

NOTICE OF PLANNING DECISION

Miss Lucy Battersby
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London
EC3A 8BE

Ealing Council Perceval House
14-16 Uxbridge Road London
W5 2HL

Reference Number:
215058FULR3

Direct line: Date:
020 8825 6600 *09 September 2022*

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: 26.07.2021

Drawings/Schedules References:

Site: Land Comprising Public Car Park, Business Premises, Roads And Adjacent Land Lying To The North West And Rear Of The Green And Adjoining Featherstone Terrace, Dominion Road And Dilloway Yard, Southall, UB2

Proposal: Demolition and mixed-use redevelopment (phased) to provide 3 urban blocks comprising residential units (Use Class C3), flexible commercial, employment and community floorspace (Use Classes E, F1 and F2), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas, and access arrangements (Regulation 3 Application by Peabody Developments Limited and the London Borough of Ealing).

The proposals comprise a Major Development that may be likely to affect the character or setting of a listed building or a Conservation Area.

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

Yours faithfully



Chief Planning Officer

Decision Date: - *09 September 2022*

CONDITIONS

1. Time Compliance.

Development shall commence no later than 3 years following the date of grant of this permission.

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

2. Quantum of Development

Unless otherwise agreed in writing, the quantum of development hereby permitted shall not exceed the following:

564 residential dwellings
2502.1sqm of flexible Commercial/employment space (Use Class E),
313.8sqm of Day Nursery (Use Class F1),
106.9sqm of Community space (Use Class F2)

Reason: to ensure conformity with the submitted application.

3. Approved Plans and Supporting Documents/Reports

1. M9516-02-0001-Site Location Plan-1_1250
2. M9516-02-0002-Existing Site Plan-1_500
3. M9516-02-0003_A_-Proposed Site Plan-1_500
4. M9516-02-0004-Existing Site Elevations
5. M9516-02-0100_A_-Proposed Ground & Mezzanine Floor Plans-1_500

6. M9516-02-0101_A_-Proposed First Floor Plan-1_500
7. M9516-02-0102-Proposed Second Floor Plan-1_500
8. M9516-02-0103-Proposed Third Floor Plan-1_500
9. M9516-02-0104-Proposed Fourth Floor Plan-1_500
10. M9516-02-0105-Proposed Fifth Floor Plan-1_500
11. M9516-02-0106-Proposed Sixth Floor Plan-1_500
12. M9516-02-0107-Proposed Seventh Floor Plan-1_500
13. M9516-02-0108-Proposed Eighth Floor Plan-1_500
14. M9516-02-0109-Proposed Ninth Floor Plan-1_500
15. M9516-02-0110-Proposed Tenth Floor Plan-1_500
16. M9516-02-0111-Proposed Eleventh Floor Plan-1_500
17. M9516-02-0112-Proposed Twelfth Floor Plan-1_500
18. M9516-02-0113-Proposed Thirteenth Floor Plan-1_500
19. M9516-02-0114-Proposed Fourteenth Floor Plan-1_500
20. M9516-02-0115-Proposed Fifteenth Floor Plan-1_500

21. M9516-02-0116-Proposed Sixteenth Floor Plan-1_500
22. M9516-02-0117-Proposed Seventeenth Floor Plan-1_500

23. M9516-02-0118-Proposed Eighteenth Floor Plan-1_500
24. M9516-02-0119-Proposed Roof Plan-1_500
25. M9516-02-A0500_A_-BlockA-ProposedGround&MezzanineFloorPlans-
1_200
26. M9516-02-A0501_A_-BlockA-ProposedFirst&SecondFloorPlans-1_200
27. M9516-02-A0502-BlockA-ProposedThird&FourthFloorPlans-1_200
28. M9516-02-A0503-BlockA-ProposedFifth&SixthFloorPlans-1_200
29. M9516-02-A0504-BlockA-ProposedSeventh&EighthFloorPlans-1_200
30. M9516-02-A0505-BlockA-ProposedNinth&TenthFloorPlans-1_200
31. M9516-02-A0506-BlockA-ProposedEleventh&TwelfthFloorPlans-1_200
32. M9516-02-A0507-BlockA-ProposedThirteenth&FourteenthFloorPlans-
1_200
33. M9516-02-A0508-BlockA-ProposedFifteenth&SixteenthFloorPlans-
1_200
34. M9516-02-A0509-BlockA-ProposedRoofPlan-1_200
35. M9516-02-B0500-BlockB-ProposedGroundFloorPlan-1_200
36. M9516-02-B0501-BlockB-ProposedFirstFloorPlan-1_200
37. M9516-02-B0502-BlockB-ProposedSecondFloorPlan-1_200
38. M9516-02-B0503-BlockB-ProposedThirdFloorPlan-1_200
39. M9516-02-B0504-BlockB-ProposedFourthFloorPlan-1_200
40. M9516-02-B0505-BlockB-ProposedFifthFloorPlan-1_200
41. M9516-02-B0506-BlockB-ProposedSixthFloorPlan-1_200
42. M9516-02-B0507-BlockB-ProposedSeventhtoNinthFloorPlans-1_200
43. M9516-02-B0508-BlockB-ProposedTenthtoTwelfthFloorPlans-1_200
44. M9516-02-B0509-BlockB-ProposedThirteenthtoFifteenthFloorPlans-
1_200
45. M9516-02-B0510-BlockB-ProposedSixteenthtoEighteenthFloorPlans-
1_200
46. M9516-02-B0511-BlockB-ProposedRoofLevelPlan-1_200
47. M9516-02-C0500-BlockC-ProposedGroundtoFifthFloorPlans-1_200
48. M9516-02-C0501-BlockC-ProposedSixthtoEleventhFloorPlans-1_200
49. M9516-02-C0502-BlockC-ProposedTwelfthtoSeventeenthFloorPlans-
1_200
50. M9516-02-C0503-BlockC-ProposedEighteenthtoRoofFloorPlans-1_200
51. M9516-02-A1101_A_-Block A - Proposed North and South Elevations-

