

Ref :	165092OPDFUL	
Address:	Nash House, Old Oak Lane, Park Royal NW10 6UA	
Ward:	East Acton	
Proposal:	Change of use from student accommodation (inclusive of a maximum of 30% for young professionals (ages 21 to 35)/ employed graduates) to shared living accommodation for students, employed graduates and young professionals (ages 18 - 35) (a maximum of 80%, and inclusive of minimum of 20% for students) with 323 bedrooms (Departure Application)	
Drawing numbers:	Drawings: Location Plan, A-P-102, A-P-103, A-P-104, A-P-105. Documents: DP9 Affordability Statement dated 30 th September 2016; DP9 Cover Letter dated 30 th September 2016.	
Type of Application:	Full	
Application Received:	30/09/2016	Revised: N/A

Report by: Emma Lewis

Recommendation: Grant subject to Conditions and Legal Agreement

Executive Summary:

Planning permission is sought for the change of use from student accommodation (inclusive of a maximum of 30% for young professionals (ages 21 to 35)/ employed graduates) to shared living accommodation for students, employed graduates and young professionals (ages 18 – 35) (a maximum of 80%, and inclusive of minimum of 20% for students) with 323 bedrooms (Departure Application).

The proposed development would be positioned within a sustainable location along Old Oak Lane which would make a valuable contribution to the housing stock within the borough. The proposal has been assessed against relevant planning policies; the site context and surroundings; relevant planning history and other material planning considerations.

Particular consideration has been given to:

- The principle of the development;
- The suitability of the site for the proposed use;
- The layout of the proposed development;
- The impact of the proposal on adjoining occupiers and land uses; and
- The traffic/highway impacts.

The external design of the building would remain unchanged under this proposal. The scale and intensity of the development is considered to be highly suitable for this location.

The development would minimise the impact on the amenity and living conditions of adjoining occupiers. Adequate living conditions would be provided for future residents in terms of the internal floorspace and layout. The on-site outdoor amenity space provision would be acceptable and would provide high quality environment for prospective occupiers.

The site is located in an accessible location with a good public transport accessibility level. As such, the shortfall of on-site parking provision is considered acceptable. A parking permit restriction would be secured through a section 106 legal agreement to ensure that future occupiers would not be entitled to parking permits to ensure that parking stress in the area would not be exacerbated by the proposal.

No objections have been received to the scheme. The report concludes that the development is an appropriate use for the site and would not result in any harm to the amenities of the neighbouring occupiers. The report also concludes that the development would not give rise to increased parking pressure in the area and would provide an appropriate level of internal and outdoor amenity for future occupiers.

It is considered that the proposal is consistent with the aims of the relevant policies of the Ealing Development Management Development Plan 2013, Ealing Core Strategy (2012), The London Plan (2016), Relevant Supplementary Planning Guidance, the National Planning Policy Framework (2012) and emerging planning policy documents. It is therefore recommended that planning permission should be approved with conditions, subject to a legal agreement.

Recommendation:

Grant subject to Conditions and Legal Agreement

That the committee GRANT planning permission subject to the satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following:

- i) 30% (equating to 82 bedspaces) to be provided at a discount market rent (10% rooms at 80% of the market rent and 20% at 90% market rent);
- ii) Transport contribution of £5,000 towards a waiting restriction review (*on the basis that young professionals are more likely to own a car than students, there would be a need to review existing waiting restrictions in proximity to the site*);
- iii) Restrictions put in place to restrict the future occupiers of the development from obtaining parking permits within the Controlled Parking Zone;
- iv) Payment of the Council's reasonable legal and other professional costs incurred preparing and completing the Legal Agreement.

AND subject to the following conditions:

Conditions/Reasons:

Time Limit

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

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

Approved Plans

2. The development hereby approved shall be carried out in accordance with drawing title number(s) A-P-102, A-P-103, A-P-104, A-P-105.

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

Refuse and recycling storage facility

3. The existing refuse and recycling storage facility for the approved student accommodation under outline application P/2010/2215 dated 06/10/2011 and reserved matters application P/2013/5460 dated 31/01/2014 (as amended by P/2014/5775 dated 30/10/2015) shall be utilised by this development.

