission is **GRANTED** subject to the conditions and informatives presented on the attached pages.

Yours faithfully

DRAFT

Chief Planning Officer

Decision Date: - DRAFT

CONDITIONS

1 Statutory Timeframes

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

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

2 Approved Plans and Documents

The development hereby approved shall be carried out in accordance with drawing title numbers: L00 (Existing Location Plan); L01 (Proposed Location Plan); S00 (Existing Site Plan); S01 rev B (Proposed Site Plan); GAB rev B (Proposed Basement Floor Plan); GALG rev B (Proposed Lower Ground Floor Plan); GA00 rev B (Proposed Ground Floor Plan); GA02 rev B (Proposed Typical Floor Plan); GA07 rev B (Proposed 7th Floor Plan); GA08 rev B (Proposed 8th Floor Plan); GA09 rev B (Proposed 9th Floor Plan); GA10 rev B (Proposed 10th Floor Plan); GARF rev B (Proposed Roof Plan); GS01-1 (Proposed Section 01-1); GS01-2 (Proposed Section 01-2); GS02-1 (Proposed Section 02-1); GS02-2 (Proposed Section 02-2); GS03 (Proposed Section 03); GS04 (Proposed Section 04); GS11 (Proposed Section 11); GS12 (Proposed Section 12); GE01-1 (Proposed Elevation 01-1); GE01-2 (Proposed Elevation 01-2); GE02-1 (Proposed Elevation 02-1); GE02-2 (Proposed Elevation 02-2); GE03 (Proposed Elevation 03); GE04 (Proposed Elevation 04); GE11 (Proposed Elevation 11); GE12 (Proposed Elevation 12); GA00 rev 1 (General Landscape Plan Roof Terraces); GA01 rev 1 (General Landscape Plan Ground Floor); GS00 rev 1 (General Sections 1); GS01 (General Sections 2); GS02 (General Sections 3); GS03 rev 1 (General Sections 4); DT00 (General Landscape Details); SP00 rev 1 (Tree and Specimen Shrub Plan Roof Terraces); SP01 (Tree and Specimen Shrub Plan Ground Floor)

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

3 Details of Materials - Building

Details of the materials and finishes to be used for all external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the local planning authority before any part of the super structure is commenced and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. The development shall be implemented only in accordance with these approved details.

Reason: To ensure that the materials and finishes are of high quality and contribute positively to the visual amenity of the locality in accordance with policies 1.1 (h) (g), 1.2(h), 2.1(c) and 2.10 of the Ealing Core Strategy (2012), policies ELV 7.4 and 7B of the Ealing Development Management Development Plan Document (2013), policies D1 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

4 Restriction to class E(g) only

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 as amended, or any future amendments, the industrial workspace hereby permitted shall be used only for purposes within Use Class E(g) of the Town & Country Planning (Use Classes) Order 1987 as amended, and for no other purpose, without the prior written permission of the local planning authority. The industrial workspace must be completed in full prior to the occupation of the proposed residential flats.

Reason: To safeguard the industrial uses on the site in accordance with Policy 1.2(b) of the Ealing Development (Core) Strategy 2012 and Policy E7 of the London Plan (2021)

5 Site Investigation

Prior to the commencement of any works on site (other than demolition - NOTE the building contains asbestos and this must be removed correctly as per regulations prior to demolition and site clearance), and based on an approved conceptual site model (contained within EAME phase 1 report 021-1836) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site, including locating the suspected underground tank and investigating impact, and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors updated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

6 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

7 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 policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012) and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

8 Noise Assessment

A. Prior to the commencement of the hereby approved development (excluding initial site clearance demolition and ground works), a noise assessment shall be submitted to the Council for approval in writing, of external noise levels from transport and industrial/ commercial/ cultural sources, having regard to the assessment standards of the Council's SPG10, including reflected and re-radiated noise from rail movements. Details shall include the sound insulation of the building envelope, including glazing specifications (laboratory tested including frames, seals and any integral ventilators, approved in accordance with BS EN ISO 10140-2:2010) and of acoustically attenuated mechanical ventilation and cooling as necessary (with air intake from the cleanest aspect of the building and details of self-noise) Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces. Details shall confirm that noise limits specified in BS8233:2014 will not be exceeded.