- 1_200
52. M9516-02-A1102_A_-Block A - Proposed East and West Elevations-
- 1_200
53. M9516-02-A1103-Block A - Proposed North and South Sections-1_200
54. M9516-02-A1104-Block A - Proposed East and West Sections-1_200
55. M9516-02-B1101-Block B - Proposed East Section and South Elevation-1_200
56. M9516-02-B1102-Block B - Proposed West and North Elevations-1_200
57. M9516-02-B1103-Block B - Proposed North and South Sections-1_200
58. M9516-02-B1104-Block B - Proposed South West Section and South East Elevation-1_200
59. M9516-02-B1105-Block B - Proposed North East Elevation and North West Section-1_200
60. M9516-02-C1101_A_-Block C - Proposed South and North Elevations-
- 1_200
61. M9516-02-C1102_A_-Block C - Proposed East and West Elevations-
- 1_200
62. M9516-02-0120-Proposed Substations-1_50
63. M9516-02-0204-Proposed Long Elevation West-1_250
64. M9516-02-0205-Proposed Long Elevation North-1_250
65. M9516-02-0206-Proposed Long Section South-1_250
66. M9516-02-1201-Typical 1B2P Apartment Layout-1_50
67. M9516-02-1202-Typical 2B3P Apartment Layout-1_50
68. M9516-02-1203-Typical 2B4P Apartment Layout-1_50
69. M9516-02-1204-Typical 3B4P Apartment Layout-1_50
70. M9516-02-1205-Typical 3B5P Apartment Layout-1_50
71. M9516-02-1206-Typical 3B6P Apartment Layout-1_50
72. M9516-02-1207-Typical 4B5P Apartment Layout-1_50
73. Schedule of Areas and Accommodation Schedule by Hunters
74. Planning Statement (including Affordable Housing Statement, draft Heads of Terms and Assessment of impacts on LSIS land) by Montagu Evans
75. Design and Access Statement to include Tall Buildings Design Quality Assessment and Addendum October 2021 by Hunters
76. Landscaping Statement & Drawings, including: - Details of external lighting - Urban Greening Factor Assessment and Addendum October 2021 by Turkington Martin

77. Statement of Community Engagement and Addendum October 2021 by Camargue
78. Heritage, Townscape and Visual Impact Assessment and Addendum October 2021 by Montagu Evans
79. Transport Assessment by TTP
80. Framework Travel Plan by TTP
81. Servicing and Refuse Management Plan and Addendum October 2021

by TTP

82. Daylight and Sunlight Assessment (Surrounding Development) by Avison Young
83. Daylight and Sunlight Assessment (Internal) by Avison Young
84. Air Quality Assessment by REC Ltd
85. Noise Impact Assessment by REC Ltd.
86. Preliminary Ecological Appraisal by Middlemarch
87. Preliminary Bat Roost Assessment by Middlemarch
88. Framework Biodiversity Enhancement Strategy by Middlemarch
89. Flood Risk Assessment and Drainage Strategy by Price & Myers
90. Utilities Statement by Premier Energy
91. Energy Statement by Elementa
92. Circular Economy Statement by Elementa
93. Whole Life Cycle Carbon Assessment by Elementa
94. Overheating Statement by Elementa
95. Sustainability Statement by Elementa
96. Phase 1 Geo-environmental Assessment by Land Science
97. Wind Assessment by RWDI
98. Aviation Impact Assessment by Pager Power
99. Historic Environment Assessment by MOLA
100. Draft Construction Management Plan and Addendum October 2021 by

Silver

101. Preliminary Arboricultural Assessment by Middlemarch
102. Arboricultural Impact Assessment by Middlemarch
103. Fire Strategy by BWC
104. Commercial Justification Report by Forty Group
105. Health Impact Assessment by Ramboll

Reason: For the avoidance of doubt.

4. Phasing Plan

Prior to commencement of the development hereby approved, a Phasing Plan shall be submitted to and approved by the Local Planning Authority. All development shall be carried out in the phases identified in the Phasing Plan unless otherwise agreed in writing with the Local Planning Authority. The approved Phasing Plan may be amended from time to time to reflect changes to the phasing of the development, subject to obtaining the prior written approval of the Local Planning.

Reason: To ensure the orderly and satisfactory development of the Site, in the interests of highway safety and to assist in achieving the planning benefits of the comprehensive Regeneration Scheme, whilst allowing sufficient flexibility to enable the development to be delivered in a satisfactory manner.

5. Materials

For each phase, prior to substantial commencement of works on any part of any of the superstructures forming this development for any phase, samples of all external materials shall be submitted to and approved in writing by the local planning authority in relation to that phase. The development shall be constructed in accordance with the approved materials and be retained as such, 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), and policy 7B of the Ealing Development Management Development Plan Document 2013.

