

NOTICE OF PLANNING DECISION

Miss Esterina Bartilomo
Barton Willmore
7 Soho Square
London
W1D 3QB

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

Reference Number:
211783REM

Direct line: Date:
020 8825 6600 24.05.2021

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: 28.01.2021

Drawings/Schedules References:

Covering letter BW 15 January 2021 with ref. 27157/A3/EB; DAS BW 15 January 2021; PS BW January 2021; SCI BW January 2021; TS RGP CPCL/20/5532/TS01 January 2021; Affordable Housing Statement AG LLP January 2021; Block Management Plan L&Q January 2021; Reconciliation Statement BW January 2021; Outline Fire Strategy by Jeremy Gardner Associates EL298/R1 Issue 2 (12 January 2021); Daylight and Sunlight Report, Lichfields, 62583/01/BK/TRL January 2021; Environmental Impact Assessment Compliance Statement BW 27157/A5/EIA 15 January 2021; Arboricultural Impact Assessment, SJ Stephens Associates, ref: 1609 15 January 2021; Tree Condition Survey /Tree Constraints Report, SJ Stephens Associates, ref: 1609 15 January 2021; Ecology Compliance Letter, LUC Ref:11252, 15 January 2021

Architectural Drawings

AG72-GRID-00-ZZ-DR-A-PL: 000, 001, 099, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 130, 131, 132, 133, 134, 135, 200 Rev P1, 201 Rev P1, 300 Rev P1, 301 Rev P1, 302 Rev P1, 303 Rev P1, 304 Rev P1, 305 Rev P1, 306 Rev P1, 307 Rev P1, 400 Rev P1, 401 Rev P1, 402 Rev P1, 403 Rev P1 and 404 Rev P1

Landscape Drawings

LD-SEC: 600 E, 601 A & LD-PLN: 100 E, 105 B,

Site: Acton Gardens Phase 7.2 Belgrave Close Acton London

Proposal: Reserved matters application for Phase 7.2 of the Remaining Acton Gardens Masterplan pursuant to conditions 7 (Reserved Matters) and 8 (Reserved Matters Details) of the Hybrid Outline Planning Permission Ref: 182579OUT (dated 24/12/2018) for the continued regeneration of the South Acton Estate. Application

Please ensure that the site notices in relation to the above planning application reference are removed immediately to support Ealing Council in maintaining the quality and cleanliness of the public realm.

seeks approval for Means of Access, Appearance, Landscaping, Layout and Scale in relation to the construction of a new building varying in height from 6 to 12 storeys comprising 185 new residential units including provision for Over 55's; with associated private and semi-private amenity space; refuse/recycling and bicycle storage; plant rooms; car parking; tree removal and public realm improvements; as well as the an energy centre up to 373sqm in size; following the demolition of existing buildings. Application is accompanied by an Environmental Statement of Compliance. Original application was an EIA application and an environmental statement was submitted to the planning authority at that time

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

Yours faithfully

A handwritten signature in black ink that reads "David Scott". The signature is written in a cursive, slightly slanted style.

Chief Planning Officer
Decision Date: - 24.05.2021

Reference No. 211783REM

CONDITIONS:

1 Approved Plans and Documents

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

Covering letter BW 15 January 2021 with ref. 27157/A3/EB; DAS BW 15 January 2021; PS BW January 2021; SCI BW January 2021; TS RGP CPCL/20/5532/TS01 January 2021; Affordable Housing Statement AG LLP January 2021; Block Management Plan L&Q January 2021; Reconciliation Statement BW January 2021; Outline Fire Strategy by Jeremy Gardner Associates EL7298/R1 Issue 2 (12 January 2021); Daylight and Sunlight Report, Lichfields, 62583/01/BK/TRL January 2021;

Environmental Impact Assessment Compliance Statement BW 27157/A5/EIA 15 January 2021; Arboricultural Impact Assessment, SJ Stephens Associates, ref: 1609 15 January 2021; Tree Condition Survey /Tree Constraints Report, SJ Stephens Associates, ref: 1609 15 January 2021; Ecology Compliance Letter, LUC Ref:11252, 15 January 2021

Architectural Drawings

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Landscape Drawings

LD-SEC: 600 E, 601 A & LD-PLN: 100 E, 105 B

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

2 Materials

Notwithstanding the submitted details, construction of the development hereby permitted shall not proceed above ground floor damp proof course level unless and until details of materials (including samples) to be used for the external surfaces of the building and hard surfaced areas within the plot shall be submitted to and agreed in writing by the Local Planning Authority including, though not limited to:

- Sample glazing with window/door frame(s);
- Balustrade and edge detail;
- Roofing materials, including roof parapets and overhangs to flats;
- Typical rainwater goods (section of gutter, downpipe etc);
- Sample areas of brickwork and mortar;
- Areas of parking and paving; and
- Hard Landscaping areas.

The development shall thereafter be implemented in accordance with the approved details.

Reason: To safeguard the visual amenities of the building and surrounding area.

