

Gypsy Corner Phase 3, Park Royal

in the London Borough of Ealing

planning application no. TPAP 38451/1

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000 – strategic planning application stage 1 referral

Revision of Phase 3 of outline planning permission dated 4 October 2001 (Ref:38451) for mixed use development of site, involving increase in number of dwellings from 110 to 398 and number of hotel beds from 200 to 237 (all other items remain unchanged - reorganisation of gyratory, car showroom and ancillary workshop; Phase 2 B1 employment uses.

Context

1 On 13 June 2002 and 16 October 2002 Ealing Council consulted the Mayor of London on a proposal to develop the above site for the above uses. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under Category 1B of the Schedule of the Order 2000: "*Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.*" The application is also referable under Category paragraph 2 of the Schedule of the Order 2000: "*If the local planning authority receive an application for planning permission for development, which they consider forms part of more substantial proposed development, on the same land or adjoining land, they shall for the purposes of this Schedule treat that application as an application for planning permission for the more substantial development.*"

3 If Ealing Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London's comments on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The site, also known as the southern gateway, is 6.2 hectares of previously developed land, which is principally in use as employment land within use classes B1 (offices), B1c (Industry), and B8 (storage and distribution). A range of commercial office, distribution and industrial premises occupies the site. The majority of existing buildings on the site are let under short-term leases that will expire on completion of the development. The area to the north and west of the site comprises a mixture of employment uses that form the Park Royal estate. To the south and east is a mainly residential area to the north of Acton town centre. There are shops and amenities on Victoria Road between the application site and North Acton underground station. The site is close to North Acton Underground station and a number of frequent bus routes and is estimated to have a PTAL of 4.

Details of the proposal

7 The application is for an increase in density of the residential and hotel elements of the original outline permission. The proposed level of affordable housing was initially 25%, this has since been increased to 38%, to be split 50:50 between intermediate provision and social rented. The original permission was subject to a considerable package of S106 provisions to deliver the new gyratory system and improved public transport provision. The application is accompanied by an amended S106 agreement which includes the following new provisions: -

- £750k for bus, rail, cycle, pedestrian transport improvements and or servicing streetscape and environmental improvements in the vicinity of the site and in the local area.
- Minimum of £150k towards capital works for the completion of Victoria Road Environmental Enhancement UDF scheme or other scheme to be agreed by the developer and the Council to a minimum additional developer cost of £400k. With maintenance to an agreed sum to support public highway, landscaping and street furniture maintenance for 15 years.
- Victoria Road Square and Open Space Access maintenance and security scheme.
- £80k education contribution for schools, learning, training and/or community development.
- Estimated £150-250k for community facilities through the refurbishment of Orchard Lodge, Jenner Ave and cost of urban design scheme for the estate to improve access and playspace.
- 38% affordable housing to be provided in perpetuity, all costs to be borne by the developer.
- City Car club scheme as part of the Green Travel Plan.
- Commitment to BREAM Green Buildings Scheme.

8 As a result of these changes the total cost of the S106 package for Phase 3 now stands at £2,170,000.

Case history

9 On 7 March 2001 and 5 April 2001 the Mayor considered two reports on the previous application for the three phases of the development (PDU reference: 0179/01 and 0179/02, copies of these reports are attached in full. The Mayor initially supported the scheme on the grounds of the regeneration and employment creation benefits, the mixed-use approach and the Council's requirement for 50% affordable housing. However, at the same time, he considered that the parking levels should be reviewed, and preferably be made more restrictive, to achieve an appropriate balance that ensures the development is both sustainable and viable, closer to

the UDP and strategic policy level. The Mayor also requested that the residential units in phase 3 should be orientated, where possible, to take advantage of views of the adjoining open space comprising Acton Cemetery. Pedestrian access points to phase 3 should be sited, where possible, to allow permeability to/from Acton Cemetery (this was in the absence of any public open space provision within the scheme itself). Landscaping plans submitted for Phase 3 should include provision for children's playspace and bike stands/park should be provided as part of the new bus/tube interchange along Victoria Road.

10 As a result of revisions to the scheme the Mayor's final decision in April 2001 allowed Ealing Council to go ahead and grant permission subject to the following amendments to the heads of terms for the S106 legal agreement:

- The S106 provision should be slightly amended to require a Green Travel Plan for phase 3 as well as phases 1 and 2 of the development and confirm in writing Ealing Council's express intention of requiring the GTPs to be agreed before each phase of the development is occupied.
- The level of S106 funding for road / junction / public transport improvements should be greater in phases 1 & 2 than phase 3 requirements. The current heads of terms for the S106 requires the bulk of these monies to be paid in phase 3, the design and funding for works to the junctions and bus infrastructure improvements on Victoria road should be secured from the start of the development.

Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- Strategic Opportunity Area *draft London Plan*
- Affordable housing *draft London Plan; Three Dragons Report; PPG3*
- Density *draft London Plan; PPG3*
- Urban design *draft London Plan: PPG1*
- Mix of uses *draft London Plan*
- Transport *draft London Plan; the Mayor's Transport Strategy; PPG13*
- Parking *draft London Plan; the Mayor's Transport Strategy; PPG13*

Strategic opportunity area

12 The draft London Plan identifies Park Royal as a strategic opportunity area in the west London sub-region. The site falls within the opportunity area and is a key component in delivering the Mayor's strategic targets.