Whole Life-Cycle Carbon Assessment

6. The relevant phase of development hereby approved shall not commence until a Whole Life-Cycle (WLC) Carbon Assessment has been submitted to and approved in writing by the local planning authority. The submitted Assessment shall demonstrate compliance with GLA 'Whole Life-Cycle carbon Assessments Guidance' (March 2022) on how to calculate and reduce whole life-cycle carbon emissions to capture the development's carbon impact.

Reason: To assess and implement measures to minimise the carbon life-cycle of the development in accordance with London Plan Policy SI2(F).

7. Prior to the first occupation of each building the post-construction tab of the GLA whole life carbon assessment template should be completed in line with the GLA Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used for approval by the local planning authority in consultation with the GLA.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

Circular Economy Statement

8. The relevant phase of development hereby approved shall not commence until a Circular Economy Statement (CES) has been submitted to and approved in writing by the local planning authority. The CES shall demonstrate compliance with GLA 'Circular Economy Statement Guidance' (March 2022) on how to integrate circular economy principles.

Reason: To demonstrate the development integrates circular economy principles in accordance with London Plan Policies SI7 and D3.

9. Prior to the first occupation of any phase, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted along with any supporting evidence as per the GLA Circular Economy Statement 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 and consultation with the GLA shall be submitted for approval the local planning authority.

Reason: In the interests of sustainable waste management and to maximise the re-use of materials.

10. Air Quality and Dust Management Plan (AQDMP)

Before the development of any Phase 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 relevant phase.

Reason: In the interests of the living conditions of the future occupiers of the site 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), Ealing SPG10 and the National Planning Policy Framework.

11. Existing/shrub retention

No trees within the site which are shown to be retained in the Landscape and Public Realm Design and Access Statement TM-408-RE-010 A shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority. Any shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants or similar species capable of achieving a comparable size unless the Local Planning Authority gives written consent to any variation.

Any trees removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: to secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area.

12. Arboricultural Method Statement

Notwithstanding the submitted details, no operations (including initial site clearance) shall commence on the relevant phase in connection with development hereby approved until a satisfactory scheme (Arboricultural Method Statement) for the protection of existing trees that are proposed to be retained within the boundary of that phase has been submitted to and its installation on site has been approved in writing by the Local Planning Authority.

All protection measures must fully detail each phase of the development process, taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- o Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals.

All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.

- o A plan** detailing all trees for retention and removal.
- o Outline programme and phasing of works
- o Site specific demolition and hard surface removal specifications

- o Site specific construction specifications

- o A tree protection plan** in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent and temporary surfaces.

hard

- o The RPAs of all existing trees will be a no dig zone. Within these zones only minor hand digging to 200mm will be permitted, and only with Arboricultural supervision. See Tree Protection Plan: Monitoring and Implementation.

canopies, or

- o All hard surfaces beneath the existing (or proposed) tree within the existing Root Protection Areas (RPAs), must be of permeable construction to ensure water and gaseous exchange with the underlying soils and tree root systems

All tree protection methods detailed in the approved Arboricultural Method

Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed, and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

*Using the most recent revision the of the Standard

** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by

the Local Planning Authority).

Reason: To secure the protection, throughout the time that the development is being carried out, of trees growing within or adjacent to the site which are of amenity value to the area.

13. Tree Protection - Monitoring and Implementation

No operations (including initial site clearance) shall commence on the relevant phase of the development hereby approved until a suitable programme of monitoring of all approved tree protection measures for that particular phase has been submitted and approved by the Local Planning Authority. The monitoring programme shall include the following:

- o Confirmation of who shall be the lead arboriculturist for the development.
- o Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- o Details of induction procedures for all personnel in relation to Arboricultural matters.
- o A programme of events concerning the approved tree protection plans, including initial implementation of the protective measures, the final removal of the protective measures and any incursion/alterations to accommodate site specific construction/demolition procedures as approved in the Arboricultural Method Statement, and the level of supervision required.
- o Procedures for dealing with variations or non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.
- o Agreements of when site monitoring will take place with the local Tree Officer either by site meetings or by some other pre-arranged agreement.
- o Post development assessment of the retained and planted trees relating to construction relating activity and any necessary remedial action.

The programme of Arboricultural monitoring shall be taken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority.

Reason: In order to safeguard trees considered to be worthy of retention in the interests of visual amenity for the area.

14. Tree Planting

Prior to the commencement of any landscaping works on a particular phase, details of a scheme of new and replacement tree planting for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following comprehensive details of all trees to be planted in accordance with a first approved landscape plan under condition 15:

- o Full planting specification - Tree size, species and the numbers of trees.
- o Positions of all proposed species.
- o Comprehensive details of ground preparation.
- O Staking/tying method(s).
- O 2 year post planting maintenance schedule with an agreed inspection schedule.

All tree-planting shall be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 31st March inclusive) to the completion of the approved development, unless agreed otherwise in writing by the Local Planning Authority. The quality of all approved landscape works shall be in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees included within the approved scheme shall be healthy, well-formed specimens with single leading shoots and shall be of a minimum quality compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and BS8545: 2014 or any subsequent revisions.

Any trees which within a period of 5 years from the completion of all tree planting die, are removed, uprooted or significantly damaged, become diseased or malformed shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the works are carried out as approved in the interests of the visual amenity of the area.

15. Ecological Mitigation and Management Plan (EMMP)

Prior to occupation of the relevant phase of development hereby approved, an Ecological Mitigation and Management Plan (EMMP) shall be submitted to and approved in writing by the Local Planning Authority showing the details of the mitigation and enhancement measures and their management including the installation of new biodiverse habitat, tree and shrub planting and installation of bird boxes and bat boxes for that phase.