B. Prior to the first occupation of the hereby approved development, a post completion sound assessment shall be carried out to confirm compliance with the noise criteria set out in Part A of this condition and details, including any mitigation measures, be submitted for the Council's approval before the premises are occupied. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policies D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD

9 Separation of noise sensitive rooms from different uses in adjoining 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 have regard to standards of the Council's SPG10, and noise limits specified in BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Standard 30 of the Housing SPG

and Policy D14 of the London Plan and Policy 7A of the Ealing Development Management DPD.

10 Separation of commercial and communal uses and facilities from dwellings

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of at least 10/15/20dB above the Building Regulations value for residential use, as necessary, of the floor/ceiling/walls separating the non-residential uses (eg. commercial/community premises, plant rooms/locations, gym, car parking/ lifts/ communal main entrances/staircase, bin/cycle storage etc.) from dwellings. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR25 Leq 5mins (octaves) or NR20 Leq 5mins (1/3 octaves) inside a bedroom and NR30 Leq 5mins (octaves) or NR25 Leq 5mins (1/3 octaves) inside a living room. Details of mitigation measures shall include the installation method, materials of separating structures and the resulting sound insulation value and internal sound/rating level. The assessment and mitigation measures shall be based on standards and noise limits of the Council's SPG10 and BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Standard 30 of the Housing SPG and Policy D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

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

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

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by ground- or airborne vibration, in accordance with Policy D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

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

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of the external rating noise level emitted from plant/machinery/equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be lower than the lowest existing background sound level LA90 by 10dBA at the most noise sensitive receiver locations at the development site and at surrounding premises. The assessment

shall be made in accordance with BS4142:2014, with all plant/equipment operating together at maximum capacity. A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), Policy D14 of the London Plan (2021), the National Planning Policy Framework (2021)

13 Anti- vibration mounts and silencing of machinery etc.

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), Policy D14 of the London Plan (2021), the National Planning Policy Framework (2021)

14 Gym - Separation from dwellings

Prior to construction/ commencement of the development as a gym, an acoustic report shall be submitted to the Council for approval in writing, detailing the following:

- the sound insulation performance of the floor, ceiling and walls separating the gym from adjoining commercial and/or residential premises or parts of the development;
- anti-vibration fittings and/or other mitigation measures required for the isolation of exercise equipment, loudspeakers and floors for use by weights, machines and other impacts, eg. jumping, skipping etc;
- details to demonstrate that noise from the use of the gym including music, group exercise, activities and use of equipment does not exceed
 - o NR25 L_{max}(fast) from structure borne / impact noise
 - o NR20 Leq,5min from general airborne activity noise (including music)within adjoining or nearby premises. The assessment and mitigation measures shall be based on standards of the Council's SPG10. Approved details shall be implemented prior to use of the gym and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and vibration, in accordance with Policy D14 of the London Plan (2021) and Policy 7A of the Ealing Development Management DPD.

15 Floodlights, Security lights and Decorative External Lighting

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

Reason: To safeguard the amenities of residents in accordance with Policy D4 of The London Plan and Policy 7A of Ealing's Development Management DPD.

16 Demolition Method Statement and Construction Management Plan

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

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

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the site, in accordance with Policy 7A of the Ealing Development Management Development Plan Document (2013), Policy D14 of the London Plan (2021), the National Planning Policy Framework (2021)

17 Filtered Fresh Air Ventilation

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

18 Air Quality and Dust Management Plan

Before the development is commenced, (including demolition and site clearance) an Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment shall be produced in accordance with current

guidance The Control of Dust and Emissions during Construction and Demolition, SPG, GLA, July 2014, for the existing site and the proposed development. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the site.