Affordable Housing

13 The original permission was subject to a condition from Ealing Council requiring 50% of the residential element to be affordable housing in accordance with its borough wide stance. The draft London Plan position requires boroughs to seek the maximum reasonable amount of affordable housing, setting an overall target for the highest reasonable number of affordable homes taking account of regional and local assessments of need.

14 The regional assessment of need has set a strategic target that 50% of all new dwellings should be affordable, split to achieve 35 percent social rented housing and 15 percent intermediate housing (i.e. a ratio of 70:30). Research by Three Dragons and Nottingham Trent University indicated that a level of 50% affordable housing provision is achievable on sites in Ealing, assuming average land values and costs. The proportions of social rented to intermediate housing should be shaped by the borough housing needs priorities, the

characteristics of the residential proposal, the level of affordable housing in the surrounding area and the economic viability of the proposal, including the availability of public subsidy.

15 The application when originally made in June 2002 specified 25% affordable housing. This has since been increased to 38%, split 50:50 key worker and social rented housing. The package of Section 106 benefits to accompany the new application has increased by a specified cost of £1,230,000 with unspecified costs for open space access and maintenance and a car free club.

16 Working out the appropriate level of affordable housing for the application should involve undertaking a full financial viability assessment of the proposal evaluating, amongst other variables, the individual site costs, economic viability, the availability of public subsidy and other planning objectives. Other planning objectives include the provision of community, education, health and open space within the scheme and the cumulative package of S106 benefits. SDS Technical report No: 1 **Affordable Housing in London** (July 2001) indicates the level of scrutiny and justification that the Mayor normally expects to accompany applications. The applicant has not demonstrated why the original local authority requirement and subsequent commitment in the Section 106 agreement to provide 50% affordable housing cannot be honoured in this new application. The applicant should provide this information in an 'open-book' form so that the GLA and Ealing Council can work together to test the key financial assumptions behind the proposed level of affordable housing.

Density, urban design and the mix of uses

17 In July 2002 GLA officers suggested a number of modifications to the original design of the scheme. In principle these suggested the residential be relocated the western edge of the site and the office development be relocated fronting onto the new gyratory road. It was also suggested that the new link through the site should have active frontages to generate a strong sense of place and a focus for the mixed-use community.

18 The October 2002 referral from the Council included a revised design, which moved the office use from the west of the site to the south-east portion of the site, bounded by the proposed gyratory road and Wales Farm Road. The residential units were moved from the eastern part of the site to be located in four blocks ranging from 7 to 10 storeys in the western portion of the site, to surround a landscaped concierge courtyard area with footpaths leading off to the individual residential buildings. The community facility was moved to be at basement level of the residential units fronting Gyratory Road and the hotel was moved from the northern portion of the site facing the North Acton Tube Station to the southern part of the site on the ground, 3rd, 4th and 5th floors over ground floor car parking and 1st and 2nd floor leisure uses. Retail remained in the central portion of the site.

19 The revised scheme is an improvement on the original application. However there are several issues in the revised scheme that should be addressed in the stage II referral to the Mayor: -

- The community facility is located on the lower ground (basement) of the residential block fronting onto the proposed gyratory road. This is a poor location for this type of land use. This facility ideally, should be located at grade and provide a public face and 'signpost' to the street. It should also have natural light and ventilation if it is a purpose-built community resource.
- The new street is approx 15m wide and offers no sense of enclosure and the public and private realms are likely to sit together rather awkwardly for several reasons. Firstly, the eastern edge of the street has commercial, active frontage (retail leisure and a hotel), the average height of this side of the street is eight storeys. Opposite are the gardens of the residential units, which are a semi-private, and more concerning is the fact that the building

line is 50m set back from the others, with only a very small concierge building addressing the mixed-use, active edge. These are not incompatible uses, but the design solution makes their composition uncomfortable.

- The office units have been relocated onto the proposed gyratory, which is more compatible with the employment uses on the site opposite. However at ground level parking is proposed in both blocks. This is a less than adequate situation by current design and development standards. This proposed use will create blank frontages, which will make the street feel unsafe, and vehicle dominated. Uses that provide an active edge to the street and are more visually appealing should be sought, preferably with door frontages at regular intervals to increase natural surveillance.
- The eleven storey residential development fronting onto Victoria Road and North Acton tube station should be more mixed use, particularly at the ground and first floor level.

20 No details have been submitted of the proposed architectural standard at this stage. However, it is important that corners create landmarks and that each side of the street complements the other, in style, proportions etc.

Transport and parking

21 A substantial package of transport improvements was negotiated as part of the outline application and is retained as part of the revised proposals for phase 3. The package includes £50,000 towards improvements on the A40, £200,000 towards implementation of a Controlled Parking Zone in the local area, £225,000 towards bus services/local transport improvements and £450,000 towards traffic calming and public transport improvements. The developer is also required to complete works that have already commenced on the new gyratory scheme and traffic calming/public transport improvements on the existing Victoria Road (North) to a minimum additional developer cost of £400,000.