Reason: To comply with Council policy in the interests of ecological protection and enhancement.

16. Bird Hazard Management

Prior to commencement of the superstructure of the relevant phase, detailed drawings and supporting documentation for a Bird Hazard Management Plan shall

be submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence, for that phase and which shall include the following details:

- a. Site management to monitor the number of birds on site,
- b. Undertake bird control (using appropriate licensed means) to address or to

disperse any populations of gulls (or other bird species) occupying the green roof considered to be hazardous to air traffic using RAF Northolt Aerodrome,

- c. Prevent gulls and other bird species considered to be hazardous to air traffic using RAF Northolt Aerodrome from successfully breeding at the site,
- d. Ensure the roof or roofs are accessible for personnel engaged in bird control activities,

Prior to first occupation of any dwelling, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason: In the interests of aviation and public safety.

17. Landscaping and Management

Prior to the commencement of landscaping works for any particular phase, details of landscaping proposals to be comprised in a Landscape Management Plan for that phase, comprising:

- A. Soft and hard landscaping including tree planting,
- B. Boundary treatments,
- C. Green and Brown roof construction,
- D. Children's play areas including safety surfacing and equipment,
- E. Proposed ecological enhancements
- F. Public Realm
- G. Measures to provide tenure-blind access by all residents of the development to outdoor amenity and play-space within the scheme,

shall first be approved in writing with the local planning authority.

They shall be laid out and planted in accordance with the Management Plan prior to the first occupation of any dwelling and thereafter maintained. The completed landscaping shall thereafter be maintained and any trees or plants which within 5 years of planting, die, are removed or become seriously damaged or diseased shall be replaced with others of the same size and species and in the same positions within the next planting season.

Reason: To ensure that the development is landscaped in the interests of the visual character and appearance of the area.

18. 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 for the relevant

phase. 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.

19. Roof terrace/amenity space screens

Prior to the fitting out of the roof top amenity areas of any Phase of development hereby approved details of screening to the perimeters of the roof terrace amenity areas for that phase shall have been submitted to and approved by the local planning authority.

Reason: To safeguard the visual and residential amenities of neighbouring residents and of the area.

20. Overheating and Cooling

The development shall incorporate the overheating and cooling measures in line with the relevant CIBSE guidance as detailed in the Dynamic Overheating Assessment submitted by Elementa Consulting in April 2021 (issue/version 6).

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

21. Renewable/Low Carbon (&CO₂) Energy

a) Prior to commencement of construction of the relevant phase, details of

the specifications including manufacturer's 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 performance/efficiency (COP), shall be submitted, to and approved in writing, by the Council. The development shall be implemented only in accordance with the approved details.

b) 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 heat pump thermal kilowatt output, heat output pipe diameter(s), parasitic load supply schematics, monthly energy demand profile, and the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels. The name and contact details of the LZC installation contractor(s), and if different, the commissioning electrical or plumbing contractor, should be submitted to the Council prior to installation.

c) Prior to completion and first occupation of the relevant phase, the permitted phase of development shall implement and maintain and in the case of energy generation equipment confirm as operational, the approved measures to achieve an overall sitewide reduction in regulated CO₂ emissions of at least 66.14% (equating to 428 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 Energy Statement prepared by Elementa Consulting in May 2022 (Issue 12) including:

- i. Lean, passive design measures to achieve an annual reduction of at least 16.56% equating to at least 92.5 tonnes in regulated carbon dioxide (CO₂) emissions over BR Part L 2013 for the residential development, and at least 14.77%, equating to at least 13 tonnes, over Part L 2013 for the non-residential space.
 - ii. Green, renewable energy equipment including the incorporation of photovoltaic arrays with a combined total capacity of at least 237 kWp, and Heat Pumps to achieve an annual reduction of at least 50%, equating to 322.5 tonnes, in regulated carbon dioxide (CO₂) emissions over Part L 2013.
 - iii. Seen, heat and electric meters installed to monitor the performance of the PV and the carbon efficiency (SCOP) of the Ground Source Heat Pump system and twenty (x20) of the dwelling Water Source Heat Pumps, including the heat generation and the combined parasitic loads of the heat pumps.
- d) 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.
- e) The development shall incorporate the overheating and cooling measures detailed in the Overheating report (Elementa, May 2021 v4) or any later stage version. The assessment shall be compliant with CIBSE guidance TM59 and/or TM52, and modelled against the TM49 DSY1 (average summer) weather data files, and the more extreme weather DSY2 (2003) and DYS3 (1976) files for TM59 criteria (a) and (b).
- f) 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 the London Plan (2021), and the relevant guidance notes in the GLA Energy Assessment Guidance 2020, Ealing's Development Management DPD 2013, and Ealing's Development (Core) Strategy 2012.

22. 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) Upon final construction of the development, or relevant phases of the

development, and prior to first occupation of any part of the relevant phases, the agreed suitable devices for monitoring the performance/efficiency (SCOP) 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.

- b) Upon final completion of the relevant phase of development and prior

to first occupation of any part of that phase, the developer shall 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 and of the Mayor's Sustainable Design & Construction SPG.

23. Non-Residential BREEAM Energy/CO2 accreditation

The non-residential space shall be registered with Building Research Establishment (BRE) and achieve BREEAM Rating 'Very Good' (based on the latest BREEAM NC Technical guidance).

