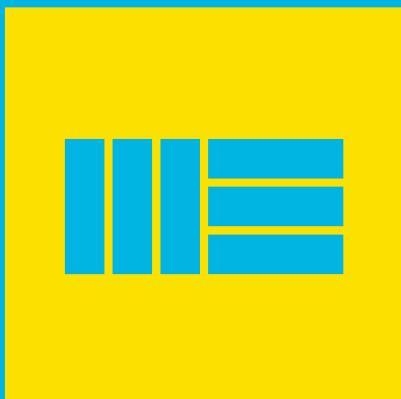


# THE GREEN, SOUTHALL, UB2 - COMPULSORY PURCHASE ORDER

EXPERT WITNESS STATEMENT – SAM STACKHOUSE MRTPI

SEPTEMBER 2022



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# 1.0 INTRODUCTION

## QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Sam Stackhouse. I have a Bachelor of Arts degree in History and Ancient History from Cardiff University and I have a Master of Science degree in Urban and Regional Planning from the University of Birmingham. I am a Chartered Member of the Royal Town Planning Institute having been elected in 2014.
- 1.2 I am a Partner in the Planning department at Montagu Evans LLP and have over 10 years' experience in practising town planning. My focus is predominantly advising on high density residential and mixed use development, primarily in London and the South East.
- 1.3 In addition to advising on The Green ("the Site"), I am currently advising on other major regeneration projects including The Winstanley Estate in Battersea (a mixed use development of 2,550 homes on behalf of Taylor Wimpey); Euro House in Wembley (a mixed use development of 846 homes on behalf of Regal London); and 41-49 Battersea Park Road in Nine Elms (a mixed use development of 770 student bedrooms on behalf of Watkin Jones).
- 1.4 I have been advising on the redevelopment of the Site since 2018 having first provided planning advice to inform Peabody's tender submission to be selected as the London Borough of Ealing's development partner. I submitted the planning application ("the Application" / "the Permission") (identified in Section 2) in July 2021 which was granted planning permission on 9 September 2022 (Core Document (CD) C.2)). I therefore have a good understanding of the Site, the land ("the Land") that is subject of the Compulsory Purchase Order ("the Order") and the relevant planning policy framework pursuant to the Site's proposed redevelopment.
- 1.5 I am aware of my duties under the RTPI Code of Conduct and I confirm that the evidence which I have prepared is true, is in accordance with the guidance of my professional institution, and that the opinions expressed is my true and professional opinion.

## SCOPE OF EVIDENCE

- 1.6 I give evidence on behalf of the London Borough of Ealing in respect of the planning justification for the Order having regard principally to the statutory planning policy framework relevant to the Site. I have also considered the planning matters set out in the Department for Levelling Up, Housing and Communities document titled "Guidance on Compulsory purchase process and The Crichel Down Rules (July, 2019) ("the Guidance")" (CDB.1)
- 1.7 For the reasons I shall state, I believe that the purpose for which the Land is being acquired fits within the adopted planning policy framework, will contribute to the achievement of the improvement of the economic, social and environmental well-being of the area, and that the purpose for which the acquiring authority is proposing to acquire the land could not be achieved by any other means. I also believe that that there are no planning-related impediments to the implementation of the Permission.
- 1.8 My evidence will cover the following:
1. The key factual background including relevant planning history;
  2. A description of the Planning Policy Framework and how the purpose for which the Land is being acquired fits in with this;
  3. A summary of the benefits of the Permission and why I consider that it will contribute to the achievement of the promotion and improvement of the economic, social and environmental wellbeing of the area;
  4. A summary of the composition of the Permission and why I consider it to be implementable; and
  5. Overall conclusions.

1.9 My evidence should be read alongside the evidence provided by the following:

1. Mr Mark Baines, Hunters Architects;
2. Mr Phil Church, Peabody;
3. Ms. Eleanor Young, London Borough of Ealing; and
4. Ms. Virginia Blackman, Avison Young.

## 2.0 SITE CONTEXT AND PLANNING HISTORY

2.1 A description of the Site's location and spatial context is explained in the witness statement prepared by Mr Baines.

### RELEVANT PLANNING HISTORY

2.2 Planning permission was granted on 9 September 2022 for the following development ("the Development") as set out on the Decision Notice (CDC.2).

*"Demolition and mixed-use redevelopment (phased) to provide 3 urban blocks comprising residential units (Use Class C3), flexible commercial, employment and community floorspace (Use Classes E, F1 and F2), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas, and access arrangements."*

Condition 2 of the Permission controls the overall quantum of development by use class which includes:

1. 564 residential dwellings (Class C3);
2. 2502.1sqm of flexible Commercial/employment space (Use Class E);
3. 313.8sqm of Day Nursery (Use Class F1); and
4. 106.9sqm of Community space (Use Class F2).

2.3 Other than the aforementioned permission, from a review of the London Borough of Ealing's ("the Council's") website, the only additional historic planning application worthy of note on the Site is a planning application (160738FUL) that was refused on 11 May 2016 for the change of use of the Milan Palace banqueting suite to a 32 bed House in Multiple Occupation (*sui generis*). The reason for refusal as set out on the decision notice was as follows:

1. *"The proposed development due to an over-intensification of use, poor outlook, inadequate sunlight/daylight provision to habitable rooms, and poor quality amenity space would provide substandard living conditions for future occupiers, contrary to the Development Strategy 2026 DPD (2012), policies 7B and 7D of the Ealing Development Management DPD (2013) , policies 3.5, and 7.6 of the London Plan (2015), and section 7 of the National Planning Policy Framework (2012)."*

2.4 I have not identified any other planning history that I consider to be material or of relevance to the Order.

### SURROUNDING CONTEXT

2.5 The surrounding area comprises a mixture of industrial, commercial, retail and residential uses.

2.6 The south and west of the Site is predominantly occupied by light industrial, warehousing and storage units, the majority of which form part of the Featherstone and Dominion industrial estates, accessed via Featherstone Terrace. To the north lies the Sutterwalla Industrial Estate which has its own access along Southbridge Way. The industrial estates are designated in planning policy as Locally Significant Industrial Sites ("LSIS").

2.7 The Dominion Centre borders the Site to the south-east and the Tudor Rose borders the Site to the east – both of which are local community uses.

2.8 Further east and south-east lies The Green (High Street) which comprises of a parade of shops as well the Manor House and St Anselm's Church. Residential dwellings are located on some of the upper floors of the retail units.

2.9 The profile and character of the surrounding area is in the process of change, particularly to the north of the Site around Southall Station. In this regard, there are a number of developments which have been approved by the Council over recent years. These are summarised in the sections below, many of which have been completed.