22 As part of the proposals for the new gyratory a bus gate will be needed to restrict access to buses only in an eastbound direction along Victoria Road North. An additional control will be needed to restrict the 'buses only' right turn lane from Victoria Road North into Chase Road. The method of controlling access will need to be agreed with TfL. Enforcement cameras may be preferable to barrier/bollard controls although the use of cameras would require the bus lanes to be formally designated. Additional bus stops and standing space are proposed along Victoria Road North. These improvements are welcomed and will benefit buses on a number of routes.

23 However, in the eastbound direction on Victoria Road North, the bus stand should be located further west, immediately east of the access, just after the proposed pedestrian crossing. The eastbound bus stops should be grouped together further east, beyond the next access point. It would be preferable to group these as two double bus stops of approximately 27 metres each with 12 meters spacing between them, but if insufficient kerb space is available, one single stop as long as possible should be provided. Consideration should be given to raising the carriageway to footway level at the proposed pedestrian crossing in the form of a bus friendly speed table.

24 Improvements to Victoria Road North will also enable buses to introduce future two-way operation to provide improved interchange with North Acton station. The westbound bus stop and stand are therefore supported, although the stop would not be used until route changes can be implemented. Service improvements, that could take advantage of two way working along Victoria Road North, are currently being investigated and include a possible new link via Old Oak Lane/Victoria Road, North Acton Station, Chase Road and central Park Royal. Proposed bus stop improvements in the southbound direction on Wales Farm Road are also supported.

25 The revised phase 3 development proposals include a new traffic free north-south link through the site. This will provide links between phases 1 and 2 to the south and North Acton station and rerouted bus services to the north. New Toucan crossings are proposed across the new link road, which forms part of the gyratory and at signalised junctions. Secure cycle parking will be provided as an integral part of the development. This will need to conform to standards in the London Cycle Network Design Manual.

26 In addition to improvements that were negotiated as part of the outline application, the revised Section 106 package for phase 3 includes an additional £750,000 for transport and environmental improvements in the surrounding area. This will help to address the impacts of the additional trips that will be generated by the revised phase 3 scheme. The details of this package have not yet been finalised but could include improvements and expansion of North Acton station ticket hall, bus service enhancements or further improvements to transport interchange facilities or measures to assist pedestrians and cyclists.

27 A total of 103 cap park spaces are proposed to serve the revised phase 3 development. This is within the levels agreed for the overall Gypsy Corner development and is considered acceptable. Most of the residential development will be car-free, which is appropriate, given the proximity of North Acton station. On-street parking on the new gyratory will need to be restricted through the application of double yellow lines. It will also be important that servicing and customer parking for existing premises on Victoria Road North is strictly controlled to avoid overspill parking affecting bus movements. Stopping arrangements in the vicinity of bus stops/stands will need to be rigorously enforced. Although there has been a substantial increase in the overall floorspace leading to a predicted increase in trips, the restricted parking should ensure that there is no additional traffic impact. The revised Section 106 transport package and developer funding for alterations to the gyratory should ensure that these trips can be accommodated through improvements to facilities for public transport, walking and cycling in the surrounding area.

Views of other organisations

28 **TfL** comments are included above.

Local planning authority's position

29 The site and its surroundings are a Special Opportunity Area (iii) in the Acton Area section of the adopted and revised Ealing UDP. The Council will encourage the redevelopment of the area. The Council will seek to ensure that these sites are developed in a way which contributes to strategic objectives for London, particularly the establishment of employment opportunities orientated to high unemployment, the consolidation of industrial uses in the adjoining major employment location, and the creation of Park Royal which is greener, more attractive and more accessible.

30 If new residential development is proposed it is only likely to be accepted if it is on suitable land adjoining existing residential areas where dwellings can be built in a high-quality environment, and subject to the developer entering into agreements to ensure a significant proportion of the new dwellings will be available for low-cost renting or equity-sharing purchase.

31 Ealing Council intend to report this application to its planning committee on 18 December 2002.

Legal considerations

32 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Ealing Council at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

Financial considerations

33 There are no financial considerations at this stage.

Conclusion

34 The draft London Plan encourages the Park Royal Opportunity Area for intensive employment led development. The proposals will deliver significant regenerative benefits to a long undeveloped part of Park Royal and in strategic terms this application is a welcomed boost to regeneration and employment creation for west London. The mix of uses is to be positively welcomed and, in combination with the highway works and enhanced bus/tube interchange, will open up the site to the wider Park Royal area.

35 In strategic terms the proposals should be supported for the regenerative benefits, but there are a number of matters which need to be clarified by the applicant as part of any stage II referral, these are as follows: -

36 The applicant has not demonstrated why the original local authority requirement and subsequent commitment in the Section 106 agreement to provide 50% affordable housing cannot be honoured in this new application. The applicant should provide this information in an 'open-book' form so that the GLA and Ealing Council can work together to test the key financial assumptions behind the proposed level of affordable housing.

- Design issues as set out in paragraph 19 of this report.
- TfL agreement to bus access control measures; clarification on the use of the addition £750k for transport and environmental improvements; and, confirmation that cycle parking will conform to the LCN Design Manual.