19 All Non-Road Mobile Machinery

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

20 External Doors and Windows to Industrial Uses

All external doors to commercial kitchens / dry cleaner's / industrial workshops shall be fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows be fixed in an open position during the emission of noise, smell, steam or other effluent.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, smell, steam or other effluent.

21 Energy and CO2

a) Prior to construction completion and occupation, the permitted 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 standards of at least 60% (equating to 61.5 tonnes of CO2 per year) beyond Building Regulations Part L 2013. These CO2 savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Greengage in June 2021 (issue/version 1):

i. Lean, passive design measures to achieve an annual reduction of at least 11.25% equating to at least 9.7 tonnes in regulated carbon dioxide (CO2) emissions over BR Part L 2013 for the residential development, and at least 15.43%, equating to at least 2.5 tonnes, over Part L 2013 for the non-residential space.

ii. Green, renewable energy equipment including the incorporation of Air Source Heat Pumps to achieve an annual reduction of at least 48.14%, equating to 49.3 tonnes, in regulated carbon dioxide (CO2) emissions over Part L 2013.

iii. Seen, heat and electric meters installed to monitor carbon efficiency (COP) of the heat pumps including the heat generation and the combined parasitic loads of the heat pumps.

b) Prior to commencement of construction, details of the specifications including manufacturers performance data sheets, design, and layout of the proposed low and zero-carbon (LZC) energy equipment, and the associated monitoring devices required to identify their efficiency (SCOP), shall be submitted to, and approved in writing, by the Council. The development shall be implemented only in accordance with the approved details.

c) Prior to the installation of the renewable/low-carbon energy equipment technical details of the equipment shall be submitted to the Council for approval. The details shall include the exact number of heat pump collectors, the type of heat pumps, the heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile. The name and contact details of the heat pump installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

d) On completion of the installation of the heat pumps copies of all relevant commissioning documentation shall be submitted to the Council.

e) Within three months of the occupation/first use of the development the relevant Energy Performance Certificate (EPC) and detailed SAP Worksheets showing clearly the TER and DER, and/or the Display Energy Certificates (DEC's), accompanying Advisory Reports and detailed BRUKL modelling output reports showing clearly the TER and BER from the 'as built stage' following completion of the development, shall be submitted to, and approved by, the Local Authority in order to confirm compliance with the energy efficiency measures detailed in the approved Energy Strategy. The development shall be carried out strictly in accordance with the approved details.

Reason: In the interest of addressing climate change and to secure environmentally sustainable development in accordance with 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.

22 Overheating and Cooling

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE guidance and detailed in the Dynamic Overheating Assessment submitted by Greengage in June 2021 (issue/version 1).

Reason: To ensure that the risk of overheating has been sufficiently addressed in accordance with policy SI 4 of the London Plan (2021); Ealing's Development (Core) Strategy, and Development Management DPD.

23 Post-construction energy equipment monitoring

In order to implement Ealing Council DPD policy 5.2.3 (post-construction energy equipment monitoring), and key parts of London Plan policy SI2 ("be Seen"), the developer shall:

a) Enter into a legal agreement with the Council to secure a S106 financial contribution for the post-construction monitoring of the renewable/low carbon technologies to be incorporated into the development and/or the energy use of the development as per energy and CO2 Condition(s).

b) Upon final construction of the development, or relevant phases of the development, and prior to occupation, the agreed suitable devices for monitoring the performance/efficiency (COP) of any renewable/low-carbon energy equipment shall be installed. The monitored data shall be automatically submitted to the Council at daily intervals for a period of four years from occupation and full operation of the energy equipment. The installation of the monitoring devices and the submission and format of the data shall be carried out in accordance with the Council's approved specifications as indicated in the Automated Energy Monitoring Platform (AEMP) information document. The developer must contact the Council's chosen AEMP supplier (Energence Ltd) on commencement of construction to facilitate the monitoring process.

c) Upon final completion of the development and prior to occupation, the developer must submit to the Council proof of a contractual arrangement with a certified contractor that provides for the ongoing, commissioning, maintenance, and repair of the renewable/low-carbon energy equipment for a period of four years from the point that the building is occupied and the equipment fully operational.