1. Southall Gas Works (ref. 2008/3981) – Redevelopment of site to provide 4,700 sq.m. leisure (cinema), 320,000 sq.m. residential, 14,200 sq.m. non-food retail, 5,850 sq.m. food retail, 1,750 sq.m. A3-A5 floorspace, 9,620 sq.m. hotel, 3,000 sq.m. conference and banqueting, 2,550 sq.m. health care facilities, 3,450 sq.m. education facilities, 3,500 sq.m. office, 390 sq.m. sports pavilion and 600 sq.m. energy centre – Approved 29 September 2010. Scheme implementation underway.
2. Havelock Estate (ref. PP/2013/3241) – Redevelopment to provide 922 residential units, 840 sq.m. commercial floorspace, 280 sq.m. community floorspace and new public open spaces – Approved 24 April 2015. Scheme implementation underway.
3. Former Malgavita Works (ref. 164015FUL) – Redevelopment of site to provide 5-22 storey perimeter building, 302 residential units, 826 sq.m. flexible commercial floorspace and car and cycle parking – Approved 20 April 2017. Scheme complete.
4. Former Honda Garage (ref. 164160FUL) – Redevelopment of site to provide 5-12 storey perimeter building, 170 residential units and car and cycle parking – Approved 17 August 2017. Scheme complete.
5. Southall Men’s Club (ref. 166501FUL) – Demolition of building and creation of 34 residential units and cycle parking – Approved 29 September 2017. Scheme complete.
6. Former Esso Petrol Station (ref. 177742FUL) – Residential mixed-use development for 166 residential units at 16-19 storeys – Approved 20 April 2018. Scheme complete.
7. Arches Business Centre (ref. 181380FUL) – Redevelopment to provide 15-23 storey buildings, 571 residential units, 2,100 sq.m. office floorspace, 424 sq.m. flexible commercial floorspace – Approved at committee 4 December 2018, awaiting completion of Section 106 Agreement. Scheme awaiting implementation.
8. Kings House (ref. 164285FUL) – Demolition of existing building and erection of 20 storey mixed use development, 77 residential units, 933.9 sq.m. flexible commercial floorspace, 82 sq.m. retail floorspace – Approved 9 August 2019. Scheme awaiting implementation.
9. Middlesex Business Centre (ref. 183673OUT) – Redevelopment of site to provide up to 2,083 residential units, up to 7,199 sq.m. hotel, up to 2,688 sq.m. flexible retail floorspace and up to 10,076 sq.m. flexible office and community floorspace – Approved 15 May 2019. Scheme awaiting implementation.
10. 52 The Green (ref. 183653FUL) - Construction of a four-storey building for community facilities (D1 Use Class) on the ground and first floor levels and residential accommodation in multiple occupation comprising 9no. bedrooms for a maximum of 15 people (Sui Generis Use Class) on the first and second floor levels including associated communal areas, cycle storage and refuse storage provision – Approved 28 November 2018. Scheme awaiting implementation.
11. Southall Sidings (ref. 201888FUL) – Demolition of all existing buildings and hardstandings and erection of affordable and market residential development (Use Class C3) in 5 blocks, communal space, plant rooms, cycle and disability car parking, refuse/recycling storage, electricity sub-station, new service road, vehicular and pedestrian accesses and associated highway works, new amenity space and landscaping – Approved at committee 17 September 2020, awaiting completion of Section 106 Agreement. Scheme awaiting implementation.

12. 22-28 Featherstone Road (ref. PP/2015/6723) - Construction of a six storey block (following demolition of the existing buildings) comprising commercial/retail unit on ground floor level and 23 self-contained flats, provision of cycle spaces, and storage for residential and commercial refuse and recycling – Approved 23 December 2020. Implementation status unknown.

2.10 The above permissions demonstrate the large degree of regeneration and transformation that is taking place within Southall. This is in accordance with Southall's Opportunity Area designation and the wider planning policy framework as set out in the next section.

## 3.0 PLANNING POLICY FRAMEWORK

3.1 The adopted planning policy framework at the time of the submission of the Application and at the time of the grant of the Permission consisted of the following development plan documents:

1. London Plan (2021);
2. Ealing Core Strategy Development Plan Document (DPD) (2012);
3. Ealing Development Sites DPD (2013);
4. Ealing Development Management DPD (2013);
5. Ealing Policies Map (2016); and
6. Joint West London Waste Plan (2015).

3.2 In addition to the development plan documents, the following documents were highly material to the determination of the Application and also comprise the planning policy framework:

1. The National Planning Policy Framework (2021) (“NPPF”);
2. The Southall Green Supplementary Planning Document (2017); and
3. The Southall Opportunity Area Framework (2014).

### SITE DESIGNATIONS AND ALLOCATIONS

3.3 Southall is designated as an Opportunity Area in the London Plan, which are areas identified as significant locations with development capacity to accommodate new housing, commercial development and infrastructure. Opportunity Areas typically contain capacity for at least 5,000 net additional jobs or 2,500 net additional homes or a combination of the two (Paragraph 2.11 of the London Plan).

3.4 The Site (as part of a wider site) also benefits from a site allocation in the Development Sites DPD known as “SOU8 – The Green”. This includes the Site as well as land to the north (up to the railway line) and land to the west (up to Gladstone Road and Harrington Road).

3.5 Site Allocation SOU8 supports the following:

*“Mixed use development appropriate to the town centre, with continued protection of existing industrial uses on Featherstone, Dominion and Suterwalla estates as a Locally Significant Industrial Site (LSIS) and retention of the Dominion Arts Centre”.*

3.6 As shown on the adopted Policies Map, the eastern part of the Site is located within the King Street Neighbourhood Centre and the majority of the Site lies within an Area of Archaeological Interest. In addition, a small part of the Site (approximately 364 sq.m.), located to the west of the public car park, comprises a private coach park and falls within the LSIS designation. The Officer Report (CDC.4) in respect of the Permission, however, confirms that this was a mapping error as the coach park is physically and functionally separate from the LSIS and does not provide any industrial capacity.

3.7 The following section summarises how the Development meets the key objectives of the planning policy framework and sets out how it fits in with the adopted Local Plan for the area.



