

Place Directorate



NOTICE OF PLANNING DECISION

Miss Emily Penkett
Plainview Planning Ltd
The Malt House
Cowley
Cheltenham
GL53 9NJ

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

Reference Number:
220337FUL

Direct line:
020 8825 6600

Date:
17 08 22

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: 08.02.2022

Drawings/Schedules References:

PL00 rev C, PL01 rev A, PL02, PL03, PL04, PL05, PL06, PL07 rev C, PL08 rev B, PL09 rev A, PL10 rev A, PL11 rev A, PL012 rev A, PL13 rev B, PL14 rev B, PL15 rev A, PL16 rev B, PL17 rev A, PL18 rev A, PL19 rev A, Noise Assessment - NOVA Acoustics Ltd - 6443AE - V2 - BS8233 dated 01/06/2022, Transport Assessment by TPA dated January 2022, Design and Access Statement dated May 2022, Heritage Statement by Mola dated 07/01/2022, Daylight and Sunlight Report by Jonathan Nash LLB dated 24 January 2022,

Site: 1,1A,1B,2,2A,2B,2C Teignmouth Parade Bideford Avenue Perivale Middlesex UB6 8BZ

Proposal: Construction of a four storey building, comprising nine flats with a ground floor commercial unit (Use Class E), associated cycle/refuse storage and amenity space, (Following demolition of existing shops and commercial premises)

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: - 17 August 2022

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Reference No. 220337FUL

1 The development to which this permission relates shall be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990.

2 The development hereby approved shall be carried out in accordance with the drawings and documents outlined above.

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

3 Notwithstanding any information submitted with this application, details of the materials to be used for the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby approved is commenced. The details shall be fully implemented as approved.

Reason: To ensure that the materials harmonise with the surroundings in accordance with policies 7.4, 7.6 and 7B of the Ealing Development Management DPD (2013), policies 1.1 (h), 1.2 (g) and 2.10 of the Ealing Development (Core) Strategy (2012), and policy D4 of the London Plan (2021).

4 Details shall be submitted for the approval of the Local Planning Authority before any development is commenced (except site clearance and demolition), of an air quality assessment and appropriate fresh air ventilation measures to all habitable rooms, detailing air supply location. The ventilation system as approved shall be completed prior to occupation and shall be retained permanently thereafter.

Reason: To safeguard the amenity of future residents and ensure appropriate air quality standards, in accordance with policies D6 and SI 1 of the London Plan (2021), policies 1.1(e) and 1.1(j) of Ealing's Development (Core) Strategy (2012) and Ealing Supplementary Planning Guidance 3 'Air Quality and Pollution'.

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

Reason: To safeguard the amenity of future residents and ensure appropriate air quality standards, in accordance with policies D6 and SI 1 of the London Plan

(2021), policies 1.1(e) and 1.1(j) of Ealing's Development (Core) Strategy (2012) and Ealing Supplementary Planning Guidance 3 'Air Quality and Pollution'.

6 Prior to the first use of the balconies hereby approved, the privacy screens identified on the approved drawings listed under condition 2 shall be installed. The privacy screens shall be retained for the lifetime of the development.

Reason: To protect the living conditions of neighbouring properties in accordance with policies D3 and D6 of the London Plan (2021), policies policy 7.4 and 7B of the Ealing Development Management DPD (2013) and policies 1.1 and 1.2 of the Ealing Core Strategy (2012).

7 Delivery and Servicing Plan including Refuse And Recycling Collection

A delivery and servicing plan shall be submitted to and approved in writing by the Local Planning Authority, prior to first occupation of any part of the development hereby approved. The plan shall cover the following:

- o Vehicle tracking - Swept paths drawings for a refuse lorry vehicle, 10-metre rigid vehicle and a fire appliance vehicle;

- o Deliveries and collections (both commercial and residential); including how deliveries will be scheduled to avoid several lorries arriving at the site simultaneously;

- o Servicing trips (including maintenance); and measures to reduce the number of freight trips to the site (freight consolidation);

- o Details for the management and receipt of deliveries for the residential properties.

- o Cleaning and waste removal; including arrangements for refuse collection;

- o Monitoring and review of operations.

- o The DSP should also include a Refuse and Recycling Management Plan for collection. This will detail the collection points for bins, drag distances for bins and when bins will be set out for collection and returned to the stores.

