

18 March 2024
Our Ref: 23.1061

Planning Department
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London
W5 2HL

Crowthorne House
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Dear Sir/Madam,

Re: Retrospective planning application for the amendment of materials on the external elevations at 283 High Street, Acton, London, W3 9QU

Introduction

In January 2023, Crest Nicholson ('Crest') signed the Developer Remediation Contract with the Department of Levelling-Up, Housing and Communities (DLUHC). This requires Crest, in accordance with the terms of the contract, to remediate any buildings which meet the criteria as set out in the contract. This specifically seeks to address any life-critical fire safety defects associated with buildings in excess of 11m in height, which were developed or refurbished within the last 30 years.

Following a survey of the existing site in light of the Developer Remediation Contract, Crest identified that the existing brise soleil and balcony decking on 283 High Street, Acton would require remediation.

Crest identified suitable replacement materials, which would not materially affect the external appearance of the building and the remediation works were undertaken.

In order to regularise the remediation works undertaken at the site, this application therefore seeks retrospective planning permission for the replacement of the existing solar shading and balcony decking materials in order to conform to current fire safety standards.

Site Description

The existing site lies on the south side of Uxbridge Road (A4020) to the west of Gunnersbury Lane, comprising a five storey, mixed use property. The ground floor is within commercial use with residential apartments on the upper floors with a setback fifth floor. The property has a stepped down design as it extends south of Uxbridge Road.

The site lies within Action District Centre where the surrounding area is characterised by mixed use schemes, commercial premises being on the ground floor with residential dwellings on upper floors. To the south of the site has a more residential character.



as recognised by



The site also lies within the Acton Town Centre Conservation Area although the site has not been identified as a building of positive merit and therefore its significance to the surrounding Conservation Area can be considered neutral.

Planning History

The site has been subject to a number of planning applications however for brevity, those relevant to this application are listed below.

Reference	Description	Decision and Date
P/2012/1964	Use of ground floor units as retail (Use Class A1), financial and professional services (Use Class A2), restaurants/ cafes (Use Class A3), offices (Use Class B1a), non-residential institutions (Use Class D1) and assembly and leisure (Use class D2). Amendment of planning permission Ref: PP/09/1648 (granted under appeal Ref. APP/A5270/A/09/2112430 dated 01/12/09) for redevelopment (following demolition of the existing bus depot) to provide a part three and five storey mixed use building (incorporating part lower and upper ground floor levels) comprising 1022sqm of retail/food and drink space (A1/A2/A3 and B1a use class) and 85 self-contained flats to upper floor levels (part upper ground to fourth floor levels); vehicle/pedestrian access from Gunnersbury Lane; integral cycle parking; refuse storage and roof-top gardens, hard and soft landscaping.	Granted 10 th August 2012
PP/09/1648	Redevelopment (following demolition of the existing bus depot) to provide a part three and five storey mixed use building (incorporating part lower and upper ground floor levels) comprising 1022sqm of retail/food and drink space (A1/A2/A3 and B1a use class) and 85 self-contained flats to upper floor levels (part upper ground to fourth floor levels); vehicle/pedestrian access from Gunnersbury Lane; integral cycle parking; refuse storage and roof-top gardens, hard and soft landscaping.	Granted at Appeal 1 st December 2009

Proposed Development

This planning application seeks retrospective permission for the replacement of timber decking on the existing balconies and also replacement of the existing brise soleil features. As identified in the accompanying Fire Statement, these were both determined to present a risk to the occupants in the event of a fire. Accordingly, these have been replaced with non-combustible alternatives. In both

cases, the previous features have been replaced with an aluminium based replacement which are manufactured by Zefyr.

Planning Policy Context

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The following sections are relevant to the consideration of this application; Section 12 (achieving well designed places), and Section 16 (conserving and enhancing the historic environment).

Local Planning Policy

The adopted Development Plan for London Borough of Ealing comprises of the London Plan (2021), the Ealing Core Strategy (2012), the Ealing Development Management DPD (2013) as well as any Supplementary Planning Documents and Guidance.

The following policies are considered relevant to the proposed development:

London Plan (2021)

- Policy D4 (Good Design)
- Policy D12 (Fire Safety)
- Policy HC1 (Heritage Conservation and Growth)

Ealing Development Management DPD (2013)

- Policy 7.4 (Local Character)
- Policy 7B (Design Amenity)
- Policy 7C (Heritage)

Planning Assessment

Design, visual and heritage

Policy 7.4 and 7B of the Ealing Development Management DPD requires development to comprise of suitable materials, this is reflected in London Plan (2021) Policy D4.

Policy 7C of the Development Management DPD (2013) requires development to conserve, protect and where possible enhance the Borough's heritage assets. This is reflected within London Plan (2021) Policy HC1.

The amendments to the scheme are necessary in order to meet current fire safety standards. However, the works which have been undertaken are minimal in nature and are not considered to materially affect the external appearance of the building. Although the previous timber materials have been removed and replaced with alternative aluminium, the replacement products have been chosen to imitate the colour and appearance of the previous materials. In addition, the majority of changes, which relate to the balconies, are situated within the courtyard of the existing site.

Accordingly, the majority of alterations will not be visible within the wider public realm. Regardless, given the replacement materials selected, it is not considered that there would be any material alteration to the appearance of the building. The overall design and appearance of the building, as previously approved will therefore, be unaltered.

The character of the Conservation Area will also not be impacted insofar that the majority of the alterations will not be visible from the wider Conservation Area and the materials proposed would not materially alter the appearance of the building. The amendments will therefore, protect the Conservation Area and the overall visual appearance of the site which complies with Policies 7.4, 7B and 7C of the Ealing Development Management DPD (2013).

Fire safety

Policy D12 of the London Plan requires all development proposals to achieve the highest standards of fire safety and ensure that they are suitably designed. Part B of the policy requires all major development proposals to be submitted with a fire statement that includes the products and materials used.

A Fire Statement accompanies this application and identifies that a risk assessment was undertaken on site prior to the works being carried out. This assessment concluded that the existing balconies with timber decking and the brise soleil features could facilitate fire spread and represented a risk to the existing occupants. Since this assessment, these materials have now been fully replaced with non-combustible alternatives.

It is therefore considered that the works undertaken are fully compliant with Policy D12 of the London Plan as well as recent guidance in regard to fire remediation measures.

Accompanying Documentation

Document	Prepared By
Covering Letter	Boyer
Lower Ground Floor Plan – General Arrangement Ref. 1038-200-CD	Architecture 519
General Arrangement Elevations – Block A – Sheets 1 and 2 Ref. 1038-211-CB	Architecture 519
Design and Access Statement	Boyer
Fire Statement	PYR Safety

Summary

This application seeks retrospective approval to regularise the remediation works undertaken to replace the existing brise soleil and balcony decking at the site in order to conform to current fire safety standards.

The retrospective works are wholly compliant with both design and heritage policies insofar that materials and appearance will not be materially affected by the works undertaken. The replacement materials are visually similar in appearance, including colour, but comprise of aluminium rather than timber to meet current fire safety requirements. The overall character of the site and surrounding area (including the Conservation Area) would not therefore, be materially affected by the amendments.

The application fee of £1,172 has been paid on the Planning Portal.

We look forward to receiving your formal acknowledgement of this application and trust you have sufficient information to favourably consider this application. Should you require any further information or wish to discuss the proposals further, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink that reads "LBrewer". The letters are cursive and fluid.

Louis Brewer
Planner

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