## THE PRINCIPLE OF DEVELOPMENT

- 3.8 Paragraph 119 of the NPPF states that planning policies should promote an effective reuse of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensure safe and healthy living conditions. It further states that strategic policies should set out a clear strategy for accommodating objectively assessed housing needs, in a way that makes as much as possible of previously developed land.
- 3.9 Southall was identified as far back as 2011 by the Mayor of London as an Opportunity Area and following the adoption of the London Plan in 2021, Southall has been given an indicative target of delivering 9,000 new homes and 3,000 new jobs (Table 2.1 of the London Plan). Southall is therefore a major focus for growth.
- 3.10 As noted previously, the Site also falls within part of Site Allocation SOU8 which is identified as suitable for mixed use development.
- 3.11 The Southall Green SPD was published in 2017 as an update and partial revision to Chapter 4.7 of the Southall Opportunity Area Framework. The SPD suggests that the area around The Green (which includes the Site) has a capacity for 450 new homes, 1,500 sq.m. of retail and 3,500 sq.m. of B1 business floorspace, although it also acknowledges that the increased housing and employment delivery expected from Site Allocation SOU8 will exceed these levels.
- 3.12 In relation to Site Allocation SOU8, the Southall Green SPD states that it is one of the key redevelopment opportunities within Southall and offers significant potential for long term growth, and the opportunity to contribute to the regeneration of one of Southall's most attractive and distinctive areas.
- 3.13 Policy 2.8 (*Revitalise Southall Town Centre*) of the Core Strategy sets out a number of objectives for Southall. Of relevance to the Site are:
1. to regenerate Southall Town Centre through the provision of up to 3,320 additional mixed tenure homes;
  2. to provide a high quality mainstream retail offer to complement the Asian offer elsewhere within the centre including the development of up to 24,000 to 32,000 sq.m. of gross retail floorspace;
  3. to modify Southall Station to cater for Crossrail services to provide increased capacity, improved facilities, enhanced station integration and interchange;
  4. to provide additional community facilities – including a new community hub comprising a library and health centre; and
  5. to cater for and enhance Southall's heritage assets through proposals such as the refurbishment of Manor House, Southall Town Hall and the Himalayan Cinema to accommodate a range of retail and community uses whilst establishing linkages to wider regeneration proposals affecting the town centre.
- 3.14 With regards to the objectives identified above, the Dominion Centre was refurbished in 2014 and provides community facilities including a library and a health centre, and the Grade II\* Manor House was refurbished in 2017. Southall Station has also been modified in advance of the introduction of Crossrail. A number of objectives of the policy have therefore already been delivered and the Development which includes mixed tenure homes, provision for retail and additional community uses would help complete this. Further details of the Council's leading role in the regeneration of The Green area of Southall are identified in the witness statement provided by Ms. Young.
- 3.15 In light of the above, the principle of the redevelopment of the Site would fully accord with Site Allocation SOU8 as it would deliver mixed use development appropriate to the town centre, would continue to protect the existing industrial uses on Featherstone, Dominion and Suterwalla estates as LSIS land and would retain the Dominion Arts

Centre. The Development would also chime with objectives of the Southall Opportunity Area, Policy 2.8 of the Core Strategy and the Southall Green SPD to deliver new housing and jobs through regeneration.

- 3.16 The acceptability of the principle of the Development is also set out at length in the Officer Report and the GLA Stage 2 Report (CDD.11). Indeed, Page 52 of the Officer Report noted that *“the principle of the proposed uses on the application site accord with the development plan and with Development Plan Site Allocation SOU8”* and Paragraph 19 of the GLA Stage Report noted that *“land use principles of the proposal is acceptable in strategic planning terms.”*

### THE PRINCIPLE OF RESIDENTIAL USE (CLASS C3)

- 3.17 Policy H1 (*Optimising housing potential*) of the London Plan emphasises that Boroughs should seek to optimise the potential for housing delivery on all suitable and available brownfield sites. This is reinforced by Paragraph 119 of the NPPF.
- 3.18 Policy 1.1 (*Spatial Vision for Ealing 2026*) of the Core Strategy states that new homes, businesses and retail space will be primarily concentrated in the Uxbridge Road / Crossrail Corridor, particularly focussed, *inter alia*, around key stations such as at Southall.
- 3.19 The Development would provide 564 residential dwellings on previously developed land in a location that the Core Strategy identifies as being appropriate for new housing. The delivery of residential development on the Site would therefore wholly comply with Policy H1 of the London Plan, Policy 1.1 of the Core Strategy as well as the Southall Green SPD (as explained in Paragraph 3.11) and the NPPF.

### THE PRINCIPLE OF COMMERCIAL, BUSINESS AND SERVICE USE (CLASS E)

- 3.20 Policy 1.1 (*Spatial Vision for Ealing 2026*) of the Core Strategy states by 2026, the Borough will aim to provide 94,500 sq.m. of new office floorspace and provide up to 128,400 gross sq.m. of new retail floorspace.
- 3.21 Site Allocation SOU8 identifies the opportunity for improved provision for commercial/business uses with a variety of units sizes and types to support a vibrant activity mix and states that the provision of flexible B1 (now Class E(g)) for small and medium enterprise is encouraged.
- 3.22 Policy 2.8 (*Revitalise Southall Town Centre*) of the Core Strategy sets out the Borough’s intentions to provide a high quality mainstream retail offer in Southall to complement the Asian offer elsewhere within the centre including the development of up to 24,000 to 32,000 sq.m. of gross retail floorspace.
- 3.23 The majority of the Site is located in the King Street Neighbourhood Centre and therefore the potential of introducing additional retail floorspace would complement the existing retail offer and help enhance the vitality and viability of the centre.
- 3.24 The Development would deliver 2,502.1 sqm of flexible commercial, business and service uses (Use Class E) and therefore positively respond to the objectives of Policy 1.1 of the Core Strategy and Site Allocation SOU8. Furthermore, should the flexible floorspace be used for retail, it would also comply with Policy 2.8 of the Core Strategy.
- 3.25 The units are designed flexibly to change between uses as demand for specific uses changes according to market trends. The units can also be amalgamated and sub-divided providing opportunities for small and medium enterprises according with Site Allocation SOU8.

- 3.26 Based on the findings of Forty Group in its Commercial Justification Report (CDC.1.17) that supported the Application, it estimated that the commercial floorspace could provide 90 jobs (FTE) and result in a net increase in jobs across the Site compared to the existing provision.
- 3.27 The Development would therefore contribute positively to the local economy, provide jobs and, importantly, meet the Council's objectives of delivering new employment and retail floorspace as set out by Policy 1.1 and Policy 2.8 of the Core Strategy and Site Allocation SOU8.

### THE PRINCIPLE OF COMMUNITY USES

- 3.28 Policy 2.8 (*Revitalise Southall Town Centre*) of the Core Strategy states that within Southall Town Centre the Council will seek to provide additional community facilities.
- 3.29 The Development would deliver a day nursery (Class F1) and a community building (Class F2), both of which are secured by a planning compliance condition. As set out in Section 7 of Mr Church's witness statement, Peabody is working collaboratively with a number of community groups affected by the Development to discuss their relocation to the community building once built.
- 3.30 Both the nursery and the community building would contribute to the range of other community uses in the locality including the Tudor Rose, the Dominion Centre and the Manor House and therefore responds positively to Policy 2.8 of the Core Strategy.

