

Examination of the Ealing Local Plan 2024-2039

Hearing Statements relating to Matters 3 & 4 made on behalf of Leisure & Entertainment Ltd (“L&E”).

In this hearing statement we refer to the detailed representations submitted by L&E to LBE on 3 April 2024 in relation to the Barclays Sports Club site, allocation EA21 (“L&E Representations”).

Matter 3: Vision, Objectives and Spatial Strategy Issue [Focus – Policies SP1-SP4]

Whether the Vision and Spatial Strategy for the Borough is justified, effective, in general conformity with the London Plan, consistent with national policy and positively prepared.

Vision and Objectives – SP1

1. *Is the Boroughwide Vision for the Plan ambitious, yet realistic, with appropriate alignment with the London Plan?*

L&E Response

- 1.1 Paragraph 4.9 of the L&E Representations specifically refers to policy GG2 of the London Plan and paragraph 4.19 refers to the London Plan Review (see Report of Expert Advisors dated 15 January 2024 as highlighted 4.19 to 4.20 and Appendix 9 in L&E’s representations).
- 1.2 L&E considers The Regulation19 Local Plan (“the Plan”) Boroughwide Vision does not align with the London Plan because Figure SS1 column 6 – “Place interventions” - should also include as “places for intervention” **the regeneration of sustainable previously developed sites/brownfield (over 0.5 ha) within the Borough within the proposed site allocations.**
- 1.3 L&E would like to draw the Inspectors’ attention to The London Plan, Annex 3, which identifies previously developed sites of over 0.5 hectares as being appropriate sites for “major development” – being a development of over 10 residential units.
- 1.4 The former club house site (“Club House Site”) in the NW corner of the overall Barclays Sports Club site allocation EA21, is a brownfield site and totals 0.56 hectares and so is a “major development site” comprising previously developed/brownfield land.
- 1.5 L&E note that there are no housing units specified in the proposed land uses for site allocation EA21 in the submitted plan.
- 1.6 However, L&E also note that evidence based document EB73B – Housing trajectory –does identify site allocation EA21 as having a capacity for 97 units to be developed between 2029-2032.
- 1.7 EB73B does not provide evidence as to how the site capacity for 97 units has been derived. Moreover, document EB73B does not appear to differentiate between the brownfield Club House Site – which, including surface car parking area, totals 0.56 hectares – and the area of former sports fields, which totals 6.1 hectares.

- 1.8 Policy EA21 also states that *“the site is not in principle suitable for a tall building and the threshold height for a tall building is 6 storeys.* In this regard, L&E have provided evidence in the L&E Representations (see Appendix 5 – Feasibility Assessment) that the brownfield Club House Site is indeed suitable for a taller building.
- 1.9 The Boroughwide Vision therefore does not align with Policy GG2 of the London Plan because previously developed brownfield sites in sustainable locations which can deliver much needed housing during the plan period, such as the Club House Site, forming part of site allocation EA21, are supported by London Plan Policy GG2.
- 1.10 L&E notes that the Club House Site is proposed to be removed from the MOL designation relating to the rest of the Barclays Sports Club site by Policy EA21, which L&E supports for reasons given in the L&E Representations. However, L&E also considers, for reasons given in Section 2 of the L&E Representations, that all of site EA 21 should be removed from the MOL designation.

2. Are the objectives of the Plan clearly set out and measurable? Spatial Strategy – general issues

L&E Response

- 2.1 The spatial strategy needs to measure how all of the proposed Plan’s allocated sites could deliver the Plan’s overall housing requirement and other needs.
- 2.2 L&E note that there are no housing units specified in the proposed land uses for site allocation EA21 in the Emerging Plan. However, LBE’s evidence based document EB73B – Housing Trajectory – identifies site allocation EA21 as having a capacity for 97 units to be developed between 2029-2032, although how this number has been derived and which part of the site allocation these units should be delivered on is not explained.
- 2.3 L&E have provided evidence in the L&E Representations, in Appendix 5 – Feasibility Assessment, and Appendix 6 – Visual Impact & Landscape Assessment, that the previously developed land comprising the Club House Site is suitable for a taller building component which could sustainably deliver significant housing numbers – at least 100 units - which would assist in meeting the Plan’s overall housing needs.
- 2.4 To be measurable in terms of its objectives, the Emerging Plan needs to clearly state that, for site allocation EA21, at least 100 units are to be allocated for development within the Club House Site over the plan period in order to bring back into use the former sports fields for local community use.