Reason: To protect the living conditions of occupiers of the area and in the interests of the future occupants of the development in accordance with policies with policies 3.5 and 7B of the Ealing Development Management Plan 2013, policies 1.1 (e) of the Adopted Ealing Development (Core) Strategy and The London Plan (2015) policy 5.16.

Cycle Storage

4. The existing cycle storage facility for the approved student accommodation under outline application P/2010/2215 dated 06/10/2011 and reserved matters application P/2013/5460 dated 31/01/2014 (as amended by P/2014/5775 dated 30/10/2015) shall be utilised by this development.

Reason: To protect the living conditions of occupiers of the area and in the interests of the future occupants of the development in accordance with policies with policies 3.5 and 7B of the Ealing Development Management Plan 2013, policies 1.1 (e) of the Adopted Ealing Development (Core) Strategy and The London Plan (2015) policy 5.16.

Occupancy

5. A maximum of 80% of the bedspaces shall be occupied by employed graduates and young professionals. The remainder of the bedspaces shall be retained as student accommodation.

Reason: To accord with the terms of the application and in accordance with the permission given.

Informatives

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the Adopted Ealing Development Plan, the Adopted Development (Core) Strategy, the London Plan and to all relevant material considerations including Supplementary Planning Guidance:

National Planning Policy Framework (2012)

1. Building a strong, competitive economy.
4. Promoting sustainable transport.
6. Delivering a wide choice of high quality homes.
7. Good quality design.

London Plan - Consolidated (2016):

2.6 Outer London: Vision and strategy
2.8 Outer London: Transport
3.3 Increasing housing supply
3.4 Optimising housing potential
3.5 Quality and design of housing developments
3.8 Housing choice
3.9 Mixed and balanced communities
4.12 Improving opportunities for all
6.1 Strategic approach
6.3 Assessing the effects of development on transport capacity
6.5 Funding crossrail and other strategically important transport infrastructure
6.9 Cycling
6.10 Walking
6.11 Smoothing traffic flow and easing congestion
6.12 Road network capacity
6.13 Parking
Table 6.2
Table 6.3
7.1 Building London's neighbourhoods and communities
7.2 An inclusive environment
7.4 Local character
7.5 Public realm
7.6 Architecture
7.13 Safety, security and resilience to emergency
7.14 Improving air quality
7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
8.2 Planning obligations
8.3 Community infrastructure levy

Supplementary Planning Guidance /Documents

Accessible London: achieving an inclusive environment
The Mayor's Transport Strategy
Housing
London Housing Supplementary Planning Guidance Sustainable Design & Construction
The London Housing Strategy
Technical Housing Standards – Nationally Described Space Standards March 2015

Adopted Development (Core) Strategy 2012:

1.1 Spatial Vision for Ealing (a), (b), (d), (e), (f), (g), (h), (j), (k)
1.2 Delivery of the Vision for Ealing 2026 (a), (c), (d), (f), (g), (h), (k), (m)
2.1 Realising the Potential of the Uxbridge Road/Crossrail Corridor (a), (b), (c), (d), (e)
6.4 Planning Obligations and Legal Agreements

Ealing Development Management Development Plan Document 2013

Ealing Local Variation to London Plan Policy 3.4 Optimising Housing Potential
Ealing Local Variation to London Plan Policy 3.5 Quality and Design of Housing Developments
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 7D Open Space
EA Presumption in Favour of Sustainable Development

Other Material Documentation – Interim Planning Policy Guidance / Documents

Interim SPG 3: Air Quality
Interim SPG 4: Refuse and Recycling
Interim SPG 10: Noise and Vibration
Interim Supplementary Planning Guidance 16 Hostels
Sustainable Transport for New Development SPD December 2013

In reaching the decision to grant permission, specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and on the character of the surrounding area as a whole. The proposal is considered acceptable on these grounds, and it is not considered that there are any other material considerations in this case that would warrant a refusal of the application.

2. 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.

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.

3. 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.

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

5. The Old Oak and Park Royal Development Corporation (OPDC) became the local planning authority for the Old Oak and Park Royal Mayoral Development Area (within which the application site is located) on 1 April 2015. The application has been determined by Ealing Council under a scheme of delegation agreed between the two authorities.