3 Doors to Open Inwards

All ground floor doors within the development, including refuse access stores and residential entrances shall open inwards.

Reason: In the interest of pedestrian and highway safety.

4 Courtyard/ amenity space screens

Prior to the commencement of any of the superstructures of the buildings approved, details of screening to the perimeters of the roof terrace amenity areas 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 in accordance with policy D3 of the London Plan 2021.

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

INFORMATIVES:

- 1 The decision to approve the reserved matters application for Plot 7.2 of the South Acton Estate Masterplan (the "2018 Masterplan Permission") has been taken by the Council's Planning Committee after considering the application against the relevant National, Strategic and Local Planning policies and other material planning considerations. The following are considered relevant to this proposal:

National Planning Policy Framework 2018

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

London Plan (December) 2021

Planning London's Future (Good Growth Policies)

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience

Spatial Development Patterns

- SD7 Town centre network
- SD9 Town centres: Local partnerships and implementation
- SD10 Strategic and local regeneration

Design

- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise

Housing

- H1 Increasing housing supply
- H3 Monitoring housing targets
- H5 Delivering affordable housing
- H7 Affordable housing tenure
- H8 Monitoring of affordable housing
- H10 Redevelopment of existing housing and estate regeneration
- H11 Ensuring the best use of stock
- H12 Housing size mix
- H13 Build to Rent
- H14 Supported and specialised accommodation
- H15 Specialist older persons housing

Social Infrastructure

- S1 Developing London's social infrastructure
- S2 Health and social care facilities
- S3 Education and childcare facilities
- S4 Play and informal recreation
- S5 Sports and recreation facilities

Economy

E2 Low-cost business space

E3 Affordable workspace

E4 Land for industry, logistics and services to support London's economic function

E11 Skills and opportunities for all

Heritage and Culture

HC1 Heritage conservation and growth

HC3 Strategic and Local Views

Green Infrastructure and Natural Environment

G1 Green infrastructure

G3 Metropolitan Open Land

G4 Local green and open space

G5 Urban greening

G6 Biodiversity and access to nature

G7 Trees and woodlands

G8 Food growing

Sustainable Infrastructure

SI1 Improving air quality

SI2 Minimising greenhouse gas emissions

SI3 Energy infrastructure

SI4 Managing heat risk

SI5 Water infrastructure

SI6 Digital connectivity infrastructure

SI7 Reducing waste and supporting the circular economy

SI8 Waste capacity and net waste self-sufficiency

SI10 Aggregates

SI12 Flood risk management

SI13 Sustainable drainage

Transport

T1 Strategic approach to transport

T2 Healthy Streets

T3 Transport capacity, connectivity and safeguarding

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking

T6.1 Residential parking

T6.5 Non-residential disabled persons parking

T7 Deliveries, servicing and construction

T8 Aviation

T9 Funding transport infrastructure through planning

Funding the London Plan

DF1 Delivery of the Plan and Planning Obligations

Monitoring

M1 Monitoring

London Plan Supplementary Planning Guidance /Documents
Providing for Children and Young People's Play and Informal Recreation
Good Practice Guidance for Estate Regeneration
Character and Context SPG
Use of planning obligations in the funding of Crossrail, and the Mayoral CIL

Sustainable Design and Construction SPG
London Environment Strategy
Shaping Neighbourhoods: Character and Context
The control of dust and emissions during construction and demolition
Accessible London: Achieving an Inclusive Environment
Social Infrastructure
Housing SPG
Affordable Housing and Viability SPG
Transport Strategy

Ealing's Adopted Development (or Core) Strategy 2012
1.1 Spatial Vision for Ealing 2026 (a), (e), (f), (g), (h), (i), (j) and (k)
1.2 Delivery of the Vision for Ealing 2026 (a), (d), (f), (h) and (m)
3.8 Residential neighbourhoods
4.1 Enhance Residential Hinterlands
5.4(a) Protect the Natural Environment - Biodiversity and Geodiversity
5.5 Promoting Parks, Local Green Space and Addressing Deficiency
6.1 Physical infrastructure
6.2 Social Infrastructure
6.3 Green infrastructure
6.4 Planning Obligations and Legal Agreements

Ealing's Development Management Development Plan Document 2013
2.18 Ealing Local Variation - Green Infrastructure: The Nature of Open and Green Spaces
3.4 Ealing Local Variation - Optimising Housing Potential
3.5 Ealing Local Variation - Quality and Design of Housing Developments
3A Affordable Housing
4A Employment Uses
4B Retail
5.2 Ealing Local Variation - Minimising Carbon Dioxide Emissions
5.10 Ealing Local Variation - Urban Greening
5.11 Ealing Local Variation - Green Roofs and Development Site Environs
5.12 Ealing Local Variation - Flood Risk Management
5.21 Ealing Local Variation - Contaminated Land
6.13 Ealing Local Variation - Parking
7A Amenity
7.3 Ealing Local Variation - Designing Out Crime
7.4 Ealing Local Variation - Local Character
7.7 Ealing Local Variation - Location and Design of Tall and Large Buildings