Spatial Strategy – General Issues

- 3 *Does the choice of Spatial Strategy flow logically from the conclusions of the IIA?*

L&E Response

- 3.1 L&E do not consider that the choice of the spatial strategy reflects the conclusions of the IIA site assessment for allocated site EA21.

- 3.2 Section 6 of the L&E Representation references the Integrated Impact Assessment (IIA) and paragraph 6.6 summarises the scores given to site EA21 in the assessment. L&E's conclusions, set out in paragraphs 6.6 and 6.7 of the L&E Representation, are that the IIA supports the proposed development of the Barclays Sports Club site, Site EA21, including the provision of sports facilities and redevelopment of the Club House Site, in the scale and massing given in Appendix 5 to the L&E Representations.
- 3.3 This is contrary to the Plan's proposed land uses for site EA21 which (i) does not specifically allocate the 97 housing units referred to in EB73B for development over the plan period but, instead, (ii) seeks to minimise, and not maximise, the amount of housing development at the Club House Site by imposing the "enabling policy" restrictions on the site.
- 3.4 LBE have not entered into any consultation with L&E following submission of the L&E Representations and, so far as L&E is aware, have not undertaken their own master planning assessment of the Club House Site and have not provided any evidence as to why the site is not suitable for a taller building with the scale and massing which can deliver 100 residential units as illustrated in Appendix 5 to the L&E Representation.

(Question 4 – no comment)

5. *Do Policies SP2-SP4 clearly set out deliverable planning related policy in a manner which gives certainty in future decision taking in the Borough and does the development plan as a whole make provision for all the measures which the implementation of the policies rely upon? How will the implementation of Policies SP2-SP4 be assessed?*

L&E Response

- 5.1 The spatial strategy needs to measure and show how all of the proposed Plan's allocated sites can actually deliver the Plan's overall housing needs.
- 5.2 Specifically, in relation to allocated site EA21, L&E have provided evidence, in Appendix 5 (Feasibility Assessment) and Appendix 6 (Visual Impact & Landscape Assessment) of the L&E Representations, that the previously developed land at the Club House Site is suitable for a taller building component which could sustainably deliver significant housing numbers – approximately 100 units - which would assist in delivering the Plan's overall housing needs.
- 5.3 Implementation of Policies SP2 to SP4 are also dependent upon having housing policies which can deliver the Plan's housing needs. However, the Plan does not allocate housing units at proposed development site allocations – including at site EA21 – and so it would not be possible to monitor the implementation of the Plan's housing policies.

Infrastructure

6. *Is the approach to infrastructure planning in the Plan sound and in general conformity with the London Plan? Taken as a whole does it support a conclusion that the growth proposed by the Plan is deliverable?*

Specifically: a. Has a comprehensive assessment of the infrastructure needs been undertaken along with the mechanisms that will be used for delivery and appropriate consideration of associated delivery risks for specific allocations?

b. Are the details regarding infrastructure delivery in Table SS1 and at Chapter 4, signposted in Policy 4.1(G)(ii), consistent with the evidence base?

c. Do key infrastructure dependencies align with planned growth (including where development is reliant on flood prevention and mitigation)

d. Are infrastructure dependencies and how will impact on the deliverability of the growth in the plan sufficiently understood?

L&E Response

6.1 The delivery of social infrastructure sought by site allocation EA21, namely bringing back into use the former playing fields, previously used only by employees of Barclays Bank, for use by the local community for outdoor sporting uses, is dependent upon having a willing owner of the site to deliver this social infrastructure.

6.2 The delivery of this social infrastructure is therefore dependent on a viable development being brought forward by redeveloping the Club House Site for residential use.

6.3 As further evidence forming part of the L&E Representations, L&E submitted viability evidence produced by Savills on 10 April 2024 and a supplementary viability assessment in August 2024. These assessments provided evidence that restricting residential development on the Club House Site by the proposed “enabling policy” could make the delivery of the bringing back into use of the former sports fields for use by the local community unviable, depending upon the assumptions made regarding sales revenues and build costs.

6.4 Despite requests for consultation, LBE’s viability consultants BNP have not advised Savills if or why they consider Savills’ assessment invalid or what amount of residential development they consider would be necessary in order to make the development viable in order to bring back into use the former sports fields.