Site Description

The application site comprises 0.44 ha located on the north western side of Old Oak Lane to the north of the junction of Old Oak Lane, Old Oak Common Lane, Victoria Road and Atlas Road.

Atlas Wharf and the Grand Union Canal border the site to the northeast. A bus depot and retail warehouses abut the northwest of the site. Opposite the site on Old Oak Lane lie a number of varying commercial buildings interspersed with Victorian cottages.

The site is located within a Strategic Industrial Location designated on the Proposals Map of the adopted Ealing Development Management Development Plan, with the north eastern portion within a CrossRail Safeguarding Area. The adjoining Grand Union Canal is designated as a Conservation Area, a Green Corridor and a Blue Ribbon Network.

Old Oak Lane forms part of the A4000, a main distributor road. North Acton Underground Station on the Central Line is located approximately 950 m to the southwest; approximately a 12 minute walk. Willesden Junction Station on the Bakerloo Line and London Overground routes is approximately 750 m to the northeast; approximately an 8 minute walk. North Acton Station can be accessed by bus route 266, which stops immediately outside the site. The site has a Public Transport Accessibility Index of 4 on a scale of 1 to 6 where 6 is the most accessible.

At this location, Old Oak Lane forms the boundary with the London Borough of Hammersmith and Fulham to the east.

The Proposal

Planning permission is sought for the change of use from student accommodation (inclusive of a maximum of 30% for young professionals (ages 21 to 35)/ employed graduates) to shared living accommodation for students, employed graduates and young professionals (ages 18 – 35) (a maximum of 80%, and inclusive of minimum of 20% for students) with 323 bedrooms (Departure Application).

Outline planning permission (P/2010/2215) was granted on 06/10/2011 for the redevelopment of the site to include 323 bedrooms of student accommodation. On 31/01/2014, a reserved matters application (P/2013/5460) was approved for 323 bedrooms of student accommodation on the site. Subsequent to this, a minor material amendment application (P/2014/5775) was approved which secured for amendments to the original permission to provide for shared living accommodation for students and maximum of 30% young professionals (ages 21 to 35) and employed graduates. This application is seeking to expand this to 80% with 20% for student accommodation.

546 bedspaces were originally approved (323 bedrooms) for student accommodation. This was amended to 382 bedspaces for student accommodation and 164 for young professionals and employed graduates under a section 73 application (ref: P/2014/5775) which was approved by the Council. This application seeks to amend this to 437 bedspaces for young professionals and employed graduates and 109 bedspaces for students. No changes are proposed to the external appearance of the building, the number of occupiers within the building and the internal layout would also remain unchanged.

The applicant has advised that the shift is not for financial reasons as the operational rents of non-subsidised student accommodation and the proposed rental package here are the same. The shift is to ensure a different dynamic and the opportunity for young workers to be able to access affordable quality accommodation that is not part of the more traditional student halls experience.

Relevant Planning History

App Number	Proposal	Status	Decision Date
P/2010/2215	Demolition of existing office building and redevelopment by a mixed use building of 13,824 sq m (Gross external area) comprising of 2,953 sq m (gross internal area) of business space (B1 use class),	Granted Conditionally	06/10/2011

	462 sq m (gross internal area) of retail space (A1 use class), 190 sq m (gross internal area) of community / business floorspace and 323 bedrooms of student accommodation with vehicle/pedestrian access from Old Oak Lane.(Outline application - permission sought for access only)		
P/2013/5460	Application for Reserved matters (Appearance, Landscaping, Layout and Scale) following approval of Outline Planning Permission (ref: P/2010/2215) for Demolition of existing office building and redevelopment of part 8, part 11 storey mixed use building of 15,897 sq m (Gross external area) comprising of 2,953 sq m (gross internal area) of business space (B1 use class), 462 sq m (gross internal area) of retail space (A1 use class), 190 sq m (gross internal area) of community / business floorspace and 323 bedrooms of student accommodation with vehicle/pedestrian access from Old Oak Lane.(Outline application - permission sought for access only).	Granted Conditionally	31/01/2014
P/2014/5775	Variation of condition 4, 10, 20 and 22 of planning permission ref P/2010/2215 dated 06/10/2011; Demolition of existing office building and redevelopment by a mixed use building of 13,824 sq m (Gross external area) comprising of 2,953 sq m (gross internal area) of business space (B1 use class), 462 sq m (gross internal area) of retail space (A1 use class), 190 sq	Granted Conditionally	30/10/2015