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planning report PDU/0179/01

7 March 2001

Gypsy Corner (Southern Gateway) Site, Park Royal

in the London Borough of Ealing

planning application no. TPAP38451

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000 : formal referral, stage I

Outline application for phased development of site as follows: Phase 1 reorganisation of gyratory (new access road and accesses), car showroom and ancillary workshop; Phase 2 B1 employment uses (not exceeding 16,605 sq.m.); Phase 3 mixed uses comprising B1 uses (not exceeding 4000 sq.m.), hotel (not exceeding 200 beds), retail uses (not exceeding 2000 sq.m.), leisure uses (not exceeding 4000 sq.m.) and residential use (not exceeding 100 dwellings), total parking provision 422 spaces.

Context

1 On 15 January 2001 Ealing Council consulted the Mayor of London on a proposal to develop the above site for the above uses. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under Category 1B of the Order 2000: "*Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.*"

3 If Ealing Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The Mayor's comments on this case will be made available on the GLA website www.london.gov.uk.

Details of the proposal

5 The development is close to the Park Royal Industrial Estate and includes new buildings to provide a car showroom and related uses of 7841 sq.m., 25,830 sq.m. of offices, retail space of 2000 sq.m., 4000 sq.m. leisure uses, a hotel with 200 bedrooms and up to 110 residential dwellings together with 420 associated car parking spaces, servicing and plant accommodation and the creation of a new road access to the northern part of the site.

6 The development will be constructed in three distinct phases. Phase 1 is for car showroom and ancillary facilities and covers the southern portion of the site. Phase 2 covers the central section and is for employment generating uses. Phase 3 covers the northern section of the site, closest to North Acton Underground station and comprises a mixture of uses including employment, hotel, retail, leisure and residential.

7 The split of land use and car parking provision is as follows:

Phase 1	Car showroom 7840 sq.m.	80 car parking spaces
Phase 2	Employment use - in existing 9340 sq.m. - in new build 6895 sq.m.	242 car parking spaces
Phase 3	Office 9290 sq.m. Hotel 200 bedrooms A1 retail use 2000 sq.m. D2 leisure health club 4000 sq.m. C3 residential 100 dwellings	Max 100 car parking spaces

8 As part of the proposals a new highway link will be created through the site approx. 100m south of the existing northern arm of the gyratory. The new link road will provide two lanes of traffic circulating around the gyratory system, segregated pedestrian and cycle routes will be provided along either side of the new link road. The north/south pedestrian cycleway through the site will link the underground station and bus interchange with all three phases of the development. New pedestrian and cycle crossing facilities will be provided across the new highway link and at its junctions with Chase Road and Wales Farm Road.

9 The existing northern section of the gyratory would be closed off to through traffic. This will enable the enhancement of the public transport interchange. The interchange is situated on Victoria Road to the north of the site with bus stops/stands located either side of the underground access point.

10 The general design approach is to follow the massing and heights of the existing buildings on the site. The aim is to provide lower buildings at the south and east of the site, rising towards the north. As the planning application is in outline, detailed design of buildings is reserved for future consideration.

Site description

11 The proposed development involves land bounded by Victoria Road to the west and north, Wales Farm Road to the east and A40 Western Avenue to the south-west. The site is 6.2 hectares of previously developed land, which is principally in use as employment land within use classes B1 (offices), B1c (Industry), and B8 (storage and distribution). A range of commercial office, distribution and industrial premises occupies the site. The majority of existing buildings on the site are let under short-term leases that will expire on completion of the development. Buildings 6 & 7 will be retained as part of the development proposals.

12 The area to the north and west of the site comprises a mixture of employment uses that form the Park Royal estate. To the south and east is a mainly residential area to the north of Acton town centre. There are shops and amenities on Victoria Road between the application site and North Acton underground station.

Relevant strategic planning policies

13 RPG3 identifies Park Royal as an area of strategic economic importance part of the West London regeneration corridor in need of restructuring and renewal to sustain its vital role and a focal point for area regeneration initiatives to improve economic competitiveness. Development should be accommodated where it will capitalise on its locational advantages and create manufacturing employment opportunities of benefit to London as a whole and to the region. The Gypsy Corner site is prominent from the West and will be the Gateway to the area. In this respect, regeneration and employment creation is considered strategically important at this site.

14 Parking standards for outer London are currently determined by draft RPG9 (December 2000) which introduces a new range of off-street parking spaces for employment generating developments in outer London into RPG3. The range is broadened from 1:300-1:600 per sq.m. to 1:100-1:600 per sq.m. of floorspace, depending on the public transport accessibility of the site. This is an interim measure pending review of parking standards in the Spatial Development Strategy. Draft PPG13 on Transport (October 1999) introduces maximum parking standards for a range of uses excluding residential, for which PPG3 on Housing introduces a maximum standard of 1.5 spaces per dwelling.

15 The Mayor's Housing Commission recommended that at least half of total residential development across London should be provided as affordable housing. The provisional view is that at least 35% of capacity should be delivered as predominantly social rented housing targeted at meeting the needs of people on low incomes, and that at least 15% of capacity should be delivered as a mix of housing tenure types targeted at meeting London's economic and public service needs.

Existing and emerging UDP Policy

16 The site and its surroundings are a Special Opportunity Area (iii) in the Acton Area section of the Ealing UDP. The Council will encourage the redevelopment of the area. The Council will seek to ensure that these sites are developed in a way which contributes to strategic objectives for London, particularly the establishment of employment opportunities orientated to high unemployment, the consolidation of industrial uses in the adjoining major employment location and the creation of Park Royal which is greener, more attractive and more accessible.