Reason: To monitor the effectiveness and continued operation of the renewable/low carbon energy equipment in order to confirm compliance with energy policies and establish an in-situ evidence base on the performance of such equipment in accordance with 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.

24 Post-construction energy use monitoring ("be Seen")

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

a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.

b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4

'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. In consultation with the Council's chosen Automated Energy Monitoring Platform provider the owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following 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.

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.

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.

25 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 Very Good with a score of at least 58.54% (based on the latest BREEAM NC Technical guidance).

b) Within 3 months 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 3 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.

d) Following any approval of a 'Post Construction Stage' assessment and certificate of the development, the approved measures and technologies to achieve

the BREEAM Very Good or higher standard shall be retained in working order in perpetuity.

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.

26 Whole Life-Cycle Carbon Assessment

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.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 (F) of the London Plan.

27 Delivery and Servicing Plan

A Delivery and Servicing Plan (DSP) for the development detailing servicing arrangements, times and frequency and operational details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The DSP should clearly identify how the on-street loading bay will be managed to prevent conflicts with pedestrians, cyclists and motorists. The on-street delivery bay shall only be used by vehicles that cannot access the internal central arcade and details shall be provided on how this will be practically achieved. A full safety audit of the proposed on-street loading bay and access road through the development shall be provided in consultation with TfL.

The DSP shall also provide details on markings and signage within the central courtyard to prevent conflicts between pedestrians and vehicles.

The servicing of the development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on adjoining uses and highway safety and the free flow of

traffic in accordance with policies 1.1 (e) (f) (j) of the Ealing Development (Core) Strategy 2012 and policy T3 and T4 of the London Plan (2021).

28 Cycle Parking

Notwithstanding the submitted documents, details shall be submitted prior to the first occupation of the development to demonstrate how the cycle parking as shown on the approved plans will be implemented according to the specifications and adopted standards of the London Plan, the London Cycle Design Standards, and the Local Planning Authority.

The approved details shall be brought into first use prior to occupation and retained permanently.

Reason: To ensure adequate cycle parking is provided within the development in pursuance of the objectives of sustainability and encouraging the use of modes of transport other than private motor vehicles in accordance with policy T5 of the London Plan (2021), policies 1.1(k) and (g) of Ealing's adopted Development (or Core) Strategy (2012), and Ealing's Sustainable Transport for New Development SPG.

29 Travel Plan

A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use for the residential and industrial uses of the building. The detailed Travel Plan shall be prepared in accordance with 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 and T6 of the London Plan (2021) and Ealing's Sustainable Transport for New Development SPG.

30 Opening of Doors

Doors to all buildings should be fixed to ensure that they do not open onto the public highway, except for doors for the purposes of fire escape and access to electricity stores.

Reason: To protect pedestrian safety in accordance with policies T1, T3 and T4 and of the London Plan 2021.

31 Piling Method Statement

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water.

Email: developer.services@thameswater.co.uk

32 Details of Children's Play Areas, Landscaping, Boundary Treatments, Green Roof and Surface Drainage

Prior to first occupation or use of the proposed development hereby approved, the following details shall be submitted to and approved in writing by the local planning authority. The development shall be implemented only as approved and retained thereafter.

- Details of children's play area including safety surfacing and equipment. The applicant shall investigate opportunities to increase children's play space to a wider range of age groups
- Details of hard and soft landscaping scheme, including landscape design.
- Details of boundary treatments.
- Details of a Landscape Management Plan for a minimum period of 5 years from the implementation of final planting (specify only for applications with significant public aspect, important habitat qualities & opportunities or communal spaces in larger residential developments).
- Details of the green roof construction and specification, together with a maintenance schedule.
- Details of sustainable urban drainage systems to be implemented on site.

Reason: To ensure that there is suitable provision for landscaping, play facilities and drainage within the site in accordance with policies 1.1 (e), 2.1 (c) of the Ealing Core Strategy (2012), policies LV 3.5 and 7D of the Ealing Development Management Development Plan Document (2013), policies D6, S4 and G5 of the the London Plan (2021), SPG on Children's Play and Recreation, and the National Planning Policy Framework (2021).