	m (gross internal area) of community / business floorspace and 323 bedrooms of student accommodation with vehicle/pedestrian access from Old Oak Lane. (Outline application - permission sought for access only). Amendments to provide for shared living accommodation for students and maximum of 30% young professionals (ages 21 to 35) and employed graduates.		
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Consultation:**Public:**

The proposal was advertised by way of a newspaper notice and 21 site notices erected around the site on 17/10/2016. The consultation period expired on 11/11/2016. No response received.

Internal:

Consultee	Comments	Officer Response
Transport Services	The change of use from student accommodation to young professionals, if not accompanied by changes to the internal layout is unlikely to have a significant traffic impact. One concern is that young professionals are more likely to own a car than students and so there may be a need to review existing waiting restrictions. Also, cycle parking for the young professional will be same as that of a studio flat (1:1) as against student accommodation (1: 2). The applicant is therefore requested to confirm what this means in terms of the number of cycle parking spaces and make the required provision. A contribution of 5k towards waiting restriction review is recommended. Transport would raise no objection to the proposal subject to addressing the two points raised above.	<i>Noted and included within the recommendation. The applicant has agreed to the s106 restriction on parking permits and the £5,000 contribution. When the Council considered the s73 application to alter the approved student accommodation to include 30% young professionals, the existing and approved cycle parking was considered to be acceptable for the proposal. On that basis, it is considered that the existing provision would also be acceptable in this instance.</i>
Regulatory Services (Pollution Technical)	No objection to the proposal.	<i>Noted</i>
Housing Service	No objection. Given that this is not a traditional housing scheme and is accommodation that would fall within Sui Generis, there is no policy requirement for affordable housing on this site. However,	<i>Noted and secured through a s106 legal agreement</i>

	the applicant has offered 30% of the rooms at a sub-market rent (10% units at 80% of the market rent and 20% at 90% market rent). This would equate to 82 bed spaces. This offer is considered to be acceptable.	
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External:

Consultee	Comments	Officer Response
OPDC	No response	<i>Noted</i>
GLA	Off-site contributions to conventional C3 affordable housing should be pursued in such situations, rather than an on-site discounted rent approach. Also where a PP is granted on the basis that rents will be a certain proportion of local income, then a means to ensure that this would happen in perpetuity should be secured. Non self-contained affordable housing of the sort proposed here should not be badged or described as a London Living Rent product – as LLR is designed for conventional C3 housing. The GLA intend to develop and propose minimum standards for this type of accommodation and that this approach would be set out in the next iteration of the London Plan or through a revision to the current Housing SPG.	<i>Noted. This response from the GLA has been considered by the Council's Housing Team who has stated that the Council's preference for this scheme is for 30% of the units to be provided at a Discount Market Rent. This position was agreed between the Housing Department and the applicant prior to this response being received by the GLA and, as such, this agreed position will be maintained in this instance. However, it has been agreed that future applications for similar products will consider this suggested approach by the GLA. The discount market rent units would be secured through a s106 legal agreement.</i>
TfL	No objection	<i>Noted</i>
Park Royal Partnership Ltd	No response	<i>Noted</i>
London Borough of Hammersmith & Fulham	No objection	<i>Noted</i>
Ward Councillors	No response	<i>Noted</i>
Environment Agency	No objection. The proposed development lies within 250m of a large waste facility operating 24hrs a day which could result in the community at the proposed development being exposed to odour, noise, dust and pest impacts. The severity of these impacts will depend on the size of the facility, the nature of the waste it takes and prevailing weather conditions. If the operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts, the facility and	<i>Whilst there may be some reverse amenity impacts from surrounding development on the proposed use, the approved use of the building for student accommodation would be similar in nature to the proposal and, as such, it would not be considered appropriate to resist the application on that basis.</i>

	community will co-exist, with some residual impacts. In some cases, these residual impacts may cause local residents concern, and there are limits to the mitigation the operator can apply. Only in very exceptional circumstances would we revoke the operators permit.	
NHS Property Service	No response	<i>Noted</i>
London Wildlife Trust	No response	<i>Noted</i>
Canals Committee	No response	<i>Noted</i>
Inland Waterways Association	No response	<i>Noted</i>
Island Triangle Residents Association	No response	<i>Noted</i>