17 If new residential development is proposed it is only likely to be accepted if it is proposed on suitable land adjoining existing residential areas where dwellings can be built in a high-quality environment, and subject to the developer entering into agreements to ensure a significant proportion of the new dwellings will be available for low-cost renting or equity-sharing purchase.

18 The Council intends to discourage the use of private cars for journeys to work within Park Royal. This will be partly achieved by taking a progressively more restrictive approach towards car parking. Park Royal is assigned special parking standards related to net site area, varying according to the site's existing or potential accessibility to public transport. The site is in Zone 1 of Park Royal for the purposes of these standards. Maximum car parking standards for development in classes B1-B8 would be 1 car space per 300sqm (or part) of net site area. This standard can be applied flexibly in that higher on-site parking levels may be allowed subject to legal agreement that the additional spaces will be removed at a specified future date and subject to specific public transport improvements having been achieved.

Analysis of strategic planning issues

19 There are 3 strategic issues which should be considered:

- Support for regeneration/jobs creation of this strategic site and the proposed mix of land uses including affordable/key worker housing.
- The proposed level of car parking and transport/accessibility issues.
- The quality of the Environmental Statement submitted with the application.

Strategic regeneration/employment issues

20 The mix of land uses is in accordance with the strategic policy for Park Royal and the UDP requirement for predominantly employment generating use. Ealing Council intends to put a condition on any permission requiring 50% of the residential element to be affordable housing in accordance with their borough wide stance, which requires 50%. The mix of uses in phase 3 of the scheme will significantly open up the northern section of the site to the wider public and be generally more permeable to those using the underground station and new bus interchange point.

21 The provision of a new bus/underground interchange opens up the opportunity for further integration as development continues in the Park Royal area. This also provides the possibility of a new bus route to link between Central Park Royal and Willesden Junction perhaps, via Chase Road and Victoria Road.

Transport accessibility/sustainability issues

22 The public transport network in the vicinity of the site is extensive with 5 bus routes providing a combined frequency of 20 buses per hour in each direction and underground services on both the Ealing Broadway and West Ruislip branches of the central line. The site has a Public Transport Accessibility Level of between 3 and 4 (PTAL ranges are 1 to 6, 1 being the lowest level of public transport accessibility). A significant proportion of staff and customers would be able to access the site by a choice of means of transport, including walking and cycling.

23 The applicants will also produce a Green Transport Plan partly aimed at fostering a partnership between the businesses on the proposed development and the public transport operators. Specific measures could include: discounted fares, interest free season ticket loans, fare deals with taxi firms, cycle parking, facilities for cyclists, pool cycles, direct safe and well lit at-grade cycle crossings.

24 Despite this approach, which is to be wholeheartedly commended, the applicants still require a total of 422 car parking spaces across the three phases. While the requirement is high in phase 1 and 2 and relatively strict in phase 3 there is no corresponding reduction in parking levels as the public transport interchange is improved. Parking provision for the proposal has been reduced from 604 spaces to 422 spaces. This reduces the overall parking provision from a ratio of 1 space to 72 sq.m., to 1 space to 94 sq.m., excluding hotel and residential uses. While this is a significant improvement on the previous proposal it is still well below the 1:300 sq.m. ratio adopted by LB Ealing for Park Royal redevelopment areas for office, warehousing and industrial uses.

25 The supporting documentation for the application is confusing as it reports different parking figures for the various phases and is not internally consistent. It is not clear whether this

is a result of taking into account use of spaces within other phases of the development or a simple discrepancy. TfL has asked the applicant to clarify these matters.

26 The applicants do offer to review the quantity of car parking provided through annual reviews under the Green Travel Plan, with the possibility of reducing car parking over time. However it is worth noting that travel habits are usually formed from the start, therefore discouraging car borne travel from the beginning, as the site being developed, is essential to achieve the desired modal splits. In development control terms it is normally sensible to set down the benchmarks on grant of permission rather than rely on future reviews with weaker planning control.

27 The Green Travel Plan sets a target of reducing car trips by 30% to the site by 2003. It is unclear how this target is going to be realised, particularly when a 10% sample of census data for the Victoria ward shows 59% of arrivals in the area at car drivers. The level of car parking proposed with this application will not act as a deterrent to people making trips by car. Any restraint-based parking must be combined with putting a Controlled Parking Zone in place. The Green Travel Plan suggests measures such as car sharing and pool cars as a way of achieving lower car trips, which will allow car parking provision to be reduced. However, as car parking provision is a key to determining the modal split the Green Travel Plan could set a firm programme for reducing parking provision with other measures offered as a viable alternative to a single occupancy car journeys.

28 A number of the measures for car parking reduction, encouraging public transport and cycle provision are cited as possible measures to improve the modal split. The Green Travel Plan needs to be more definite as to what measures will be introduced and how these will ensure the targets are met.