- a) Within 6 months of the completion of the non-residential space in each

phase of development, Interim BREEAM NC Assessment and related Certification verified by the BRE shall be submitted to the Local Planning Authority for written approval.

- b) Within 6 months from the date of first occupation of the non-residential

element of the development, BREEAM 'Post Construction Stage' Assessment and related Certification shall be submitted to and approved in writing by the Local Planning Authority confirming the BREEAM standard and measures have been implemented.

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 the Ealing Development Management DPD 2013, and the Ealing Development (Core) Strategy 2012.

24. Floodlights, Security lights and Decorative External Lighting

Prior to installation on any phase 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 and minimize impacts on adjacent land uses.

25. Masts and Aerials

No microwave masts, antennae or satellite dishes or any other such plant or equipment shall be installed on the exterior of the building, whether existing or approved, unless otherwise approved in writing by the local planning authority.

Reason: To safeguard the appearance and character of the new buildings in the interests of the amenities of the area.

26. Cycle Parking

The cycle parking spaces hereby approved shall be provided and maintained in accordance with the approved drawings. These facilities shall be provided prior to first use or occupation of the relevant phase of the development hereby approved and be maintained thereafter in association with the approved uses of the building.

Reason: To ensure that there is adequate provision for cycle parking within the site in accordance with the Ealing Development (Core) Strategy and the Ealing Development Management Development Plan Document.

27. Car Parking

Prior to the occupation of the relevant phase of the development hereby approved, a Car Parking Management Strategy shall be submitted and approved in writing by the Local Planning Authority for that relevant phase. This Strategy shall detail the arrangements for management of:

- i. Visitor car parking
- ii. Residential car parking
- iii. Disabled persons car parking

iv. Non-residential car parking

The Car Parking Management Strategy shall also include:

- a) Measures for preventing parking in undesignated places throughout the site;
- b) The provision of active Electric Vehicle Charging Points (EVCP) for a minimum of 20% of all public and private car parking spaces and all remaining spaces with passive provision; and
- c) The safety and security measures to be incorporated within the development to ensure the safety of car parking areas. The car parking within a Phase shall be provided and managed in accordance with the approved strategy for that Phase for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.

Reason: To provide adequate facilities for drivers, in accordance with the London Plan and Ealing Development (Core) Strategy.

28. Detailed Delivery and Servicing Plan

Prior to occupation of each relevant phase of the development hereby approved, a Delivery and Servicing Plan (DSP) for the relevant component/ Phase detailing servicing arrangements, times and frequency and operational details, including swept path analysis, shall be submitted to and approved in writing by the Local Planning Authority. The servicing of each component/ Phase shall be operated strictly 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.

29. Refuse Storage

The refuse and recycling storage enclosures hereby approved shall be laid out in accordance with the approved drawings and these areas shall not thereafter be obstructed or used for any other purpose.

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.

30. Ventilation

Prior to the completion of the first superstructure of any residential buildings within that phase, a scheme for providing fresh air ventilation to habitable rooms and the supply to be provided, for that particular phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units within that phase are occupied and shall thereafter be retained.

Reason: To ensure that the development accords with the London Plan the Ealing Development (Core) Strategy (2012); the Ealing Development Management Development Plan Document (2013) and the National Planning Policy Framework.

31. Sound Insulation between commercial, industrial, communal, cultural uses and facilities from dwellings

Prior to commencement of the superstructure for that relevant phase, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of at least 10/15dB, as necessary, above the Building Regulations value for residential use, of the floor/ceiling/walls separating the non-residential and communal use from dwellings. Where noise emissions include characteristic features, the Noise Rating level shall not exceed NR25 Leq 5mins (octaves) inside a bedroom and NR30 Leq 5mins (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 Standard 30 of the Housing SPG and the London Plan.

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

Prior to installation, 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 the Ealing Core Strategy (2012), the Ealing Development Management Development Plan Document (2013), policies, the London Plan, the National Planning Policy Framework and Interim guidance SPG 10 'Noise and Vibration.'

33. 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 vibration noise from mechanical installations/ equipment, in accordance with the Ealing Core Strategy (2012), the Ealing Development Management Development Plan Document (2013), the London Plan (2021), the National Planning Policy Framework and Interim guidance SPG 10 'Noise and Vibration.'

34. Extraction and Odour Control system for non-domestic kitchens

Prior to commencement of above ground construction works for that relevant phase, details shall be submitted to the Council for approval in writing, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet without cowl at least 1m above the eaves of the main building. Details shall be provided of a reasonable distance of the extract outlet approximately 20.0meters from any openable window unless effective odour control is installed, of equipment and ducting to be fitted with anti-vibration mounts and silencers and of additional mitigation measures as necessary to ensure that noise and vibration transmission via internal ceilings, walls and external façades will meet the Council's standards specified in the SPG10. 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 noise, smell or steam, in accordance with Interim Supplementary Planning Guidance 10, the Ealing Core Strategy (2012), the Ealing Development Management DPD (2013), the London Plan (2021).

35. External Doors

All external doors to commercial kitchens /employment /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

36. Intrusive Land Investigation

Prior to the commencement of any works on site, including any demolition, site clearance, remedial works commencing and any development works on that relevant phase:

- a) a type 3 asbestos survey shall be undertaken,
- b) a conceptual site model (contained within Land Science report LS3904 v3 17/4/21) prepared and

c) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) to investigate the site and any previously inaccessible ground

shall all have been first submitted to and approved in writing by the local planning authority.

The conceptual site 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 it originates on the site or not.