Planning Policies:

Please see informative section above for a full policy list

Reasoned Justification/Remarks:

This proposal has been assessed against the relevant policies of the Adopted Development (Core) Strategy, the London Plan - Consolidated (2016), the Ealing Development Management Development Plan 2013 and Interim Supplementary Planning Guidance/Documents. A detailed assessment of the proposal is set out as follows:

The Principle of the Proposal

The site is located within a Strategic Industrial Location with preferred use categories being industrial type uses. London Plan policies 2.7, 2.13, 2.17, 4.1 and 4.4, Development Strategy policies 1.1(c) and 3.3(a) are relevant with regards to business and industry uses, especially in Strategic Industrial Locations, Preferred Industrial Locations, Industrial Business Parks and in Park Royal.

These policies support the retention of general industrial, storage and distribution, waste management, recycling, some transport related functions, utilities, wholesale markets and other industrial related activities. They also seek to provide suitable workspace to address future needs of different types of employment use.

The site is located within the Park Royal Opportunity Area as identified on map 2.4 of the London Plan. Policy 2.13 of the London Plan seeks to ensure that strategic policy objectives for these areas are protected.

Policy 2.17 of the London Plan states that strategic industrial locations are London's main reservoirs of industrial activity including general and light industrial uses, logistics, waste management and environmental industries, utilities, wholesale markets and some transport functions. The policy states that applications should be refused unless they fall within these land use categories.

This proposal would not result in the loss of any industrial activity on the property with the approved use of the building being for student accommodation and 30% shared living with a mix of uses on the ground floor. On that basis, it would be considered inappropriate to refuse this application in the strategic industrial location on the basis that it does not comply with the aforementioned policies.

Increasing the current stock of specialist housing is an important strategic objective for the London Borough of Ealing, supported by London Plan policy 3.8 which states that *“Shared accommodation or houses in multiple occupation are a strategically important part of London’s housing offer, meeting distinct needs and reducing pressure on other elements of the housing stock, though their quality can give rise to concern”*.

This policy is reinforced by policy 3B of the Ealing Development Management Development Plan which provides that the development of special residential accommodation will be supported where it meets the identified needs of a special local group.

Ealing Council Housing Strategy for the period 2014-2019 contains a key priority to increase housing choice in the borough. It is considered that the proposed development would make a valuable contribution to this housing choice.

As demonstrated by the applicant, *The Collective* is a new concept that provides high quality ultra-modern and low cost accommodation across London. This particular model is specifically designed for employed graduates and young professionals and would provide individual bedrooms with shared services, a high degree of servicing and 24 hour concierge. The proposal would provide accommodation for the young working population in London who cannot afford to access the traditional C3 residential market through renting or buying a flat.

The density of the development would remain unchanged from that of the existing and approved scheme and, as such, there are no concerns in this respect. Furthermore, the number of occupiers and internal layout would also remain as previously approved.

It is therefore considered that the principle of the development in this area is acceptable, subject to compliance with the relevant London Plan policies, the Ealing Development Management Plan policies and Supplementary Planning Guidance/ Documents.

Design and Appearance

Sections 6, 7, 8 and 12 of the NPPF, London Plan policies 3.5, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7, policies 1.1(g), 1.1(h), 1.1(k) and 1.2(g) in the Development Strategy and Ealing Local Variation to London Plan policies 3.5, 7.3 and 7.4 and policy 7B of the Development Management DPD are relevant with regards to the design of new development.

The external appearance and design of the building would remain unchanged and no external alterations are proposed.

Impact on Nearby Occupiers

London Plan policies 7.6 and 7.15, Development Strategy policies 1.1(g) and (j) and Ealing Development Management Development Plan Document policies 7A and 7B are relevant with regards to the impact on the amenities of neighbouring residential properties.