7B Design Amenity
7C Heritage
7D Open Space

EA Presumption in Favour of Sustainable Development

Adopted Supplementary Planning Documents
Sustainable Transport for New Development SPD December 2013
Site Allocation OIS6 of Development Sites DPD December 2013

Interim / Draft Supplementary Planning Guidance
SPG 3: Air Quality
SPG 4 Refuse and recycling facilities
SPG 9 Trees and development guidelines
SPG 10 Noise and Vibration
SPD 9 Legal Agreements, Planning Obligations and Planning Gain
- Ealing Tree Strategy 2013 to 2018 (August 2013)

Other Material Considerations

BRE Site layout planning for daylight and sunlight (2011)
Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006)
BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise
DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
Environment Agency guidance 'Verification of Remediation of Land Contamination', Report: SC030114/R1'.
London Plan Housing - Supplementary Planning Guidance

In reaching the decision to grant permission, specific consideration was given to the information contained in the applicant's Environmental Statement and other technical reports submitted with the application. Consideration was given to the impact of the proposed development on the amenities of neighbouring properties and on the character and appearance of the wider area. Consideration was also given to placemaking, the quality of the residential development, the level of provision of affordable housing and the impact of the proposed commercial aspects in relation to both the proposed and existing neighbourhoods and nearby local centres. Consideration was also given to the impact of the development on the local transport network and the satisfactory provision of car parking and cycle parking facilities alongside the acceptability of the proposed sustainability credentials of the development. Local Development plan policies support the proposed development. Other material matters that were assessed included matters of mitigation including trees and carbon off-setting that resulted in financial contributions; the consideration of objections/comments received from interested parties to date. The proposed development is considered to be acceptable on these grounds and it is not considered that there are any other material considerations in this case that could sustain or justify the refusal of the application.

- 2 In accordance with Regulations 3 and 9 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, it is considered that

this Reserved Matters submission reveals, with regard to the subject matter of the application, that there are no additional or different likely significant environmental effects than is considered in the environmental information already before the Council including the Environmental Statement (submitted with planning permission ref: 182579OUT dated 24/12/2018) and any further and/or other information previously submitted. The environmental information already before the Council therefore remains adequate to assess the environmental effects of the development and has been taken into consideration in this decision.

- 3 This development is covered by an extant Agreement under Section 106 of the Town and Country Planning Act (as amended) associated with planning permission ref: 182579OUT dated 24/12/2018).
- 4 The revised Mayor's Community Infrastructure Levy (CIL) was adopted on 01/04/2019. This has introduced a revised charging system within Ealing of £60 per sqm of gross internal area to be paid to the GLA. However, the current application is a conditions application pursuant to the 2018 Masterplan Permission (with planning permission ref: 182579OUT dated 24/12/2018), which is regulated by the previous Mayor's CIL (adopted on 01/04/2012) with a revised charging system within Ealing of £35 per sqm of gross internal area. On the basis of the information submitted with the application, the proposed development would be liable to pay CIL due to the development comprising of new residential units and development of over 100sq.m (not exempt from the Mayors CIL).
- 5 Construction and demolition 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. Prior to commencement of building works, details of mitigation measures to control the release of asbestos fibres shall be submitted to this section for approval.
- 6 Prior to the commencement of any site works and as works progress, all sensitive properties surrounding the development 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.
- 7 The applicant is reminded that they are required to enter into a S.278 / S.38 Agreement with the Local Highways Authority with respect to the proposed works to the adopted highway, including alterations to the existing footways on Bollo Bridge Road, Osborne Road and Stafford Road and other works to the adopted highway that are necessary to facilitate the delivery of the approved development. In this regard, the Local Highways Authority has expressed a strong preference for the parking area to the north of the proposed nursery (at the eastern end of Osborne Road) to form part of the adopted highway. The applicant would be liable to pay the fees associated with entering into the Agreement.
- 8 The reserved matters application includes details pursuant to a number of conditions of the extant 2018 Masterplan Permission. These details were

considered as part of the reserved matters determination for Plot 7.2 and therefore consequential approval - only insofar as it directly relates to Plot 7.2 - is Granted for the following conditions:

Submission concurrent to Plot 7.2 Reserved Matters Application

Condition	Reference	Description	Status
9	211590CND	Details of Sunlight and Daylight Report	Approve
10	211846CND	Details of Microclimate Assessment	Approve
11	211848CND	Details of Wind Assessment	Approve
12	211849CND	Details of Flood Risk Assessment	Approve
13	211850CND	Details of Swept Paths	Approve
14	211852CND	Walking and Cycling Study	Approve
15	211853CND	Details of Cycle Parking	Approve
16	211854CND	Details of Fire Statement	Approve
17	211857CND	Details of Open Space Surveys	Approve
18	211858CND	Details of Open Space Design	Approve
23	211859CND	Active Design Statement	Approve

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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.