29 To achieve the lower car modal split it is important that pedestrian, cyclists and bus services are given priority over the private car in terms of road layout, building orientation and route design. The revised layout for the northern section of the gyratory and the north-south pedestrian/cycle route will provide this flexibility. Provision of the link road is essential to improve access to the site and to achieve the traffic calming on Victoria Road. While a pedestrian crossing is provided across the link road the pedestrian access to the southern part of the site will be significantly better than those to the northern part of the site.

The quality of the environmental statement

30 The report refers to the consideration of alternatives at paragraph 1.4.4 stating that because Ealing have designated this site as a special opportunity area and identify the site for employment uses that "the range of acceptable uses, the quantum of development and the appropriateness of the subject site for the intended uses has been accepted." This supposedly justifies the non consideration of alternative forms of development or alternative sites. It may be correct to deduce that the consideration of alternative sites for *employment* uses would not be necessary because Ealing have already accepted the suitability of the site for "employment uses". But given that the proposed uses go beyond employment uses the consideration of alternative sites (PPG6 sequential approach) should be included in the Environmental Statement. Moreover, the applicant should also demonstrate the environmental reasons why the chosen site was preferred over the range of alternatives studied.

31 The air quality assessment demonstrates that Nitrogen Dioxide is predicted to show exceedences of the National Air Quality Standard and to continue to do so in 2005. This should be put in the context of identified Air Quality Management Areas in the borough.

32 The noise assessment is based solely upon the environmental impact of traffic flow changes around the development site following completion of the proposed development and specifically

does not include noise generated by activities on the site. There is no justification provided in the text for this approach. A justification should be included as to why this approach has been taken.

33 The reasoning behind paragraph 7.6.3 on contaminated land appears illogical. It assumes that because a smaller proportion of the site is to be used for residential, retail and hotel uses than for class B1 and car showroom that no significant implications as a result of ground contamination are envisaged. As a result, no mitigation is proposed. The assessment has not demonstrated that there will be low risk to users during the operational phase, in particular the residents of the 100 units proposed.

34 It goes on to state that site investigations *will be carried out* as necessary to ensure that soil conditions are appropriate for the proposed development. The Environmental Statement should include an analysis of site investigations that should already have been undertaken as part of the ES investigations as these will influence the position/ layout of the various uses on the site. The residential element of the scheme is ignored in this section; it is not likely to be a low risk end use especially if gardens, open spaces are proposed.

Local planning authority's position

35 The Council intends to take this application to its planning committee with a recommendation to approve. The Council has been negotiating with the developer for over a year and is of the view that the high parking standards are acceptable given that they represent a reduction on the current levels of parking. The site is a special opportunity area in which the Council believes it has the flexibility through its UDP to defend higher parking given the wider regenerative benefits.

36 The Council has negotiated a package of S106 planning benefits to accompany the proposal. These include Further urban design studies of all alter phases of development, transport and environmental improvements.

- New east/west estate road to the south of Victoria Road.
- £50,000 for local public transport improvements.
- £50,000 for local environmental improvements.
- £20,000 to improve children's play facilities on the Wales Farm Estate.
- £200,000 for local business development and or employment and training/education.
- £200,000 for local network traffic and transport and/or local environmental improvements.
- £20,000 to improve pavement parking on Wales Farm Road.
- Design, fund and carry out works to turn the new east/west estate road into a new gyratory and Victoria Road into traffic calmed and pedestrian priority street.
- £700,000 for environmental and public transport improvements to the traffic calmed Victoria Street
- £50,000 for improvements to the A40 Concorde Zone Junction.

Views of Transport for London

37 TfL has responded separately to the Council. Their key response is concerned with the high level of parking provision, site accessibility and layout, bus services, road layout and junctions, North Acton station access, cycle and pedestrian facilities, and the Green Travel Plan. The main concerns on parking are replicated in the above section and a suitable solution that provides a sustainable level of parking whilst not impinging on the regeneration and viability of the employment scheme is required. TfL comments are consistent with the GLA comments.

Conclusion

38 The proposals will deliver significant regenerative benefits to a long undeveloped part of Park Royal and in strategic terms this application is a welcomed boost to regeneration and employment creation for North West London. The mix of uses is to be positively welcomed and, in combination with the highway works and enhanced bus/tube interchange, will open up the site to the wider Park Royal area.

39 It would be preferable that the positive approach towards mix of uses and permeability extends further towards keeping parking levels at the UDP and strategic policy level. Appropriate parking levels should match the regenerative benefits of the scheme. Ealing Council has adopted the approach of accepting regenerative reasons to justify the parking level proposed at Gypsy Corner whilst their UDP would normally accept higher levels dependant on parking being removed at a later date when public transport improvements are delivered.

40 In strategic terms the proposals should be supported for the regenerative benefits, but the recommended parking level should preferably be close to the upper standards of the RPG9 parking range in recognition of the public transport accessibility of the site. Any flexibility to allow higher parking should be firmly linked to annual reviews under the green travel plan and legal provisions in the Section 106 agreement which reduce parking totals across the site as modal shift patterns are achieved and/or public transport accessibility improves to prescribed levels.

41 TfL has requested further information on how this could be achieved. It is recommended that a balanced holistic approach is adopted towards regeneration and parking levels to ensure the scheme is both viable and sustainable. The applicants and Council could work with TfL on this issue and present a proposed strategy for parking reduction as part of the stage two planning application referral. The applicant should address the discrepancies and questions identified in the Environmental Statement.