### HOUSING TENURE

- 3.31 Policy H4 (*Delivering affordable housing*) of the London Plan states that the strategic target is for 50% of all new homes delivered across London to be genuinely affordable. Paragraph 4.5.3 of the London Plan confirms that the percentage of affordable housing should be measured in habitable rooms.
- 3.32 Policy 3A (*Affordable Housing*) of the Development Management DPD also seeks a target of 50% affordable housing. This should consist of a 60/40 split of social or affordable rented accommodation to intermediate provision.
- 3.33 The Development would provide 564 dwellings and based on the unit mix, this would equate to 1,565 habitable rooms. 794 of these habitable rooms would be affordable equating to a percentage of 50.7%. With regards to the tenure split, 494 of the 794 affordable rooms (62%) would be affordable rented accommodation and 38% would be intermediate accommodation and closely aligns with Policy 3A of the Development Management DPD. The minor deviation from the 60:40 target is a product of the building layout arrangement of the Development.
- 3.34 The proposed housing tenures which includes 50% affordable housing therefore accords with Policy H4 of the London Plan and Policy 3A of the Development Management DPD.

### HOUSING MIX

- 3.35 Policy 10 (*Housing size mix*) of the London Plan states that schemes should generally consist of a range of unit sizes.
- 3.36 The Development provides a mix of housing sizes including 45.9% one bedroom, 43.3% two bedroom and 10.8% three and four bedroom units and which provides such a range and which was considered appropriate in the Officer Report and the GLA Stage 2 Report.

## HOUSING QUALITY

- 3.37 Part A of Policy D6 (*Housing quality and standards*) of the London Plan states that housing development should be of high quality design, and provide adequately-sized rooms with comfortable and functional layouts, which are fit for purpose and meet the needs of Londoners. The Policy sets minimum internal space standards for new dwellings which the Development fully complies with.
- 3.38 Part C of Policy D6 (*Housing quality and standards*) of the London Plan states that housing development should maximise the provision of dual aspect dwellings and that single aspect dwellings should only be provided where it is considered a more appropriate design solution. 76% of the 564 units would be dual aspect and there would be no single aspect north facing units. The percentage of dual aspect units was welcomed by the Ealing Design Review Panel and considered acceptable in the Officer Report and the GLA Stage 2 Report
- 3.39 Part D of Policy D6 (*Housing quality and standards*) of the London Plan states that development should provide sufficient daylight and sunlight to new housing. The Application was supported by a Daylight and Sunlight Assessment (CDC.1.11) prepared by Avison Young which concluded that the Development represented a high overall daylight compliance level for a development of this size in an urban context and is better or broadly comparable with other residential typologies within the area and of a similar nature across London. This level of daylight and sunlight compliance was considered acceptable by the Officer in the Officer Report and acceptable in the GLA Stage 2 Report.
- 3.40 With regards to private outside space, Policy D6 (*Housing quality and standards*) of the London Plan states that a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant and that it must achieve a minimum depth and width of 1.5m. The Development would provide private outside space in the form of balconies that meet these policy requirements. The development would also provide 1,842 sqm of communal amenity space in the form of podium amenity space in response to the requirements of Site Allocation SOU8 to provide both balconies and communal garden space.
- 3.41 The Development will also make a financial contribution towards open space provision which is a requirement of Policy 7D (Open Space) of the Development Management DPD for developments that exceed 150 units.
- 3.42 Policy S4 (Play and Informal Recreation) of the London Plan states that residential development should incorporate good-quality, accessible play provision for all ages and provide at least 10 sqm metres of play space per child. Based on the unit mix and tenure, the child yield as a result of the Development is expected to be 198.9 creating a requirement for 1,989 sq.m of play space. 1,524 sq.m of this is provided on the Site on the podium levels of Block A and Block B and the ground level of Block C with the shortfall of 465 sq.m being mitigated through a financial contribution which will secure improvements to local play facilities. The principle of off-site provision is accepted under Policy S4 of the London Plan.
- 3.43 Policy D7 (Accessible Housing) of the London Plan states that development must ensure that at least 10% of dwellings meet M4(3) (wheelchair user dwellings) of Part M Volume 1 of the Building Regulations and that all other dwellings meet M4(2) (accessible and adaptable dwellings). The Development would provide 57 (10.1%) of the 564 units as M4(3) dwellings with the remainder meeting M4(2) standards and therefore accords with Policy D7.
- 3.44 In summary, the quality of the residential accommodation would be high and comply with Policy D6, Policy D7 and Policy S4 of the London Plan and Policy 7D of the Development Management DPD. The quality of the residential accommodation was also recognised in the Officer Report and the GLA Stage 2 Report.

## URBAN DESIGN

- 3.45 The Southall Green SPD establishes key design principles that are considered central to realising Site Allocation SOU8's full potential. It establishes six design principles:
1. Principle 1: Create a coherent and legible street network
  2. Principle 2: Optimise land use
  3. Principle 3: Integrate with surrounding area
  4. Principle 4: Retain and enhance St Anselm's Church and the Dominion Centre
  5. Principle 5: Incorporate supporting uses
  6. Principle 6: Facilitate the consolidation of employment uses.
- 3.46 In respect of Principle 1, the Development comprises three standalone buildings linked by a series of streets and public realm, which combined, create a block structure and street layout. The east-west and north-south pedestrianised streets visually and physically connect the Site with the parade of shops along The Green and the Grade II\* listed Manor House and better connect the Site to Southall Railway station. This significantly enhanced permeability not only benefits the future occupiers of the Development but also improves connections and linkages for pedestrians travelling from Featherstone Road and beyond to such places as it truly opens up the Site and integrates it within its surrounding area (Principle 3).
- 3.47 The Development also retains St Anselm's Church and the Dominion Centre and provide opportunities to improve their settings. In relation to the Dominion Centre, the new pedestrian route running alongside its eastern boundary will provide it with a greater street presence and allow it to better integrate with its surroundings.
- 3.48 Against the other key design principles, the Development would optimise land uses (see massing and density section) and would incorporate supporting uses (see land use principles section). The Development would not impact Principle 6 which relates to the LSIS which is outside of the Site boundary, albeit still within the boundary of Site Allocation SOU8.
- 3.49 The Southall Green SPD also requires Development to facilitate an improved public realm with a high quality pedestrian environment linked to public and green spaces. In this regard, alongside the delivery of coherent and legible street network that enhances permeability, the Development would be based around a central boulevard providing dedicated pedestrianised space, seating, opportunities for play and tree planting. The Development would plant 215 new trees which would contribute to a bio-diversity net gain of 380%. This would assist in the improving the quality of the local environment and the experience of pedestrians in accordance with the objectives of the SPD.
- 3.50 Finally, the Southall Green SPD recognises that the area has significant problems with back alleys/dead ends and anti-social behaviour. This is also reinforced in the witness statement of Ms. Young. In this regard, the Development would assist in designing out crime in accordance with Policy 7.3 (*Designing out Crime*) of the Development Management DPD through the design of active and overlooked streets and public realm with sensitive lighting to ensure that the scheme is inclusive and welcoming for users during day and night.
- 3.51 The urban design of the development would therefore fully accord with the aspirations of the Southall Green SPD.