The delivery and servicing plan shall be implemented on first occupation of any part of the development hereby approved and the site shall be managed in accordance with the approved plan for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenities of future and neighbouring occupiers in accordance with policies, T4, T5, T6, S118 and D14 of the London Plan (2021) and 7A of the Ealing DPD (2013) and the NPPF (2021).

8 Demolition Method Statement and Construction Management Plan

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

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

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

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

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

10 Thames Water

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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

11 Transport/commercial/industrial/cultural noise sources

Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval in writing, of external noise levels from transport and industrial/ commercial/ cultural sources outside any Covid19 restrictions or holiday periods, having regard to the assessment standards of the Council's SPG10. 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. Best practicable mitigation measures shall also be implemented, as necessary, in external amenity spaces to achieve criteria of 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 policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), policy D14 of The London Plan (2021), Ealing SPG10 and the National Planning Policy Framework (2021)

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

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

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies ... 1.1(j) of the Ealing Core Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies and D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

13 Anti- vibration mounts and silencing of machinery etc.

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

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

Strategy (2012), policy 7A of the Ealing Development Management Development Plan Document (2013), policies and D14 of the London Plan (2021), the National Planning Policy Framework (2021) and Interim guidance SPG 10 'Noise and Vibration'

14 Separation of noise sensitive rooms in neighbouring flats

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

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

15 Separation of commercial and communal uses and facilities from dwellings

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

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

16 Lifts

Prior to commencement of the development, details shall be submitted to the Council for approval in writing, of enhanced sound insulation of lifts and lift shafts, in accordance with noise limits specified in Table 5 BS8233:2014. Where noise

emissions include characteristic features, the Noise Rating level shall not exceed NR20 Leq 5mins inside a habitable room. Details shall include mitigation measures and the resulting sound insulation value and internal sound/rating level. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

17 Ultra-low Nox boiler

The dwellinghouse shall be equipped with an Ultra Low NOx boiler with maximum NOx Emissions of under 0.030 g/kWh prior to occupation. The works shall be completed prior to occupation and thereafter permanently retained.

Reason: In the interest of addressing climate change and to secure sustainable development, in accordance with policies 1.1 & 1.2 of the Ealing Core Strategy (2012), policy 5.2 of the Ealing Development Management Development Plan Document (2013), policy SI2 of the London Plan (2021), and the National Planning Policy Framework (2021).

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

INFORMATIVES:

- 1 The decision to grant planning permission has been taken having regard to National Policy, the London Plan, local policies and to all relevant material considerations including Supplementary Planning Guidance:

The National Planning Policy Framework (2021)

The London Plan (2021):

Policy D1 London's form, character and capacity for growth

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D6 Housing quality and standards

Policy D14 Noise

Policy H1 Increasing housing supply

Policy HC1 Heritage

Policy H9 Ensuring the best use of stock

Policy SI 8 Waste capacity and net waste self-sufficiency

Policy S4 Play and informal recreation

Policy T5 Cycling

Policy T6 Car Parking

Policy T6.1 Residential parking

Adopted Development (Core) Strategy (2012)

1.1 Spatial Vision for Ealing

1.2 Delivery of the Vision for Ealing 2026

2.1 Realising the potential of the Uxbridge Road / Crossrail Corridor (a) (c)

2.10 Residential Neighbourhoods

3.8 Residential Neighbourhoods

6.4 Planning Obligations and legal agreements

Ealing Development Management Development Plan Document (2013)

Policy 3.4: Optimising housing potential

Policy 3.5: Quality and design of housing development

Policy 6.13 - Parking

Policy 7.3 Designing out crime

Policy 7.4 - Local Character

Policy 7A - Amenity

Policy 7B - Design amenity

Policy 7C - Heritage

Policy 7D - Open Space

Other Material Documentation:

Ealing Housing Design Guidance (2022)

Interim SPG 4 Refuse and Recycling Facilities
Interim SPG 10 Noise and Vibration

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. 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.

2 The developer/applicant is hereby advised to remove all site notices on or near the site that were displayed in pursuant to the application.

3 Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

4 Permitted hours for building work

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

Notification to neighbours of demolition/ building works

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

should be provided regularly to affected neighbours. Any complaints should be properly addressed as quickly as possible.

Dust

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

Dark smoke and nuisance

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

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

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

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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.