6.5 L&E also note that in response to the public consultation LBE have commented that:

"The Council have further reviewed proposed costs of development and have identified that the consultants that produced these cost estimates used wrong assumptions in their calculations. Based on further work undertaken by the Council we believe a more realistic costs for a hockey facility (pitches and pavilion) on the site to be around £3m to £3.5m based on 2023 prices plus potentially any additional costs with the site specific issues that might be identified once surveys have been completed."

6.6 L&E have not seen what these “more realistic costs are” or what was the “further work undertaken by the Council” . L&E have repeatedly said that they are happy for their viability consultants to meet the Council’s own consultants but regretfully, at the time the submission of this hearing statement, no such meeting has taken place; L&E and its consultants remain available to meet the Council and its advisors on this matter.

(Sections 7-10 – no comment)

Greenbelt/MOL

11. *Paying regard to paragraph 145 of the Framework, do strategic policies establish the need for any changes to Green Belt/MOL boundaries? If so, which ones and how? Are exceptional circumstances for any proposed changes to boundaries evidenced and justified? Are all detailed amendments to boundaries clear and addressed in the evidence?*

L&E Response

National Planning Policy Framework Considerations

- 11.1 Appendix 1 to this Hearing Statement reproduces paragraph 145 of the December 2023 National Planning Policy Framework as, in accordance with transitional arrangements, the Examination will be assessed against this version of the NPFF.
- 11.2 Paragraphs 2.7 to 2.9 of LE's representation make reference to paragraphs 138 and 141 of the July 2021 version of the Framework. These paragraphs are however re-numbered as paragraphs 142 and 146 in the December 2023 National Planning Policy Framework.

Assessment

- 11.3 Section 2 of the L&E Representations relates to the submitted Plan's proposed changes to the Metropolitan Open Land ("MOL) designation in respect of site allocation EA21.
- 11.4 L&E consider that exceptional circumstances are fully evidenced and justified to remove the designation MOL boundaries to site allocation EA21 in the plan making process because the site does not meet MOL designation criteria.
- 11.5 This is evidenced by paragraphs 2.14 to 2.27 and Table 1 in the L&E Representations which refers to LBE's own report, commissioned from Arups – *"Ealing Green Belt and Metropolitan Open Land Review Stage 1 report – November 2022. – MOL 20 Site Assessment*. Site MOL 20 includes all of former Barclays Sports Ground, site EA21, as well as St Augustine School and Grounds, Ealing Reservoir, Fox Wood, Hanger Hill Park and Chatsworth Wood.
- 11.6 The report's recommendation in relation site MOL 20 (including all of site allocation EA21) is that ***"overall the site does not score well against MOL criteria. Alternative designations such as public/community space are considered to be more appropriate and boundary changes are to "de-designate the whole site"***
- 11.7 The report's recommendation to de-designate all parcels of land comprising MOL 20 was incorporated within the Regulation 18 submission draft as given in Appendix 3 "Atlas of Change – Map 2, page 3.
- 11.8 Paragraphs 2.28 to 2.29 of the L&E Representations highlight that the LBE decided not to take forward Arup's recommendation in the Regulation 19 submission Plan because of *"objections raised by the Mayor of London in his statement of General Conformity."*
- 11.9 The Mayor's letter to LBE in relation to the Reg 18 draft New Ealing Local Plan considered that exceptional circumstances had not been demonstrated to release sites from the MOL designations and that *"LBE should adopt a 'brownfield first' approach exhausting all brownfield development opportunities before considering the potential for development on GB and MOL sites"*.