The proposal would be comparable to the existing accommodation provided on site. It would, therefore, not have a detrimental impact on the existing student accommodation (some of which would be retained within the building).

Surrounding uses are largely industrial and commercial in nature and, as such, the proposal would not have a detrimental impact upon these uses. Whilst there may be some reverse amenity impacts from surrounding development on the proposed use, the approved use of the building for student accommodation would be similar in nature to the proposal and, as such, it would not be considered appropriate to resist the application on that basis.

Given the above, it is not considered that the proposal would result in any unacceptable impacts on the amenities of nearby occupiers in terms of visual intrusion, noise and disturbance, loss of light and privacy, in accordance with policy 7B of the Ealing Development Management Development Plan 2013 and the National Planning Policy Framework.

Quality and layout of proposed living accommodation

London Plan policy 3.5 'Quality and Design of Housing Developments' and Ealing Local Variation to London Plan policy 3.5 require that housing developments should be of the highest quality internally and externally.

Given that the proposal is for sui generis residential accommodation rather than self-contained private units, regard has been given to the standards provided in Ealing's Interim Supplementary Planning Guidance 16 'Hostels' and the London Plan / Technical Housing Standards. The Council's interim SPG16 'Hostels' specifies that single bedrooms should have a minimum area of 6.5sqm and double rooms should have an area of 10.2sqm. The Technical Housing Standards set out that a single rooms should have an area of 7.5sqm and a double room should have a minimum area of 11.5sqm. All proposed rooms within the development would comply with this minimum standard with room sizes ranging from 13.5sqm to 27.5sqm.

All rooms would be provided with windows which would provide adequate outlook and natural light which would allow for good living conditions for future occupiers of the development.

Therefore, the proposed internal accommodation would be consistent with the criteria set down under the London Plan 2016, the London Housing Supplementary Planning Guidance, the Technical Housing Standards – Nationally Described Space Standards 2015 and the Interim Supplementary Planning Guidance 16 Hostels.

Amenity Space

Development Management DPD policy 7D requires private garden space for each flat; 5sqm per 1-2 person unit plus 1sqm for each additional occupant. This proposal would not be required to satisfy these figures, however, given that it is not a traditional housing scheme and is classified as Sui Generis.

The approved student accommodation at Nash House included a two second floor level roof terraces of some 824 sq m in total. There is no amenity space standard for student accommodation or for the Sui Generis accommodation proposed, however, the 824sqm currently provided on site would provide some outdoor amenity for future occupiers. This provision was considered to be satisfactory for the student accommodation and the subsequently amended scheme to provide 30% of the rooms for young professionals. Therefore, given that there would be no increase in occupiers on-site as a result

of this proposal, it is still considered that this provision would be satisfactory for the proposal in question.

It is noted that the approved development secured a contribution towards the provision of open space in the vicinity. The developer agreed contributions to help fund improvements to the Park Royal Southern Gateway Public Realm and the adjoining canal. These contributions would ensure that there is sufficient high quality outdoor amenity space for residents in close proximity to the site.

On the basis of the above, the proposal is considered to be acceptable in this respect.

Affordable Housing

London Plan Policy 3.12 requires London Councils to seek the maximum reasonable amount of affordable housing when negotiating on individual and private residential and mixed use schemes. Policy 1.2 (a) of Ealing's Adopted Development (Core) Strategy seeks to ensure that at least 50% of the housing developed in the borough up to 2026 will be affordable housing, as defined in the London Plan, to achieve mixed communities with a range of housing types across the borough to meet need.

Under London Plan policies 3.10, 3.11, 3.12 and 3.13 and Development Strategy policy 1.2(a), 50% of housing provision should be affordable and that there should be a split of 60% affordable rent and 40% intermediate housing.

Given that this is not a traditional housing scheme in C3 use and is accommodation that would fall within Sui Generis, there is no policy requirement for affordable housing on this site. However, the applicant has offered 30% of the rooms at a sub-market rent (10% units at 80% of the market rent and 20% at 90% market rent). This would equate to 82 bed spaces. This offer has been considered and accepted by the Council's Housing Department. This would be secured by a s106 legal agreement and has been included in the recommended heads of terms above.