## MASSING / TALL BUILDINGS

- 3.52 Policy 7.7 (*Location and Design of Tall and Large Buildings*) of the Development Management DPD states that tall buildings should be located on specific sites within Acton, Ealing and Southall town centre, gateways to Park Royal and identified development sites.

- 3.53 The Site does not specifically fall under the categories of development identified under Policy 7.7, however, Policy 1.2 (*Delivery of the Vision for Ealing 2026*) of the Core Strategy states that tall buildings are acceptable where they contribute positively to the urban environment and do not cause harm to existing heritage assets. Furthermore, the Southall Green SPD states that in relation to Site Allocation SOU8, there will be a requirement for a variation of building heights and that there may be an opportunity for taller buildings in locations that would enhance the legibility of the area.
- 3.54 The Development would provide 3 residential buildings – Building A would be 16 storeys in maximum height, and Building B and Building C would be a maximum of 19 storeys in height. As such, they would be considered to be tall buildings in the context of Policy D9 (Tall Buildings) of the London Plan which requires applications to assess the visual impacts, functional impacts and environmental impacts of a tall building. Indeed, the Hillingdon Judgement (*London Borough of Hillingdon, R (On the Application Of) v Mayor of London [2021] EWHC 3387 (Admin) (15 December 2021)*) concluded that the locational requirements for where tall buildings are directed are not gateways or pre-conditions to assessing the visual impacts, functional impacts and environmental impacts of a tall building.
- 3.55 This assessment of the Development against Policy 1.2 and Policy D9 was undertaken as part of the Application and the massing was considered acceptable in the Officer Report and the GLA Stage 2 Report. Pre-application engagement was also undertaken with the Ealing Design Review Panel and Historic England who raised no objection to the proposed massing.
- 3.56 In summary, the Development would contribute positively to the urban environment and would not cause harm to designated heritage assets (explained below). As such, it wholly accords with Policy 1.2 of the Core Strategy. Through the Application, it was also demonstrated that the Development would comply with the various tall building criteria of Policy D9 of the London Plan and which was accepted in the Officer Report and the GLA Stage 2 Report.

## HERITAGE

- 3.57 Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset.)
- 3.58 Paragraph 197 relates specifically to non-designated heritage assets and states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 3.59 Policy HC1 (*Heritage conservation and growth*) of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 3.60 Policy 7C (Heritage) of the Development Management DPD states that harm to any heritage assets should be avoided.
- 3.61 The Heritage and Townscape Assessment (CDC.1.13) which supported the Application identified that the Development would not cause any harm to any designated heritage assets through changes to their settings. As such, the Development would comply with Policy HC1 of the London Plan, Policy 7C of the Development Management DPD and the NPPF. It is also important to note that no objection was raised by Historic England.

## DENSITY

- 3.62 Paragraph 123 of the NPPF states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 3.63 Policy D2 (*Infrastructure requirements for sustainable densities*) of the London Plan states that the density of development proposals should:
1. consider, and be linked to, the provision of future planned levels of infrastructure rather than existing levels; and
  2. be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services (including both PTAL and access to local services).
- 3.64 Policy D3 (*Optimising site capacity through the design-led approach*) of the London Plan states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations.
- 3.65 Policy 1.2 (*Delivery of the Vision for Ealing 2026*) of the Core Strategy seeks to support higher densities in areas of good public transport and that the Council will take into account primarily the quality of the design, the location of the site and the need to provide a suitable housing mix.
- 3.66 The Southall Green SPD, in relation to Site Allocation SOU8 also states that development should maximise the efficient use of land.
- 3.67 The Site is previously developed land and situated in an urban area that has excellent access to local shops and services and various public transport links. It has a "good" PTAL rating which indicates that high density development in this location can be suitably accommodated. The recent introduction of Crossrail at Southall Station has further improved the Site's connectivity and accessibility by public modes of transport, thus supporting high density and sustainable development.
- 3.68 The Development has been design-led and its density ensures the optimal use of the Site's development potential in accordance with Policy D2 and Policy D3 of the London Plan and the NPPF.

## IMPACT ON NEIGHBOURING DAYLIGHT AND SUNLIGHT

- 3.69 **Policy D6** (*Housing quality and standards*) of the London Plan states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.
- 3.70 The Application was supported by a Daylight and Sunlight Assessment prepared by Avison Young (CDC.1.12) which confirmed that the majority of sensitive receptors would experience negligible or minor adverse effects as a result of the Development with only one property of 41 properties tested considered to experience a moderate to major adverse effect. Avison Young ultimately concluded that the level of daylight and sunlight amenity retained to neighbouring residential properties was considered to be reasonable for a development of this size in an urban context and likely to be better or broadly comparable with other residential typologies within the area and of a similar nature across London. This position was accepted in the Officer Report.

## TRANSPORT

- 3.71 Section 9 of the NPPF refers to 'Promoting sustainable transport' and Paragraph 110 sets out that in assessing sites that may be allocated for development, it should be ensured that:
- a. appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b. safe and suitable access to the site can be achieved for all users;
  - c. The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance including the National Design Guide and the National Model Design Code; and
  - d. any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 3.72 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 3.73 Policy T1 (*Strategic approach to transport*) of the London Plan states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 3.74 The Application was supported by a Transport Assessment prepared by Transport Planning Practice (TPP) (CDC.1.16). With regards to trip generation, TPP concluded that the Development would not result in a significant increase in traffic movements on the local highway network surrounding the Site. Furthermore, over time, TPP concluded that the impact on local traffic conditions is expected to reduce as car ownership levels associated with the users of the Site are expected to decrease. This is due to the following reasons:
1. the improvement of the pedestrian and cycle permeability throughout the Site and the wider area;
  2. the commencement of Crossrail services which will provide more services towards key destinations throughout London;
  3. the presence of car club services in the local area; and
  4. the measures provided within the Travel Plan which aim at encouraging sustainable transport.
- 3.75 With regards to promoting sustainable transport, the Development would be car-free for the residential element (with the exception of provision for disabled car parking) in light of the Site's sustainable location. Cycle parking in accordance with London Plan standards would also be provided to further promote sustainable travel.
- 3.76 The Development would reduce the quantum of public car parking on the Site from 150 spaces to 90 spaces which would further encourage a shift to more sustainable modes of transport, whilst acknowledging that there is still a need for some public parking to support local businesses and the vitality of the King Street Neighbourhood Centre.
- 3.77 The design and layout of the Development would include the widening of Dilloway Lane to facilitate a two lane road would resolve the current safety issues associated with this one-way point of access. As identified previously, the Development would also include new public realm and streets that significantly enhance the permeability of the Site and connections to the parade of shops on The Green, the Manor House and Southall Railway Station.



- 3.78 In summary, the Development would accord with Policy T1 of the London Plan and the NPPF. In particular, it would not have a significant impact on the local transport network and it would promote sustainable travel by a combination of a predominantly car-free scheme for the new residential development, a reduced level of existing public car parking provision, cycle parking in accordance with policy standards, and a design and layout that enhances permeability and promotes pedestrian connectivity.