- 11.10 Consequently, the Atlas of Change – Map 35 – MOL 20, which specifically relates to the Barclays site allocation, proposes to only amend the MOL boundary for the EA21 Site to exclude the Club House Site, comprising the club house building and the surrounding hardstanding area.
- 11.11 Paragraphs 2.30 to 2.48 and Table 2 of the L&E Representations set out L&E's response to LBE's decision not to remove the MOL designation from the entirety of site EA21 due to the Mayor's objection. The position of L&E is that since, on the evidence from LBE and Arup, site EA21, as part of MOL 20, does not fulfil or no longer fulfils the criteria for MOL, then exceptional circumstances must exist for removal of the MOL designation.
- 11.12 Further, L&E considers that LBE have failed to recognise, as advised by the Mayor, that as the Club House Site, being the only part of site EA21 which is proposed to be released from MOL, is a brownfield site, every opportunity needs to be made to maximise the development potential of the site in order to deliver the Plan's housing needs.
- 11.13 L&E have submitted evidence in Appendices 5, 6 and 7 of the L&E Representations that the Club House Site is a suitable and sustainable site for the delivery of needed new homes, development of which would improve the townscape and visual appearance of the site with no impact on heritage assets, whilst still maintaining the openness of the sport grounds.
- 11.14 Further, the Plan proposes an additional MOL designation on land comprising a small part of the access road to the Ada Lovelace High School – as shown in Table B and paragraph 2.48. The land comprising the whole of the Ada Lovelace site (to the immediate south of and adjacent to site EA21) was released from MOL by an Inspector's report decision dated 2 March 2016 relating to the examination of the Ealing Planning for Schools Development Plan document – Ref PINS/A5270/429/7 and leased by L&E to the Secretary for State for Education in order to enable development of the school. Apart from the inclusion of this small parcel of land in the Atlas of Changes in the Plan, no mention or justification for the proposed designation of this land as MOL is provided by LBE, let alone any exceptional circumstances, for its proposed MOL designation.
- 11.15 L&E therefore consider that there are exceptional circumstances to justify the removal of all site EA21, comprising the former Barclays Sports Ground, in addition to the removal of the designation from the Club House Site, as summarised in their conclusions and recommendations as given paragraphs 2.49 to 2.50 and, further, that there are no exceptional circumstances which would justify the designation of part of the Ada Lovelace access road as MOL.
- 11.16 Paragraph 2.51 of the L&E Representations states that, in the event that the Inspector's do not agree with the assessment of L&E and Arup (and the previous position of LBE) that there are exceptional circumstances which justify the removal of the MOL from the whole of Barclays site, so that only the Club House Site should be removed from MOL, then the position of L&E is that the proposed boundary change to the MOL by Map 35 is too tightly drawn and the MOL Club House Site boundary should be as shown in Appendix 3 to the L&E Representations.

Policy SP2 – Tackling the climate crisis

12. In terms of Policy SP2:

- a. what is its purpose and is its scope appropriate?*
- b. what progress has the Council made in meeting becoming carbon neutral by 2030 and on what basis is the deliverability of this policy target justified?*
- c. Does SP2.3 sufficiently reflect the diversity of the community of the Borough?*
- d. is the inclusion of the 20-Minute Neighbourhood concept in general conformity with the London Plan and consistent with the Framework. What provisions does the Local Plan make to delivering this concept?*

L&E Response

- 12.1 L&E note Policy SP2.2 – sub section E- is concerned with “*Maintaining, enhancing and expanding the network of green infrastructure*”. Whilst supporting these policy overall policy objectives, having MOL designation for site EA21 is not necessary to achieve these objectives when alternative designations such as community open space are considered to be more appropriate.
- 12.2 Supporting paragraph to Policy SP2.2 needs to be amended to acknowledge that these objectives are not dependent on MOL or Green Belt designation.

(Section 13 - no comment)

Policy SP4 -Creating Jobs and Good Growth

14. In terms of Policy SP4:

- a. what is its purpose and is its scope appropriate?*
- b. are the ways of promoting good growth at SP4.1 (a) to (g) aligned and in general conformity with the London Plan?*
- c. is the term ‘character led and contextual approach’ at SP4.1(D) clear? For effectiveness, should the Plan be modified to align with Policy D3 of the London Plan and refer to a ‘design led approach’?*
- d. in relation to town centres, is Policy SP4.2(J) implemented through the policies in the Plan? Is the approach consistent with National Policy and in general conformity with the London Plan, including Policy SD7?*
- e. are the strategic place interventions at paragraphs 87-90 justified by the evidence and accurately summarised in the Plan? Do the policies in the Plan support the strategic place interventions?*