Environmental Health

London Plan Policy 7.15 'Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes' states developments should seek to reduce noise minimising the existing and potential adverse impacts of noise on, from within, or in the vicinity of development proposals. This policy is supplemented by Interim Supplementary Planning Guidance 10 'Noise and Vibration'.

Surrounding uses are largely industrial and commercial in nature and, as such, the proposal would not have a detrimental impact upon these uses. Whilst there may be some reverse amenity impacts from surrounding development on the proposed use, the approved use of the building for student accommodation would be similar in nature to the proposal and, as such, it would not be considered appropriate to resist the application on that basis. The application has been reviewed by the Council's Regulatory Services (Pollution Technical) Department who has confirmed that they have no objection to the proposal.

Therefore, it is considered that the proposed development would be satisfactory in this respect.

Traffic, Parking and Servicing

London Plan policies 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13, NPPF Chapter 4 (Promoting Sustainable Transport), Ealing Development Strategy policy 1.1(f) and (g) are relevant with regards to transport issues.

The site is not located within a controlled parking zone. However, there are controlled parking zones within the vicinity of the site. As such, the applicant has agreed to enter to a s106 legal agreement with the Council to restrict the issuing of car parking permits for future occupiers of the development to ensure that there would be no increase in parking pressure in the controlled parking zone as a result of the development. The approved development includes 8 car parking spaces. The existing parking provision and allocation would be maintained on site and would not change as part of this proposal.

The Council's Transport Services Department has assessed the scheme and has advised that the change of use from student accommodation is unlikely to have a significant traffic impact. However, on the basis that young professionals are more likely to own a car than students, there would be a need to review existing waiting restrictions in proximity to the site. A contribution of £5,000 towards waiting restriction review has, therefore, been sought and has been agreed to by the applicant.

The approved development on the site included 250 cycle spaces for the student accommodation. The Council's Transport Services Department considers that cycle parking for young professionals would be same as that of a studio flat (1:1) as against student accommodation (1:2). However, when the Council considered the s73 application to alter the approved student accommodation to include 30% young professionals, the existing and approved cycle parking was considered to be acceptable for the proposal. Additionally, given the nature of the accommodation not being a traditional housing scheme and being more akin to student accommodation type model, it is considered that the provision on-site would be acceptable. Furthermore, the proposal has been assessed and considered by Transport for London who has not raised any concern with the proposal and advised that they had no requirements. On that basis, it is considered that the existing provision would also be satisfactory in this instance. A condition has been recommended to secure the existing provision for use by this development.

The London Supplementary Planning Guidance provides that 'refuse stores should be accessible to all residents...and should satisfy local requirements for waste collection'. London Plan policy 5.17 'Waste Capacity' requires the provision of suitable waste and recycling storage facilities in all new developments. The approved development includes a dedicated refuse and recycling storage facility for the student accommodation which would be utilised by the rooms now changing to accommodation for young professionals and employed graduates. The approved and existing refuse storage facility on-site would remain unchanged as part of this proposal. It is, therefore, considered that there would be sufficient refuse storage on site to accommodate the needs of the development. An appropriate condition has been included to secure this, however.

Therefore, the proposed development would be acceptable with respect to traffic, parking and refuse storage.

Mayor's Community Infrastructure Levy

The Mayor's Community Infrastructure Levy (CIL) has introduced a charging system within Ealing of £35 m² of gross internal floor area to be paid to the GLA. This development would not be CIL liable as no new floorspace would be created as a result of the proposal.

Conclusion:

It is considered that the proposal is of a suitable layout and design. On-site provision for refuse storage is provided and the applicant has agreed to enter into a section 106 Legal Agreement to restrict the future occupiers of the site from obtaining parking permits within the Controlled Parking Zone, and as such, it is considered that the development would not have a detrimental impact on the safety of the adjoining highway. The development would have a good quality design and would have an acceptable impact on the surrounding environment. It is therefore considered that the proposal is acceptable and is in accordance with the relevant adopted Ealing Development Management Development Plan policies and government guidelines, which encourage development within existing urban areas and efficient use of land. The application is therefore recommended for approval subject to a legal agreement and subject to appropriate conditions.

Human Rights Act:

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

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