

Subject: 1 Portal Way, North Acton, London W3 6RS (application reference number 21/0181/OUTOPDC)
Meeting date: 12 October 2023
Report to: Planning Committee
Report of: Director of Planning

For Decision

This report will be considered in public.

1 Introduction

- 1.1 This addendum report supplements the main committee report for agenda item 6 which relates to a part outline, part detailed planning application at 1 Portal Way for 7 buildings ranging in height between 7 and 56 storeys to provide up to 1,325 residential units and 384 co-living units or student accommodation rooms, and up to 38,890sqm of commercial, community, office, hotel, and town centre uses.
- 1.2 This report has been produced to update the Planning Committee on an additional representation received from the Old Oak Neighbourhood Forum since the publication of the main committee report, and to make some minor corrections to the main report.

2 Additional Representation

- 2.1 An additional, sixth objection letter has been received from the Old Oak Neighbourhood Forum. The issues raised within this objection are summarised in the table below.
- 2.2 A copy of the full representation has been circulated to Members.

| Key Issues | Officer Response |
|---|---|
| The description includes wording that that allows for options on sui generis use, reading '384 coliving units (Sui Generis) OR 384 student accommodation units (Sui Generis).' The range of possible sui generis uses is very wide, including casinos, dance halls, and live music venues. Would change of use to any use within this range be permissible without a further application? | If planning permission is granted, Building F will only be permitted to be used for co-living accommodation or student accommodation. Sui Generis is not a use class in its own right and Building F will not be permitted to be used for any other Sui Generis use. Condition 6 states that " <i>all the units of residential accommodation within Building F shall be implemented only as entirely co-living accommodation, or as</i> |

| Key Issues | Officer Response |
|---|---|
| | <i>entirely purpose built student accommodation."</i> |
| <p>Introduction of Meanwhile Uses through the retention of part of the existing building during the initial construction phase. This change was made after most of the public consultation on the application had concluded.</p> | <p>The retention of part of the existing building for Meanwhile Uses was introduced into the scheme as part of the amendments that were consulted upon in August 2023. This is noted in paragraph 6.9 of the main Committee report. OONF commented on this change in its fifth objection letter dated 24th August 2023. The acceptability of this aspect of the proposal is addressed in paragraph 7.26 of the main Committee report.</p> |
| <p>Concern regarding the accuracy of the summary of objections in the Committee report. Paragraph 6.12 states that OONF has submitted objections on four occasions whereas there have been five.</p> | <p>The reference to four objections in paragraph 6.12 of the main Committee report is a typo. All five objection letters were carefully reviewed by officers prior to reaching the recommendation on the application and the planning issues raised in them have been addressed in the Committee report. Full copies of all five objection letters were also included in the background papers that were circulated to members when the Committee report was published. The 5th objection letter dated 24th August 2023 details the 27 grounds of objection contained in the Forum's letters.</p> |
| <p>It would be premature to make a decision on the application before the Old Oak West SPD has been consulted on and this would undermine the plan making process. The case for refusal or deferral on the grounds of prematurity is also strengthened by the recent announcement of major changes to the plans for HS2. While One Portal Way is not as directly affected by the changes to OPDC plans as are sites closer to OOC station, the scaling back of the HS2 proposals is a very major change for the Old Oak area.</p> | <p>The site is allocated within the Local Plan for mixed use development. It is not within the Old Oak West boundary and is not therefore affected by the draft SPD. The site has a PTAL rating of 5 and is in close proximity to North Acton Station on the central line and Acton mainline station on the Elizabeth line. Changes to the plans for HS2 have no impact on the proposals for 1 Portal Way and do not affect the officer recommendation.</p> |

| Key Issues | Officer Response |
|--|---|
| In January 2022, the applicant gave a presentation to Planning Committee members on the application proposals. It is not clear why this invitation was made. It is very important that these Committee members approach a decision on the application with an entirely open mind, taking account of a new context and uninfluenced by their initial reactions to the proposals when presented in January 2022. | The presentation by the applicant to Committee members in January 2022 was held in public, albeit remotely, and was therefore done in a fully transparent manner. No suggestion has been made that any Committee member has a closed mind on the determination of the application outwith the provisions of Section 25(2) of the Localism Act 2011. |
| The Committee should take account of the College's status as a public body, how it frames the acquisition of the site as part of its property portfolio, and whether it genuinely has a long-term commitment to the site. The Committee should secure a commitment that the College will see this project through to completion over the forecast 11-year build programme. | Neither the vehicle for the landholding nor the ability or intention of the applicant to build the development out in full itself, with or without the involvement of a development partner or other third party (or parties) are material to the determination of the application. |
| Potential difficulties securing funding for the timeline of the entire project and an increased risk that all or parts of the site could be sold on with a planning consent as a property investment. The proposals include no academic or university functions. | The manner in which the applicant intends to fund the scheme, the likelihood of it being able to secure funding, and the potential for all or part of the site to be sold in the future are not material planning considerations. The proposals have been assessed on their merits and the proposed mix of uses has been found to be acceptable. |

3 Corrections to main Committee report

- 3.1 Paragraph 1.8 should say *"providing up to 1,325 residential units and 384 co-living or student accommodation units and up to 38,890 sqm of town centre and commercial uses."*
- 3.2 Paragraph 1.21 should read *"the provision of 44 accessible car parking spaces."*
- 3.3 The non-residential floor areas relating to Buildings A, F, D1 and D2 in the table at paragraph 4.13 should be corrected as per the following table:

| Building | Housing type/use | Resi Units | Non-resi sqm | Storey height |
|----------------|---|------------|--------------|---------------|
| PHASE 1 | | | | |
| A | BTR/DMR ground floor flexible commercial use | 461 | 75 | 56 |
| F | Co-living or PBSA co-working | 384 | 765 | 19 |
| PHASE 2 | | | | |
| B | Office and ground level flexible commercial | | 17,717 | 19 |
| C | Market/intermediate sale Flexible commercial | 398 | 159 | 51 |
| D1 | Hotel (60 beds) or office Flexible commercial | | 11,807 | 17 |
| D2 | LAR and healthcare centre | 53 | 1,093 | 7 |
| E | BTR/DMR and flexible commercial | 413 | 128 | 51 |

- 3.4 Paragraph 4.17 should read “*This would lead to a 43-capacity basement car park within the outline phase of the scheme providing 100% Blue Badge parking, and as such the development is ‘car free’ in respect of general purpose parking. The basement connects 5 of the proposed buildings at below ground level and also provides cycle storage and plant areas.*”
- 3.5 Table 6.2, Officer Response to consultee 19 Health & Safety Executive should say “*Condition 8 requires the submission of fire strategies in connection with outline Phase 2.*”
- 3.6 Paragraph 7.11 should say “*This results in a scheme wide net increase in commercial floor space of 23,797 sqm.*”
- 3.7 Paragraph 7.24 should say “*The provision of the proposed co-working space and commercial units at the base of Building E.*”

- 3.8 Paragraph 7.337 should say “*non-residential required to achieve 15% through energy efficiency measures.*”

4 Recommendation

- 4.1 The officer recommendation set out in the main committee report remains unchanged.

Report originator: Claire O’Brien, Head of Planning – Development Management,
OPDC

Email: claire.obrien@opdc.london.gov.uk