L&E Response

- 14.1 L&E consider that whilst policy objectives B-D of Policy SP4.1 – Good Growth (see paragraphs B -D below) - are consistent with London Plan Policy GG2 – Making the best use of land, - these policy objectives are not being implemented at allocated site EA 21.
- B. Directing development to sustainable locations that are well connected to sustainable transport modes or within close proximity to town centres deliver patterns of land use that reduce the reliance on the car and facilitate making shorter and regular trips by walking and cycling.
- C. Ensuring that the most efficient use of land is made so that development on sites is optimised, which will contribute to more sustainable patterns of development and land uses.
- D. Following a character-led and contextual approach to growth that optimises the capacity of sites while reflecting the valuable components of the built environment
- 14.2 This is because site allocation EA21 proposes to minimise the quantum of residential development; the proposed land uses are specified as being a *“leisure led scheme with enabling residential use”* and in relation to buildings that “the site is not in principle suitable for a tall building over 6 storeys high and the design principles are ***“to limit the quantum of residential to the amount absolutely necessary to financially secure the delivery of the replacement leisure centre.”***”
- 14.3 L&E consider for reasons given in Section 4 of their Representations together with the evidence given in Appendices 5 – Feasibility Assessment; Appendix 6 – Visual Impact and Landscape assessment and Appendix 7 – Heritage Assessment - that the Club House Site is a sustainable brownfield site which can deliver a well- designed scheme for over 100 residential units, as well providing new club house facilities and the re use of the former sports fields for local community use.
- 14.4 Therefore L&E’s consider that there is inconsistency between the policy objectives of SP4 B-D and alignment with the London Plan when assessed against the land use, tall building and design constraints proposed at site allocation EA21.
- 14.5 To comply with Policy SP4.1 and be in general conformity with the London Plan, the proposed EA 21 site allocation policy, its proposed land uses and tall buildings and design principles should be amended as set out in Section 5 and Table 3 of the L&E Representations.
15. *Overall, is the spatial Strategy sound, having regard to the Borough’s assessed development needs, the requirements of national policy, and general conformity with the London Plan?*

L&E Response

- 15.1 For reasons given in this Hearing statement in relation to Matter 3 and as summarised in section 1.7 of the L&E Representations, it is considered that that the Spatial Strategy is not sound having regard to LBE’s assessed development needs, the requirements of national policy and general conformity with the London Plan, and, with specific reference to the EA21 site allocation, to be sound the submitted plan needs to :

- Remove the MOL designation from the whole of the Barclays Site, EA21, for the reasons given in section 2.
 - In the event that, despite the evidence submitted by L&E, neither LBE nor the Planning Inspectorate agree to remove the MOL designation for at the entirety of site allocation EA21, then the boundary of the MOL designation for the site should be amended to exclude the Club House Site, as defined in Appendix 3 to the L&E Representations.
- Remove the proposed new MOL designation in relation to part of the access road in the Ada Lovelace Land from the Atlas of change as proposed by Map 35 relating to site MOL 20.
- Remove the designation of “community open space” in relation to the Club House Site.
- Remove the proposed policy restriction limiting any building within the Club House Site to no higher than six storeys and allow development of a taller building of up to 10 storeys in height at the Club House Site – see section 3 of L&E’s representation.
- Remove the “enabling policy” restrictions that would specifically apply to site allocation EA 21 as required by policy ENA and the associated amendments to enabling policy restriction wording of site allocation EA 21 – see section 5 of L&E’s representation.
- Allocate at least 100 residential units at the former Club House Site for delivery between 2026-2030.
- Amend the wording and site boundary relating to the Barclays Sports Ground Site in the site-specific policy EA21 as set out in section 5 of L&E’s representation.
- Amendment to Public Document Pack/Supplementary Documents Appendix D – page 790 Arup IIA Sites Appraisal Section 2.6 Ealing Sports Grounds (EA 21) as set out in section 6 of L&E’s representation.

Matter 4: Housing Issue [Focus –Policies SP4, HOU, H16, SSC]

Whether the Plan has been positively prepared and whether it is justified, based on up-to-date and reliable evidence, effective, consistent with national policy and in general conformity with the London Plan in relation to housing development management policies.

Questions Housing – general

1. Does the Plan accurately and clearly set out a housing target that reflects the ten-year targets for net housing completions referred to a Policy H1(A) of the London Plan? Is the approach to setting the housing target after 2028/29 justified?

L&E Response – No comment

2. When read in conjunction with the wider development plan, is the submitted Plan clear about where residential development in the Borough will be supported in principle, including small sites?