Reason: To ensure the land contamination issues are addressed in accordance with the Development Framework (Core Strategy), London Plan and Ealing Local Variations.

37. Contamination Remediation Scheme

Prior to the commencement of development on the relevant part of the site, other than that required to carry out remediation works, a detailed remediation scheme to bring that relevant phase 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 including any demolition, site clearance on that relevant phase must be carried out in accordance with its terms. The Local Planning Authority shall be given four weeks written notification of commencement of the remediation scheme works. The scheme shall thereafter be retained as such unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the land contamination issues are addressed in accordance with the Local Development Framework (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

38. Remediation Verification Report

Following completion of measures identified in the approved remediation scheme for that relevant phase, 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. 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 the Local Development Framework (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

39. Waste water infrastructure

Within each phase, development (with the exception of demolition and site clearance) shall not commence until a detailed drainage strategy for the disposal of

foul and surface water and detailed design drawings detailing any on and/or off-site drainage works (including ground investigations), has been submitted to and approved in writing by the local planning authority for that particular phase. No discharge of foul or surface water from that phase of the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The approved drainage strategy shall be fully implemented at the time of first occupation of any dwelling within that phase and shall be retained thereafter.

Prior to commencement of development (with the exception of demolition and site clearance) of the final phase of the development hereby approved, details should be submitted to and agreed with the Council which demonstrate that surface water run-off is restricted to greenfield run-off rates for the total site area to promote benefits which include bio-diversity, amenity, water quality and attenuation; surface water attenuation systems designed to accommodate the 1 in 100 years plus 40% climate change storm event. a detailed maintenance plan of the proposed drainage system for the lifetime of the development confirming owners/adopters of the drainage system to include measures, so far as practicable, for the incorporation of rainwater harvesting and surface water drainage attenuation from the roof terraces/amenity areas and 'green' SuDS.

Reason: To ensure that the development does not cause adverse local environmental impact in accordance with the Local Development Framework (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

40. Fire Statement

Notwithstanding the details set out in the Fire Safety Strategy Report Issue 8 dated 18th June 2021 and prepared by BWC Fire Limited, prior to the commencement of above ground construction works on the relevant phase, a Fire Statement shall be submitted to the Local Planning Authority for written approval. The Statement shall include details of measures for the provision of fire evacuation lifts as set out in the Fire Strategy Report Issue 9 dated 18th November 2021. The approved details shall be implemented prior to first occupation of the relevant phase and thereafter be permanently retained.

Reason: In the interests of public safety and in accordance with the London Plan Policy D12.

41. Transport/commercial/industrial/cultural noise sources

Prior to commencement above ground construction works on the relevant phase, 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 where appropriate. 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) to achieve internal noise limits specified in SPG10. Details of best practicable mitigation measures shall also be submitted for external amenity

spaces, in accordance with noise limits specified in BS8233:2014. 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 the Local Development Framework (Core Strategy), the London Plan and Ealing Local Variation to London Plan of the Ealing Development Management Development Plan.

42. Separation of noise sensitive rooms from different uses in adjoining dwellings

With the exclusion of demolition and site clearance, prior to commencement of any above ground construction works on the relevant phase, 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, e.g. 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 the Ealing Development (Core)

Strategy, the Ealing Development Management Development Plan Document, The London Plan and Ealing interim SPG10.

43. Demolition, Construction and Logistics Environmental Management Plan

Notwithstanding the details submitted, prior to commencement of development details of a:

1. Construction Workers Travel Plan and

2. Construction Logistics Plan and shall be submitted to and approved by the local planning authority and shall be adhered to through the demolition and construction of the development and following implementation where relevant.

The approved Plans may be amended from time to time to reflect phasing changes to the development, subject to obtaining the prior written approval of the Local Planning Authority.

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),

by - lighting ('Guidance Note 01/20 For The Reduction Of Obtrusive Light'
the Institution of Lighting Professionals),
- delivery locations,

1300 hours of work and all associated activities audible beyond the site
boundary restricted to 0800-1800hrs Mondays to Fridays and 0800 -
Saturdays (except no work on public holidays),

for - neighbour liaison, notifications to interested parties and
public display of contact details including accessible phone numbers
persons responsible for the site works for the duration of the works.

b. measures to ensure continued safe access and usage of parking, servicing
and other measures necessary for the day to day running of the Dominion
Centre and Library.

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.

44. Lift Installation

Prior to the first occupation of each building within the development hereby
approved, confirmation shall be submitted in writing to the Local Planning Authority
that all lifts within the relevant building have been commissioned and are ready for
use.

Reason: In the interests of the amenities of residents.

45. Emergency Generators

No emergency generators shall be erected or placed on site, whether in
connection with construction, or the permanent occupation, of any dwelling without
the prior written consent of the Council.

Reason: In the interests of the amenities of neighbouring residents.

46. Archaeological Investigation

No demolition or development shall take place until a stage 1 written scheme
of investigation (WSI) for the relevant phase has been submitted to and approved by
the local planning authority in writing.

No demolition/development shall take place other than in accordance with the agreed stage 1 written scheme of investigation (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. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to safeguard the archaeological interest on this site.

47. Temporary Arrangements

Prior to the commencement of each relevant phase (with the exception of site clearance and enabling works), details of any temporary arrangements and/or works relevant to that phase, such as building and public realm interfaces or treatments, and any relevant temporary uses (as applicable), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To facilitate temporary arrangements during construction works without prejudice to the construction phasing.