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planning report PDU/0179/02

5 April 2001

Gypsy Corner (Southern Gateway) Site, Park Royal

in the London Borough of Ealing

planning application no. TPAP 38451

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000 stage II application

Outline application for phased development of site as follows: Phase 1 reorganisation of gyratory (new access road and accesses), car showroom and ancillary workshop; Phase 2 B1 employment uses (not exceeding 16,605 sq.m.); Phase 3 mixed uses comprising B1 uses (not exceeding 4000 sq.m.), hotel (not exceeding 200 beds), retail uses (not exceeding 2000 sq.m.), leisure uses (not exceeding 4000 sq.m.) and residential use (not exceeding 100 dwellings), total parking provision 422 spaces.

Context

1. On 15 January 2001 Ealing Council consulted the Mayor of London on an application for planning permission for the above uses at the above site. This was referred to the Mayor under Category 1B of the Schedule of the above Order, i.e. *“Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”*
2. On 7 March 2001 the Mayor of London considered planning report PDU/0179/01, and subsequently advised Ealing Council that he supported the scheme on the grounds of the regeneration and employment creation benefits, the mixed-use approach and the Council’s requirement for 50% affordable housing. But at the same time he considered that parking levels should be reviewed, and preferably more restrictive, to achieve an appropriate balance that ensures the development is both sustainable and viable, closer to the UDP and strategic policy level. In the light of this the Mayor requested that Ealing Council work with the applicants and Transport for London on a strategy for parking reduction, to be presented as part of the stage II planning application referral. This strategy should include as a minimum a condition and provision within the section 106 agreement requiring a Green Travel Plan, that one of the heads of term of the GTP is achieving parking reductions over time and that when agreed the GTP is appended to the section 106 agreement.

3. The Mayor also requests that the residential units in phase 3 should be orientated, where possible, to take advantage of views of the adjoining open space comprising Acton Cemetery. Pedestrian access points to phase 3 should be sited, where possible, to allow permeability to/from Acton Cemetery. Landscaping plans submitted for Phase 3 should include provision for children's playspace and bike stands/park should be provided as part of the new bus/tube interchange along Victoria Road.
4. Since then, the application has been partly revised in response to the Mayor's concerns (see below).
5. On 7 March 2001 Ealing Council decided that it was minded to grant planning permission for the revised application, and 26 March 2001 it advised the Mayor of London of this decision. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor of London may direct Ealing Council to refuse planning permission, and has until 10 April 2001 to notify the Council of such a direction. This report sets out the information needed by the Mayor of London in deciding whether to direct refusal.
6. The Mayor of London's decision in this case, and his reasons, will be made available on the GLA website. www.london.gov.uk

Details of the proposal

7. The development is close to the Park Royal Industrial Estate and includes new buildings to provide a car showroom and related uses of 7841 sqm, 25,830 sqm of offices, retail space of 2000 sqm, 4000 sqm leisure uses, a hotel with 200 bedrooms and up to 110 residential dwellings together with 420 associated car parking spaces, servicing and plant accommodation and the creation of a new road access to the northern part of the site.
8. The development will be constructed in three distinct phases. Phase 1 is for car showroom and ancillary facilities and covers the southern portion of the site. Phase 2 covers the central section and is for employment generating uses. Phase 3 covers the northern section of the site, closest to North Acton Underground station and comprises a mixture of uses including employment, hotel, retail, leisure and residential.

Site description

9. The proposed development involves land bounded by Victoria Road to the west and north, Wales Farm Road to the east and A40 Western Avenue to the south-west. The site is 6.2 hectares of previously developed land, which is principally in use as employment land within use classes B1 (offices), B1c (Industry), and B8 (storage and distribution). A range of commercial office, distribution and industrial premises occupies the site. The majority of existing buildings on the site are let under short-term leases that will expire on completion of the development. Buildings 6 & 7 will be retained as part of the development proposals.
10. The area to the north and west of the site comprises a mixture of employment uses that form the Park Royal estate. To the south and east is a mainly residential area to the north of Acton town centre. There are shops and amenities on Victoria Road between the application site and North Acton underground station.

Relevant strategic planning policies

11. RPG3 identifies Park Royal as an area of strategic economic importance part of the West London regeneration corridor in need of restructuring and renewal to sustain its vital role

and a focal point for area regeneration initiatives to improve economic competitiveness. Development should be accommodated where it will capitalise on its locational advantages and create manufacturing employment opportunities of benefit to London as a whole and to the region. The Gypsy Corner site is prominent from the West and will be the Gateway to the area. In this respect, regeneration and employment creation is considered strategically important at this site.

12. Parking standards for outer London are currently determined by draft RPG9 (December 2000) which introduces a new range of off-street parking spaces for employment generating developments in outer London into RPG3. The range is broadened from 1:300-1:600 per sq.m. to 1:100-1:600 per sq.m. of floorspace, depending on the public transport accessibility of the site. This is an interim measure pending review of parking standards in the Spatial Development Strategy. Draft PPG13 on Transport (October 1999) introduces maximum parking standards for a range of uses excluding residential, for which PPG3 on Housing introduces a maximum standard of 1.5 spaces per dwelling.
13. The Mayor's Housing Commission recommended that at least half of total residential development across London should be provided as affordable housing. The provisional view is that at least 35% of capacity should be delivered as predominantly social rented housing targeted at meeting the needs of people on low incomes, and that at least 15% of capacity should be delivered as a mix of housing tenure types targeted at meeting London's economic and public service needs.