L&E Response

2.1 L&E do not consider that the Plan is clear about whether residential development is supported in principle at allocated site EA21. This is because:

- L&E have submitted in the L&E Representations, in Appendices 5,6 and 7, as to why they consider the Club House Site within site allocation EA 21 should be allocated for at least 100 residential units.
- Specifically, the Club House Site, within site allocation EA21, is a large brownfield site of over 0.5 ha in a sustainable location.
- Appendix 5 to L&E's representation – Feasibility Assessment by Brydon Wood – demonstrates that the Club House Site is a suitable location for a taller building component which can be sustainably redeveloped with approximately 100 new residential units.
- Policy EA 21 does not allocate any specific number residential units within the proposed land uses and the proposed policy stipulates that it will *"limit the quantum of residential development to the amount absolutely necessary to financially secure the delivery of the replacement leisure centre"* and *"enabling residential use"*
- However, LBE evidence document EB73b – housing trajectory - identifies site allocation EA21 as having a 97 unit capacity to be developed between 2029 to 2032. This is because the site is identified in the trajectory as a *"conventional allocation (large capacity) site* which is defined as:
"Allocations meeting the large sites threshold with a residential component proposed. Capacity estimates adjusted to account for units previously completed within the site or where benefitting from a relevant extant or pending permission which has fed separately into the pipeline/pending tabs."
- There has been no consultation with LBE relating to the housing trajectory figures/capacity assessment based documents EB73b or viability considerations relating to site EA21 since L&E's submission to LBE of their supplementary viability assessment in August 2024.

3. Is the spatial distribution of housing development across the Borough justified and informed by the IIA?

- 3.1 L&E do not consider the spatial distribution of housing development across the Borough is justified and informed by IIA site assessment for allocated site EA21.
- 3.2 Section 6 of the L&E Representation references the Integrated Impact Assessment (IIA) and paragraph 6.6 summarises the scores given to site EA21 in the assessment.
- 3.3 It is noted that IIA criteria 1 Housing gives “green + in IIA objectives with the comment “the development of the site would deliver net increase in homes”
- 3.4 L&E’s conclusions, set out in paragraphs 6.6 and 6.7 of the L&E Representation, are that the IIA supports the proposed residential development at the Club House Site within site allocation EA21 given that the Club House Site is a brownfield site within in a sustainable location.
- 3.5 This is contrary to the Plan’s proposed policy restrictions for residential development at the Club House Site within site EA21 which limits the “*quantum of residential development to the amount absolutely necessary to financially secure the delivery of the replacement leisure centre*” and restrictions to “*enabling residential use*” only and the restriction of tall buildings on the site.
- 3.6 LBE have also not entered into any consultation with L&E following submission of the L&E Representations and, so far as L&E is aware, have not undertaken their own master planning assessment of the Club House Site and have not provided any evidence as to why the site is not suitable for a taller building with the scale and massing which can deliver 100 residential units as illustrated in Appendix 5 to the L&E Representation.

(Questions 4-10: No Comment)

Five-year Housing Land Supply Position

(Note- LBE has expressed a wish to confirm a 5-year housing land supply in their response to Initial Questions dated 10 January 2025 and has submitted the up-to-date housing land supply position and housing trajectory. Representors who have previously made representations on housing matters may refer to this evidence in responding to this Matter).

11. *What is the latest information available on housing completions in the plan period?*

L&E Response – no comment

- 12. *Is there a trajectory identifying the components of housing land supply across the plan period with sufficient clarity? Is it based on up-to-date evidence?*
- 12.1 L&E consider that the redevelopment of the Club House Site within site allocation EA21 could deliver new housing within the 5 year period of the Plan’s adoption – assumed to be in 2026.
- 12.2 This is because the site is within a single ownership, is vacant and there is no known impediment to the redevelopment of the Club House Site within the period of 5 years of the Plan’s adoption.

- 12.3 It would be reasonable to assume up to 2 years to obtain planning permission for the residential component of the development, as well as the provision of new sports pitches for use by the local community, and then 3 years for the demolition of the former club house and redevelopment of the site for new residential and club house use.
13. *Table 4 of the Five-Year Housing Land Supply Position Statement & Housing Trajectory (February 2025) [EB73] indicates that deliverability assumptions may not have been consistently applied in the housing trajectory. Is it clear which sites this applies to? Are the deliverability assumptions applied to sites realistic, justified, effective and consistent with national policy, including where there is a reliance on strategic and local infrastructure?*