48. Bat Roosts

No demolition works to the relevant building in each phase shall take place until safe access has been provided to a licenced ecologist/ bat worker to assess the relevant building's internal spaces for evidence of bats. In the event that evidence is found and the local planning authority notified then all work shall cease immediately until measures including surveys, mitigation and/or licencing have been submitted to and agreed with the local planning authority to include as appropriate the installation of replacement roosts.

Reason: To safeguard bio-diversity interests and protected species.

Supply and retention of Business Floorspace

49. Up to a maximum of 2500sqm (GIA) of the approved Class E Business floorspace shall be used only for light industrial purposes falling within Class E(g) of the Town and Country Planning (Use Classes) Order 2020 or any other Order amending or re-enacting this Order.

Reason: To provide a supply of light industrial space on land designated as LSIS (Core Strategy Policy 1.2 and London Plan Policy E7).

50. Prior to occupation of the residential units within the relevant phase of the development hereby permitted, or in accordance with an alternative timetable that has been first submitted to and approved in writing by the Local Planning Authority, the light industrial element of the development shall be completed including the external facades and fitted out to shell and core standard in accordance with details to be first approved in writing by the Local Planning Authority. The details shall

include minimum floor to ceiling height of 3.5m, fit out, minimum floor loading, external access and servicing areas.

Reason: To ensure satisfactory delivery of light industrial floorspace on the site (Core Strategy Policy 1.2 and Policy E7 of the London Plan).

51. Inclusive Access

A minimum of 10% of all new dwellings shall be constructed meet Building Regulations requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users). All other new dwellings shall be constructed to meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings' and be permanently retained as such.

Reason: To comply with London Plan Policy D5.

52. Digital Connectivity

Unless an alternative 1GB capable connection is made available to all end users, all blocks shall be designed to ensure sufficient ducting space is provided for full fibre connectivity infrastructure to all end users within new development.

Reason: To comply with London Plan Policy SI6.

53. Community Uses

A minimum of:

- a. 313.8sqm (GIA) for use as a Day Nursery in Use Class F1 and
- b. 106.9sqm (GIA) for use as Community Space in Use Class F2

of the Town and Country Planning (Use Classes) Order 2020 or any other Order amending or re-enacting this Order, shall be provided within the development and shall be maintained as such.

Reason: To ensure the maintenance of community floorspace in accordance with the application and the London Plan.

54. Water Usage

The development shall be designed to achieve a water use target for individual residential properties of no more than 105 litres per person per day.

Reason: To ensure the sustainable use of water in accordance with the London Plan.

55. Residential occupancy of each Phase

In relation to each Phase of the development hereby approved not to first occupy any residential unit in any Phase until in relation to that relevant Phase a Confirmatory Deed has been entered into pursuant to s106 of the Town and Country Planning Act 1990. Such Confirmatory Deed to be entered into between the local

planning authority and the developer of the relevant Phase (and any other person with any legal or equitable interest in the said Phase required to be a party by the local planning authority in order that the said Confirmatory Deed is binding on all relevant interests in the Phase) in accordance with the provision of the legal agreement entered into pursuant to a s106 of the Town and Country Planning Act 1990 between Ealing Borough Council and Peabody Developments Limited dated 9th September 2022.

Reason: The planning permission has been granted subject to a s106 agreement dated 9th September 2022 and at the time of this permission being issued the applicant is not able to bind all relevant parties and interests in the site to the terms of the planning obligations that it contains.

Reference No. 215058FULR3

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

INFORMATIVES:

1 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 Model Design Code 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

GG4- Delivering the homes Londoners need

GG5 Growing a good economy

GG6 - Increasing efficiency and resilience

H1 - Increasing Housing Supply

H4 - Delivering Affordable Housing

H5 - Threshold Approach to Applications

H6 - Affordable Housing Tenure

H10 - Housing Size Mix

SD6 - Town Centres and High Streets

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

D7 - Accessible Housing

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
E4 - Maintaining a Supply of Employment Land
E6 - LSIS
E7 - LSIS
HC1 - Heritage Conservation
HC5 - Supporting London's Culture and Creative industries
HC6 - Supporting the night time economy
G1 - Green infrastructure
G4 - Open Space
G5 - Urban Greening
G6 - Biodiversity
G7 - Trees
S1 - Social Infrastructure

S2 - Social Infrastructure
S3 - Social Infrastructure
SI 7 - Reducing Waste and Supporting the Circular Economy
SI1 - Improving Air Quality
SI3 - Energy Infrastructure
SI4- Managing Heat Risk
S15 - Water Infrastructure
SI2 - Minimising CO2 emissions
SI13 - 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 Affordable Housing and Viability SPG (August 2017) Housing SPG (November 2016)

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

3.8 Residential Neighbourhoods

Chapter 4 - Enhancing Residential Hinterlands and North - South Links

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

Southall Opportunity Area Planning Framework (2014)

Policy 4.7

Ealing Adopted Development Management Development Plan Document
(December

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

Developments

Policy 3A Affordable Housing

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

Development Sites DPD
SOU8 - The Green UB2

London Plan Supplementary Planning Guidance The Green Southall SPD

Affordable Housing and Viability SPG
Housing SPG

Accessible London: achieving an inclusive environment Sustainable Design & Construction