33 Secure by Design

The design of the building shall comply with the aims and objectives of the Secured By Design standards before the first occupation of the development, and shall be permanently retained.

Reason: To ensure that the development incorporates crime prevention measures to help prevent crime and disorder in accordance with policies 1.1 (h) of the Ealing Development (Core) Strategy (2012), policy LV 7.3 of the Ealing Development Management Development Plan Document (2013) and Policy D10 of the London Plan 2021.

34 Former Adaptable wheelchair housing

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

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

35 Refuse Storage

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

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

36 Passenger Lifts

All passenger lifts serving the residential units hereby approved shall be fully installed and operational prior to the first occupation of the relevant core of development served by a passenger lift.

Reason: To ensure that adequate access is provided to all floors of the development for all occupiers and visitors including those with disabilities, in accordance with policy 1.1(h) of the Ealing Core Strategy (2012), Policy D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

37 No masts/satellite dishes or external equipment

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

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

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Reference No. 214710FUL

The following items are also brought to the applicant's attention:

INFORMATIVES:

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

National Planning Policy Framework (2021)

London Plan (2021)

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

D1 London's form, character and capacity for growth

D2 Infrastructure requirements for sustainable densities

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D5 Inclusive design

D6 Housing quality and standards

D7 Accessible housing

D8 Public realm

D9 Tall buildings

D11 Safety, security and resilience to emergency

D12 Fire safety

D13 Agent of Change

D14 Noise

H1 Increasing housing supply

H4 Delivering affordable housing

H5 Threshold approach to applications

H6 Affordable housing tenure

H7 Monitoring of affordable housing

H10 Housing size mix

S4 Play and informal recreation

E6 Locally Significant Industrial Sites

E7 Industrial intensification, co-location and substitution

E8 Sector growth opportunities and clusters

HC1 Heritage conservation and growth

HC5 Supporting London's culture and creative industries

G1 Green infrastructure

G4 Open space

G5 Urban greening
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations

Supplementary Planning Guidance /Documents

Accessible London: achieving an inclusive environment
Mayor's Sustainable Design and Construction SPD April 2014
The Mayor's transport strategy
The Mayor's energy strategy and Mayor's revised Energy Statement Guidance April 2014
The London housing strategy
The London design guide (interim edition) (2010)
Draft shaping neighbourhoods: Children and young people's play and informal recreation (2012)
Planning for equality and diversity in London
Housing - Supplementary Planning Guidance (2012)
Housing SPG (March 2016)
Energy Planning (March 2016)
Children and Young People's Play and Informal Recreation SPG (September 2012)
Crossrail Funding: Use of Planning Obligations and the Mayoral Community Infrastructure Levy SPG (March 2016)
Affordable Housing & Viability- Supplementary Planning Guidance (2017)

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

1.1 Spatial Vision for Ealing 2026 (a), (b), (c), (d), (e), (f), (g), (h), (j) and (k)
1.2 Delivery of the Vision for Ealing (a), (c), (d), (e), (f), (g), (h), (k) and (m)
5.5 Promoting parks, local green space and addressing deficiency (b) and (c)
6.1 Physical infrastructure
6.2 Social infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document (2013)

Ealing local variation to London Plan policy 3.4: Optimising housing potential
Ealing local variation to London Plan policy 3.5: Quality and design of housing development
Policy 3A: Affordable Housing
Policy 4A: Employment Uses
Ealing local variation to London Plan policy 5.2: Minimising carbon dioxide emissions
Ealing local variation to London Plan policy 5.10: Urban greening
Ealing local variation to London Plan policy 5.11: Green roofs and development site environs
Ealing local variation to London Plan policy 5.12: Flood risk management
Ealing local variation to London Plan policy 5.21: Contaminated land
Ealing local variation to London Plan policy 6.13: Parking
Policy 7A : Operational amenity
Ealing local variation to London Plan policy 7.3 : Designing out crime
Ealing local variation to London Plan policy 7.4 Local character
Policy 7B : Design amenity
Policy 7D : Open space