## ENVIRONMENTAL CONSIDERATIONS

- 3.79 The Application was also determined in the context of a number of environmental-related development plan policies, namely microclimate, flood risk and drainage, air quality, noise, energy, contamination and archaeology.
- 3.80 The Application was supported by assessments that covered all of these disciplines and the Development was considered to accord with all relevant development plan policies. Planning conditions and S106 obligations have been imposed on the Permission where necessary to ensure that measures recommended in these assessments to demonstrate compliance with planning policy are secured.

## SUMMARY

- 3.81 In summary, in this section, I have identified the planning policy framework and explained that the Development wholly accords with the strategic objectives of the development plan and other material planning guidance which collectively comprise the planning policy framework.
- 3.82 In granting the Permission for the Development, the Officer Report (Page 75) noted that there would be “*substantial and decisive public benefits*” and the GLA Stage 2 Report (Paragraph 66) noted that there would be “*significant public benefits off the scheme which weigh in favour of the application and the material planning considerations of strategic importance.*”
- 3.83 I agree with the above and, in my opinion, the Development would represent a sustainable form of development. It would optimise the use of previously developed land in a highly accessible urban location which is within walking distance of a range of amenities including shops, services and employment opportunities.
- 3.84 The Site has been identified for development in the Development Sites DPD and which is further reinforced in the Southall Green SPD. The Development will deliver new housing and new employment opportunities consistent with the Opportunity Area designation and deliver comprehensive place-making benefits that seeks to significantly enhance pedestrian connectivity and improve pedestrian experience, make existing vehicular access safer for pedestrians and drivers, and better integrate the Site within the wider area, all of which accord with the Southall Green SPD.
- 3.85 As such, the purpose for which the Order is required is fully endorsed by planning policy and complies with Paragraph 106 of the Guidance as fitting in with the adopted the planning policy framework.

## 4.0 DEVELOPMENT BENEFITS

- 4.1 Alongside according with the planning policy framework, there is a requirement to assess whether the proposed purpose for acquiring the Land will contribute to the promotion or improvement of the economic, social or environmental wellbeing of the area.
- 4.2 I consider that the Development that would be implemented on the Land would deliver tangible economic, social and environmental benefits to the wellbeing of the area and which I now summarise.

### ECONOMIC

1. Permanent job creation: the Development would deliver approximately 90 jobs (FTE) across a range of flexible uses within Class E and an uplift on the existing provision;
2. Flexible employment space: the employment floorspace has been designed flexibly to change between uses as demand for specific uses changes in line with market trends. The spaces are also designed so that they can be amalgamated and sub-divided providing opportunities for start-ups and small businesses.
3. Construction-related job creation: It is envisaged that the construction of the Development would provide approximately 530 jobs; and
4. Local expenditure – the delivery of 564 homes alongside 2,923 sq.m of non-residential floorspace would increase the local population of Southall and attract greater local footfall and expenditure to the likely benefit of the vitality and viability of King Street Neighbourhood Centre and the wider Southall area.

### SOCIAL

1. New housing of a mix of tenures: the delivery of 564 homes comprising 295 market homes, 112 shared ownership homes and 157 affordable rent homes making a positive contribution to the Council's housing needs target set by the London Plan;
2. High quality housing: all units would meet policy floorspace standards and all would benefit from private amenity space in the form of balconies and have access to shared communal podium terraces. Dual aspect units are maximised with no single aspect north facing units;
3. Community uses: The delivery of new community uses including a day nursery and a community centre to serve the Site and the wider area – the latter providing a qualitative improvement in accommodation for community groups compared to the existing provision.
4. Place-making: the Development has demonstrated robust architectural design with three buildings varying in height to provide visual interest and delivers an attractive public realm based around a central boulevard providing dedicated pedestrianised space, seating, opportunities for play, and tree planting. The layout of the public realm also provides opportunities to better integrate the Site with the shops and services of The Green and The Manor House and provides an opportunity to open up a new frontage for the Dominion Centre.
5. Safety and well-being: the public realm would be well overlooked by active ground floor uses as well as residential on the upper floors and would contain sensitive street lighting to ensure that the scheme is inclusive and welcoming for users during day and night.

6. Permeability and connectivity: the street layout fully opens up the centre of the Site to The Green and creates permeability throughout to the benefit of future residents and occupiers as well as footfall travelling from the south-west of the Site (Featherstone Road and beyond) to The Green and beyond including Southall Railway Station.

## ENVIRONMENTAL

1. Urban Greening: the Development would significantly improve the greening of the Site and would include the planting of 215 trees – a significant uplift across the Site;
2. Bio-diversity net gain: the Development would deliver a bio-diversity net gain of 380%;
3. Reduction in flood risk: the Development would implement sustainable urban drainage systems that would significantly reduce surface water flow rates and therefore reduce the risk of surface water flooding across the Site;
4. Air Quality neutrality: the Development would not contain any combustion plant and is considered Air Quality Neutral against the London Plan benchmarks;
5. Renewable energy: the Development would not require any combustion plant and would be operated by a combination of renewable heat pumps and solar photovoltaics;
6. Greater appreciation of heritage assets: the public realm would provide a visual connection from the pedestrian boulevard to the Grade II\* Manor House and provide opportunities for a greater appreciation of its significance;
7. Sustainable Travel: the Development would reduce the quantum of public car parking currently on the Site and would be car-free (with the exception of disabled spaces) with regards to the new residential and employment uses. Cycle parking will also be provided in accordance with policy standards for residents, businesses and visitors. The layout of the Development also improves permeability and connectivity further encouraging pedestrian mobility and sustainable travel. These measures will naturally promote more sustainable modes of transport which will be further encouraged through the implementation of a Travel Plan.
8. Making best use of previously developed land: the Development would regenerate and optimise previously developed land in accordance with national planning policy and reduce pressure on the development of greenfield sites to meet strategic planning objectives.