Shaping Neighbourhoods: Play and Informal Recreation Energy Assessment Guidance

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 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. Ground Investigation:
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice this would include:
 - o The report of the findings must include:
 - A timetable of works and site management procedures.
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwater and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments
 - o Model Procedures for the Management of Land Contamination, CLR 11, Environment Agency, 2004
 - o Updated technical background to the CLEA model, Science Report: SC050021/SR3, Environment Agency, 2009
 - o LQM/CIEH Generic Assessment criteria for Human Health Risk Assessment (2nd Edition), 2009
 - o BS10175:2011 Investigation of potentially contaminated sites - Code of Practice

- o Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; Environment Agency, 2001
- o Verification of Remediation of Land Contamination', Report: SC030114/R1, Environment Agency, 2010
- o National Planning Policy Framework (Paragraph 109, 120, 121);
- O Guidance for the safe development of housing on land affected by contamination, NHBC & Environment Agency, 2008
- b) Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
- c) All raw data should be provided in a form that can be easily audited and assessed by the council.(e.g. trial pit logs and complete laboratory analysis reports)
- d) on-site monitoring for ground gases with any relevant laboratory gas analysis; 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases, (C735), CIRIA, August 2014
- e) Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made must be included. (e.g. the reasons for the choice of sampling locations and depths).

8. 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:
 - o 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
 - o 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.
 - o Compliance with the internal and external criteria set at SPG10

9. Ground Water discharge - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is

recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the

boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

10. A ground water risk management permit from Thames Water will be required for discharging ground water 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. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

11. Legal changes under the water Industry (Scheme for the adoption of private sewers) regulations 2011 mean that the sections of pipes you share with neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend that you contact Thames Water to discuss their status in more detail and to determine if a building over/near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit the Thames Water website at www.thameswater.co.uk

12. 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.

13. 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 their proposal, both during construction and after completion does not:

- o encroach onto Network Rail land
- o affect the safety, operation or integrity of the company's railway and its infrastructure

- o undermine its support zone
- o damage the company's infrastructure
- o place additional load on cuttings

- o adversely affect any railway land or structure
- o over-sail or encroach upon the air-space of any Network Rail land

- o cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

Future maintenance

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. a l l possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. 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. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

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 the 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.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

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. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Vehicle Incursion

Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

Landscaping

Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be

planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

Existing Rights

The applicant must identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

If you would like to discuss any of the above, please contact your local Network Rail's Asset Protection team:

Anglia: AssetProtectionAnglia@Networkrail.co.uk
Kent and Sussex: AssetProtectionLondonSouthEast@NetworkRail.co.uk
Wessex: AssetProtectionWessex@NetworkRail.co.uk

To identify your route, please use the link:
<https://www.networkrail.co.uk/running-the-railway/our-routes>

Secured by Design

15. The applicant's attention is drawn to the letter of 9th September 2021 from the Metropolitan Police Design Out Crime Office (Met Reference NW6199) requesting that the development must achieve Secured by Design

accreditation.
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>

Energy and CO2 informative

16. 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 5.2 and 5.3 of the London Plan 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.

In particular, policy 5.2 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 5.2 is to be replaced by Policy SI2 in the Publication London Plan, which adds a fourth layer to the energy hierarchy which requires development to monitor, verify and report on energy performance in operation. This policy is

reflected in Ealing Council's 2013 DPD policy E5.2.3 which requires the post-construction monitoring of renewable/low-carbon energy equipment.

Publication 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, London Plan policy 5.7 (5.42) states that there is a presumption that all major development proposals will seek to reduce carbon dioxide emissions by at least 20% through the use of on-site renewable energy generation wherever feasible. Section 11.2 of the GLA (2018) 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.

EA Drainage

1. 17. Please note, for any temporary/permanent works, the Technical Approval process applies to the design of all structures located over, under or adjacent to the public highway. The term "design" shall include the assessment, strengthening, alteration or repair of existing structures. The developer shall apply for approval before commencement of project by making an initial application in advance of starting on site - submit Approval in Principle form for review and approval. This is followed by submission of Design and Check Certificates for acceptance at detailed design stage.

2. All risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Reports and Risk Assessments should be prepared in line with The Environment Agency's approach to groundwater protection February 2018 Version 1.2 (previously GP3) and the Land Contamination: Risk Management guidance provided on

.GOV that has been developed based on the principals defined in the CLR11 (Model Procedures for the Management of Land Contamination).

3. Site Specific Ground Investigations must be clearly presented with accompanying engineering drawings and borehole scan results.

Borehole Investigation - A site specific intrusive investigation entailing a ground investigation undertaken by a chartered engineer/geologist to

establish the ground conditions, groundwater levels, surface and groundwater flow, infiltration/soakage tests to BRE365. Variations in ground conditions can occur within relative close proximity therefore the borehole investigation should be undertaken at various locations spread across the site (larger site).

Thames Water

18. The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. 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

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, 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

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

The magnitude of this development is such that significant water network and treatment infrastructure upgrades will be required to accommodate the development. Thames Water request that the following condition be added to any planning permission. Development here by approved shall not commence until an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required (phasing) and how it will be delivered, has been submitted to and approved by, the local planning authority in consultation with the water undertaker. The development shall be occupied in line with the recommendations of the strategy. Reason - The development may lead to no water and or significant environment impacts an Integrated water management strategy is required to ensure that sufficient capacity is made available to cater for the new development; and in order to avoid adverse environmental impact upon the community. Note: In relation to this water condition, Thames Water would be open to a definition of 'the commencement of development' not including certain items such as site clearance, site set up/compound. Alternatively it may be appropriate to link the implementation to a clearly defined phase of the development. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application.

Reference No. 215058FULR3

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.