Analysis of strategic planning issues

14. There are 2 strategic issues which should be considered:
 - Regeneration/employment issues and mix of land uses including affordable/key worker housing.
 - Car parking/transport/accessibility/sustainability issues.
15. The proposals will deliver significant regenerative benefits to a long undeveloped part of Park Royal and this part of North West London. The mix of land uses accords with the strategic policy for Park Royal and the UDP requirement for predominantly employment generating use. The mix of uses, in combination with the highway works and enhanced bus/tube interchange, will open up the site to the wider Park Royal area. Ealing Council will require the applicant to provide 50% affordable housing by condition to any permission.
16. In transport terms, the site is well located for sustainable movement with a moderate level of public transport accessibility. The proposal includes 422 car-parking spaces, which is higher than what would normally be preferred in new development in terms of UDP and strategic policy standards. However, this needs to be balanced against the regeneration needs and viability of the development. A parking level closer to the upper standards of the RPG9 parking range (1:100sqm to 1:600sqm) is considered a reasonable approach whilst recognising the public transport accessibility. Any flexibility to allow higher parking should be firmly linked to annual reviews under the green travel plan and legal provisions in the Section 106 agreement which reduce parking totals across the site as modal shift patterns are achieved and/or public transport accessibility improves to prescribed levels.

Local planning authority's position

17. Ealing Council's Planning East Committee resolved to grant outline planning permission subject to conditions including:
- Affordable housing to be provided at a standard to be agreed in writing by the Local Planning Authority in accordance with the current policy of the Local Planning Authority and Greater London Authority. REASON: to ensure an adequate proportion of affordable housing in accordance with national policy and emerging UDP policy H4.
 - The total number of parking spaces across the entire development shall not exceed 422 spaces. REASON: to accord with national and local policies to restrain the use of the car in favour of other more environmentally friendly modes of transport.
18. The developer will also be required to enter into a legal agreement, the provision of which include:
- For phase 1 and 2 the provision of Green Travel Plan(s) to include strategy to reduce on site parking over time.
19. The Council Committee agreed with the Mayor's request for a strategy for parking restrictions over time via Green Travel Plans; within the section 106 agreement. In so far as the development is speculative the detailed form of the GTP(s) will necessarily follow the grant of any permission. The section 106 agreement will require that GTP(s) are agreed prior to first occupation of each part or phase of the development. Notwithstanding the joint desire to further reduce reliance on the car the committee was satisfied that the proposal makes a significant contribution towards reducing car use (in particular in so far as there is a 30% reduction in on-site parking over the existing situation; and this is a high density development) whilst significantly improving access to the site (and this part of Park Royal/North Acton) by other modes of transport. The Committee also wanted to stress the importance of this proposal towards regeneration.
20. As regards the other views expressed by the Mayor these can all be taken into account at the reserved matters stage(s).

Views of other organisations

22. Subject to these issues being amended TfL support the application particularly with the introduction of a GTP which reduces parking over time.

Legal considerations

23. There are no significant legal implications other than the requirement that Ealing Council make minor amendments to their proposed heads of terms for a Section 106 agreement in respect of the Green Travel Plan and the funding of transport improvements in phases 1 or 2 rather than phase 3.

Conclusion

24. The Council's proposed changes to the S106 requirement for a Green Travel Plan is a significant step towards addressing concerns raised in the Stage I planning response. The S106 provision should be amended slightly to require a GTP for phase 3 as well as phases 1 and 2 of the development and the provision should state in writing the Council's express

intention of requiring that the GTPs are agreed before each phase of the development is occupied. The level of S106 funding for road / junction / public transport improvements should be greater in phases 1 & 2 than phase 3. The current heads of terms for the S106 requires the bulk of these monies to be paid in phase 3, the design and funding for works to the junctions and bus infrastructure improvements on Victoria road should be secured from the start of the development.

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Late addition to report PDU/0179/02

Legal Considerations

"Where a referral is made to the Mayor under **article 4 of the Order**, he can within 14 days of receipt direct the borough to refuse the application under powers contained in **article 5 (1)**, where he considers that to grant planning permission, will be contrary to the SDS, or prejudice its implementation, or otherwise would be contrary to good strategic planning London. There are a number of matters set out in **Article 5(2)** the Mayor is required to take into account in so far as they are relevant in coming to his decision.

The applicant will have the right of appeal to the Secretary of State against a refusal of planning application following a Mayoral direction. The Mayor will be notified of an appeal and will be entitled to appear at an inquiry and give evidence or make written representation, if the appeal is dealt with by written representations. The Secretary of State has power to make an order for costs against the Mayor whether or not he takes part in the inquiry.

Where the Mayor is not minded to issue a direction on strategic issues identified at stage 1 referral he may nevertheless indicate to the Authority how these concerns might be resolved in this case by including provisions in a planning agreement and or a planning conditions to achieve the reduction of parking provision within the entire development over time.