# 5.0 DEVELOPMENT DELIVERY

- 5.1 This sections provides a summary of the composition of the Permission including the Section 106 Agreement and confirms that the Development is deliverable and that there is no impediment to its implementation.
- 5.2 The Permission is a full planning permission permitted on a phased basis. The driver of the phasing of the Permission is to establish separate CIL phases of development.
- 5.3 Condition 1 of the Permission requires the Development to commence within three years of the date of the Permission (i.e. by 9 September 2025).
- 5.4 The Permission contains a number of pre-commencement planning conditions that are to be discharged on a phase-by-basis including:
1. Condition 4 – Phasing Plan;
  2. Condition 6 – Whole Life-Cycle Carbon Assessment;
  3. Condition 8 – Circular Economy Statement;
  4. Condition 10 – Air Quality and Dust Management Plan;
  5. Condition 12 – Arboricultural Method Statement;
  6. Condition 13 – Arboricultural Protection Measures;
  7. Condition 36 – Site Investigation Works;
  8. Condition 37 – Remediation Scheme;
  9. Condition 39 – Drainage Strategy;
  10. Condition 43 – Demolition and Construction Environmental Management Plan;
  11. Condition 46 – Archaeological Written Scheme of Investigation; and
  12. Condition 47 – Temporary arrangements relating to building and public realm interfaces.
- 5.5 I consider that these pre-commencement conditions are typical for a major development and which would be capable of being discharged in a timely manner to allow Development to lawfully commence within the time periods set by the Permission.
- 5.6 The Permission also includes a number of other planning conditions that are required to be either discharged prior to commencement of relevant works or prior to occupation. There are also a number of compliance conditions. These are not repeated here and can be found on the Decision Notice (CDC.2).
- 5.7 The Permission is also supported by a Section 106 Agreement which comprises the following obligations to make the development acceptable in planning terms:
1. A series of financial contributions to be paid on a phase-by-phase basis covering:
    - a. Carbon offsetting contribution (£605,739);
    - b. Air quality monitoring contribution (£50,000);
    - c. Bus stop improvements contribution (£8,000);
    - d. Play space and open space contribution (£300,000);
    - e. Economic development contribution to support provision of outreach engagement, pre-employment training and employment support (£46,000);
    - f. Education contribution (£470,000);
    - g. Leisure contribution (£70,000);
    - h. NHS contribution (£200,000);
    - i. Post-construction energy monitoring contribution (£21,269);

- j. Transport and highways contribution (£89,000); and
- k. TfL contribution toward bus network improvements (£594,167).

2. A series of non-financial obligations covering:

- a. Affordable housing delivery;
- b. Viability Assessment should “Substantial Implementation” not occur within the timescales set by the agreement;
- c. Highways and Public Realm works;
- d. Removal of ability for new occupiers to acquire parking permits (with the exception of blue badge holders);
- e. Travel Plans;
- f. Local Employment and Apprentice Scheme;
- g. Local Employment and Skills Strategy;
- h. Be Seen/Be Green Monitoring Obligations;

5.8 Prior to the commencement of the Development (excluding works specifically identified in the legal agreement as not constituting a material operation for the purpose of commencement under the terms of the legal agreement), the S106 agreement requires the developer to provide no less than 10 working days’ notice to the Section 106 Monitoring Officer and obtain approval of the Local Employment and Apprentice Scheme and the Local Employment and Skills Strategy. I consider that these pre-commencement obligations are capable of being discharged to allow Development to commence lawfully in accordance with the S106 agreement.

5.9 I therefore do not consider there to be any planning condition or planning obligation-related impediments to the implementation of the Development.

5.10 As set out in the witness statement of Mr Church, Peabody has signalled its intention to discharge pre-commencement planning conditions imminently with an intention to implement the development in January 2023.

# 6.0 RESPONSES TO OBJECTIONS

- 6.1 I understand that the Secretary of State has received sixty-three objections against the confirmation of the Order including 39 non-statutory and 24 statutory objections.
- 6.2 My response to the planning-related objections is provided below. I note that similar objections were also raised in respect of the Application and which are addressed in the Officer Report.

## OVERDEVELOPMENT

- 6.3 The Development would optimise the use of previously developed land consistent with Paragraph 123 of the NPPF and deliver housing and employment consistent with the objectives of the Southall Opportunity Area Framework, Site Allocation SOU8, and the Southall Green SPD. The design, massing and density of the Development was thoroughly tested during the planning pre-application stage which included consultation with key stakeholders including the Council's Planning Department, the GLA, Ealing Design Review Panel and Historic England and has been granted planning permission. Alongside high quality architectural design, the comprehensive place-making benefits which includes significantly enhanced pedestrian connectivity, an improvement to pedestrian and vehicular safety, and the integration of the Site into the wider area fully support the case for the quantum of development approved. The Application was also supported by a number of technical assessments – none of which identified adverse impacts which could possibly indicative signs of overdevelopment. I am therefore satisfied that the Development does not constitute over-development and rather that the Development maximises the efficient use of land in accordance with the Southall Green SPD.

## INFRASTRUCTURE CONCERNS

- 6.4 The Development will provide new employment opportunities (a net increase in jobs against existing provision), a nursery, community space, as well as new public realm which the public will be able to benefit from. In addition to this provision, the Permission is required to make a range of S106 financial contributions in order to make the Development acceptable in planning terms. This includes, *inter alia*, contributions towards bus stop improvements, bus network contributions, NHS contributions, education contributions and leisure contributions – all of which mitigate the impacts of the Development on existing infrastructure. As a result of these obligations, I am satisfied that the impacts of the Development on local infrastructure are sufficiently mitigated.

## LOSS OF CAR PARKING IMPACTS / CONCERNS

- 6.5 The Development would maintain the existing car parking provision across the Site – 150 spaces overall. 90 of these would be retained as public parking spaces and 60 would be provided to accommodate the Development, available to blue-badge holders only. As such, whilst there would be no loss in overall parking, there would be a loss of 60 public parking spaces which I understand is the context in which this objection is made.
- 6.6 Despite a recommendation in the GLA Stage 1 Report (CDC.1.18) to remove all public car parking on the basis of the Site's sustainable location, the Council made the decision to retain 90 spaces acknowledging the need to retain some public parking to support local businesses. Ultimately, the quantum proposed is considered sufficient by the Council's Parking Services to accommodate demand (see Ms. Young's witness statement) and which was reinforced by parking surveys undertaken by TPP which confirmed that the retention of 90 public car parking spaces would be able to satisfactorily absorb the demand for public car parking once the Development was operational.

6.7 As such, it is not expected that a reduction in public car parking will cause any adverse impacts to the public and that a reduction in public car parking aligns with the direction of travel of national, regional and local planning policy which seek to deter car dependency in accessible locations. Indeed, The Green is highly accessible by other means of transport including by bus and train, providing genuine alternative modes of travel to the area in addition to the use of private car.

## CONGESTION

6.8 As set out in Section 3, TPP concluded that the Development would not result in a significant increase in traffic movements on the local highway network surrounding the Site. Furthermore, over time, TPP concluded that the impact on local traffic conditions is expected to reduce as car ownership levels associated with the users of the Site are expected to decrease. This is due to the following reasons:

1. the improvement of the pedestrian and cycle permeability throughout the Site and the wider area;
2. the commencement of Crossrail services which will provide more services towards key destinations throughout London;
3. the presence of car club services in the local area; and
4. the measures provided within the Travel Plan which aim at encouraging sustainable transport.

6.9 As the Development would not result in a significant increase in traffic movements, I am convinced that the Development would not significantly contribute to greater congestion. Added to this, I would note that Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network would be severe. This would not be the case in this instance as evidenced by TPP and accepted in the Officer Report as well by Highways England and TfL.