Adopted Supplementary Planning Documents

Sustainable Transport for New Development

Interim Supplementary Planning Guidance/Documents

SPG 3 Air quality
SPG 4 Refuse and recycling facilities (draft)
SPG 10 Noise and vibration

- 2 Construction and demolition works and associated activities at the development including deliveries, collections and staff arrivals audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
- 3 At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of persons responsible for the site works should be signposted at the site and made available for enquiries and complaints for the entire duration of the works. Updates of work should be provided regularly to affected neighbours. Any complaints should be properly addressed as quickly as possible.
- 4 Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance by the GLA (2014) for The Control of Dust and Emissions during Construction and Demolition.
- 5 No waste materials should be burnt on site of the development hereby approved.

- 6 Best Practicable Means (BPM) should be used during construction and demolition works, including low vibration methods and silenced equipment and machinery, control and monitoring measures of noise, vibration, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary, in accordance with the Approved Codes of Practice of BS 5228-1 and -2:2009+A1:2014 Codes of practice for noise and vibration control on construction and open sites.
- 7 The following items are brought to the applicants attention in relation to activities on the site and their impact on the operations, assets and functions of Network Rail
- To ensure the stability of Network Rail infrastructure, existing railway infrastructure, including the embankment shall not be loaded with additional surcharge from the proposed development unless prior consent is given by Network Rail
 - The developer shall undertake a detailed Services Survey to identify the position and types of services in the vicinity of the railway and application site. Any services shall be brought to the attention of the Senior Asset Protection Engineer at Network Rail.
 - The developer shall ensure that the construction, operation and maintenance shall be carried out in a way that does not adversely affect the operation of the railway
 - Operation of mobile cranes and tower cranes shall comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail
 - Operation of the Piling Rig shall comply with Network Rail Standard NR-L3-INI-CP0063
 - Collapse radius of the cranes should not fall within 4m from the railway boundary unless possession and isolation on NR lines have been arranged or agreed with Network Rail.
 - Temporary structures constructed adjacent to railway boundary fence shall be erected in a manner that at no time will any item fall within 3m of the live OHLE, running rail and other assets and suitable protection must be installed
 - Any piling work near or adjacent the railway shall not cause an operational hazard to Network Rail infrastructure. The developer shall avoid an impact/driven piling scheme and no vibro-compaction/displacement piling plant shall be used
 - The developer shall provide and maintain at their own expense a substantial trespass proof fence alongside the existing boundary fence to a minimum height of 1.8 metres. Network Rail's fencing and walls must not be removed
 - The developer shall obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting
 - The construction methodology that impacts Network Rail services, assets and infrastructure shall be accepted by Network Rail prior to commencement
 - Invasive species, such as Japanese Knotweed, shall be identified and treated in accordance with the current code of practice and regulations
 - The developer shall undertake a full Electro Magnetic Interference (EMC) risk assessment in conjunction with Network Rail

- 8 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 9 The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 10 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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Reference No. 214710FUL

Notes

If you are not the applicant, please make sure that these notes are drawn to his/her attention.

Please note that this decision DOES NOT imply any consent, which may be required under the **Building Regulations** or under any enactment or provision other than Section 57 of the **Town and Country Planning Act 1990**. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the **Party Wall etc. Act 1996**.

Rights of Applicants Aggrieved by Decisions of the Local Planning Authority

1. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment, Transport and the Regions, under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within **six months of the date of this notice**.

Appeals must be made using a form which you can get from the Planning Inspectorate using a form which can be downloaded from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate>.

The Secretary of State can allow a longer period for the giving of a notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

2. Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and the Regions refuse permission to develop land, or grants it subject to conditions, whether by the local planning authority or the Secretary of State, the owner may claim that he can neither put the land to reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the London Borough of Ealing. This notice will require the Council to purchase his interest in the

land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. Compensation

In certain circumstances, compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 of the Town and Country Planning Act 1990.