## SUBJECT LAND HAS ALTERNATIVE DEVELOPMENT OPPORTUNITY

6.10 Aside from the Permission, I am aware of no other planning application or planning permission to suggest that there is an alternative development opportunity to deliver the objectives of Site Allocation SOU8 and the Southall Green SPD.

6.11 The Council is acquiring the Land to deliver a comprehensive mixed use development that accords with the planning policy framework for the area. The Development has planning permission and the Council has a development partner to deliver it with significant experience of urban regeneration as set out in the witness statement of Mr Church.

6.12 The Order Land is necessary to deliver the comprehensive benefits of the Development including the quantum of homes and employment floorspace but also to accord with the objectives of Site Allocation SOU8 and the Southall Green SPD which seeks development to come forward in a comprehensive manner in order to create a coherent and legible street network, optimise land use, better integrate the Site with the surrounding areas and facilitate an improved public realm with a high quality pedestrian environment linked to public and green spaces.

6.13 If the Site did not come forward for development comprehensively, it is unlikely that an individual speculative planning application on part(s) of the Site would be able to deliver the objectives of Site Allocation SOU8 and the Southall Green SPD identified above as well as the wider place-making benefits. A comprehensive development is the only way to achieve the quantum of development that the Permission delivers as it justifies the case for a high density scheme including the principle of tall buildings.

## IMPACT ON ACCESS

- 6.14 Concerns have been raised regarding impact on access to the rear of the shops at 72-98 The Green.
- 6.15 The Development would retain this access route and ultimately improve it on its southern side by increasing the width of the road which will only assist easier vehicular manoeuvring. The servicing route is shown in the swept path drawings that accompany the Transport Assessment prepared by TPP.
- 6.16 Paragraph 11.40 and 11.41 of The Statement of Case (CDA.4) identifies the commitments that the Council has made to the property owners of the shops at 72-98 The Green to ensure access continuity to the rear of the shops during the construction phase as well as once the Development is complete.

## HEIGHT OF THE DEVELOPMENT

- 6.17 As noted in Section 3, Policy 1.2 (*Delivery of the Vision for Ealing 2026*) of the Core Strategy states that tall buildings are acceptable where they contribute positively to the urban environment and do not cause harm to existing heritage assets. Furthermore, the Southall Green SPD states that in relation to Site Allocation SOU8, there will be a requirement for a variation of building heights and that there may be an opportunity for taller buildings in locations that would enhance the legibility of the area.
- 6.18 This assessment of the Development against Policy 1.2 of the Core Strategy and Policy D9 (Tall Buildings) of the London Plan was undertaken as part of the Application and the massing was considered acceptable in the Officer Report and the GLA Stage 2 Report. Pre-application engagement was also undertaken with the Ealing Design Review Panel and Historic England who raised no objection to the proposed massing.
- 6.19 The Development would contribute positively to the urban environment and would not cause harm to designated heritage assets. As such, it wholly accords with Policy 1.2 of the Core Strategy. Through the Application, it was also demonstrated that the Development would comply with the various tall building criteria of Policy D9 of the London Plan and which was accepted in the Officer Report and the GLA Stage 2 Report.

## INADEQUATE CONSULTATION

- 6.20 In respect of public engagement in relation to the Application, four separate public exhibition events were undertaken at the Southall Manor House. The first two were undertaken in June 2019 and the second two were undertaken in September 2019. The events took place on both a weekday and a weekend across a six hour window to help ensure maximum participation.
- 6.21 Further engagement with local resident, business and wider interest groups was undertaken in June and July 2021. In June 2021, letters were electronically issued to all key stakeholders, including key elected representatives and nearly 60 community groups, clubs, religious bodies and organisations. All the letters included a scheme newsletter, which provided key information on the proposals, CGIs and contact details for the development team. The scheme website, originally launched in June 2019, was also further updated in June 2021 to reflect how the scheme had evolved.
- 6.22 Further details of the extent of community engagement in respect of the Application can be found in the Statement of Community Involvement (CDC.1.14) and Statement of Community Involvement Addendum (CDC.1.15) prepared by Camargue which supported the Application.
- 6.23 In addition to the Applicant-led consultation, the Council also undertook a statutory consultation on receipt of the planning application.



6.24 In summary, I am satisfied that sufficient public consultation has taken place in respect of the Application.

## SUMMARY

6.25 Whilst the Order is not the place to reopen the planning merits of the Development (which has the benefit of a planning permission), I have considered the planning-related objections made and provided my observations on these above. As noted, the majority of these are a reoccurrence of objections raised in respect of the Application and which were addressed in the Officer Report prior to the grant of the Permission.

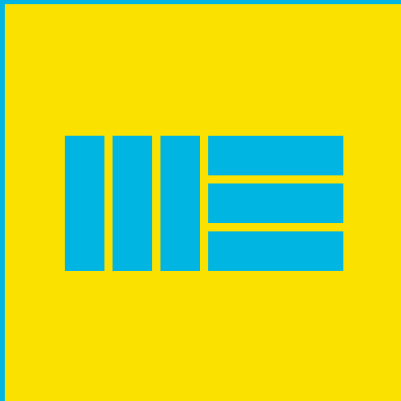
6.26 Ultimately, I remain of the view that the purpose for which the Order is required is fully endorsed by planning policy and complies with Paragraph 106 of the Guidance as fitting in with the adopted the planning policy framework. I also remain of the view that the implementation of the Development would facilitate the creation of a wide range of economic, social and environmental benefits that would improve the well-being of the area.

## 7.0 CONCLUSION

7.1 I have considered the case for the Order against the planning matters set out in the Guidance that are relevant to my evidence and in my view:

1. The purpose for which the land is being acquired fits in with the development plan and other relevant material planning guidance that collectively comprises the planning policy framework. The Development is wholly consistent with the objectives of the Opportunity Area status set by the London Plan, the site allocation objectives under Site Allocation SOU8 (in the Development Sites DPD) and the Southall Green SPD, and the wider spatial objectives of the Core Strategy and the Development Management DPD.
2. The confirmation of the CPO would enable the implementation of the Development (subject to discharge of routine pre-commencement conditions and obligations) which would facilitate the creation of a wide range of economic, social and environmental benefits that would improve the well-being of the area.
3. There are no planning impediments to the implementation of the Development. I have identified the pre-commencement planning conditions and pre-commencement planning obligations and consider them to be typical for a major scheme and capable of being discharged in a timely manner to allow lawful commencement. The Development is also being implemented by Peabody which has a proven track record of delivering development of a similar scale as set out in Section 4 of Mr Church's witness statement.

**MONTAGU EVANS**  
**5 BOLTON STREET**  
**LONDON**  
**W1J 8BA**



**[WWW.MONTAGU-EVANS.CO.UK](http://WWW.MONTAGU-EVANS.CO.UK)**

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.  
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.