L&E Response

- 13.1 It is noted from document EB73B that 16,673 residential units are required over the next 5 years but supply of only 13,016 units is identified in the Plan, representing only 3.9 years' supply.
- 13.2 L&E consider that site allocation EA 21 should be considered to be a "deliverable" site for at least 100 units on the Club House Site which would help in meeting the shortfall in the Plan's 5 year housing supply when the Plan is adopted – assumed to be in 2026.
- 13.3 Redevelopment of the vacant Club House Site could be undertaken during this 5 year period which would then enable the use of the former sports fields by the local community within in this earlier time period.
- 13.4 The Club House Site is a brownfield site as it is a previously developed site and, for the reasons given to question 3, L&E consider the site is deliverable over the Plan period. Such brownfield sites need to allocated and take priority in delivering the Plan's 5 year housing supply needs.
- 13.5 This approach is supported by the NPPF – December 2024 – upon which the determination of planning applications will be assessed as against the Plan's adopted policies.
- 13.6 Specifically, L&E considers that paragraph 125 of the December 2024 NPFF, quoted below, which housing trajectory now has to take into account, applies to the Club House Site. In this regard, planning authorities should:
- c) *give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
 - d) *promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.*

- 13.7 Further, the recent change in policy with regard to green belt and housing in London is emphasised by recent statements by the Mayor of London in a speech on 9th May 2025, in which he said:

“We’ll be working with councils and others to secure as many new homes as we can on brownfield sites, both large and small, but we have to be honest with Londoners that this alone will not be enough to meet our needs. That’s why I’m announcing that City Hall’s new position will be to actively explore the release of parts of London’s green belt for development”

14. *Is the approach to identifying and relying upon large windfall sites in years 6-15 of the housing trajectory justified, effective and consistent with national policy? What is the compelling evidence to show that windfall sites will provide a reliable source of supply as anticipated in the Plan?*

- 14.1 L&E consider that the Plan places excessive reliance on windfall sites and ‘unconventional supply’. The assumptions made by the Emerging Plan are not sound, are not evidenced and not justified. Further, they mean that LBE risks significantly under-delivering housing supply, particularly in the later years of the Plan period.

- 14.2 In order to avoid inappropriate reliance on windfall sites during the Plan period, the Club House Site within site EA21 should be specifically allocated at least 100 residential units. This is because:

- The Club House Site within site allocation EA21 is a large brownfield site of over 0.5 ha.
- The Club House Site is capable of being delivered within 5 years of the Plan’s adoption for residential development – together with delivery of the sports fields for local community use.
- Although Evidence based document EB73 of February 2025 identifies Site allocation EA21 as having a capacity of 97 residential units, there is no specific site allocation in policy EA21.
- LBE have not given any reasons why the site should not be specifically allocated at least 97 units.
- L&E have submitted in their L&E Representations, in Appendices 5,6 and 7, why they consider the Club House Site within site allocation EA 21 should be allocated at least 100 residential units to make the development, including bringing back the former sports fields into use for the local community, viable.

15. *In terms of the ‘unconventional’ pipeline supply, how has the assumption figure of 600 units been calculated and is this justified and effective?*

L&E Response – No comment

16. *Are the windfall assumptions justified, effective, consistent with national policy and in general conformity with the London Plan? Does the evidence demonstrate that at least 10% of the Borough’s housing requirement will be delivered on smaller sites?*

L&E Response – see response to question 14.

(Question 17: Travellers – L&E No Comment)

18. *Do the policies in the adopted development plan as a whole provide appropriate contingency to ensure sufficient supply of homes?*
19. *Does the evidence demonstrate that the Plan, taken together with completions, commitments and allocations in the existing development plan for the area, will provide:
a. A five-year supply of deliverable housing land? b. A supply of developable housing land for the plan period?*
20. *Are any changes required to the housing trajectory and, if so, would necessitate modifications to the Plan?*

L&E response to Questions 18-20

- 18.1 Consistent with the answers provided in previous Sections, it is L&E's position that the Emerging Plan does not provide appropriate contingency to ensure sufficient supply of homes, and that the Emerging Plan will not – in its current form – provide either a five year supply of deliverable housing land, or a supply of developable housing land for the Plan period. The assumptions made as regards windfall and unconventional supply are not justified and LBE has failed to maximise delivery on appropriate brownfield sites, notably the Club House Site within site allocation EA21.
- 18.2 As has been stated in previous Sections, the Club House Site needs to be allocated at least 100 residential units. Such approach will serve to mitigate the flawed approach adopted by LBE of undue reliance on windfall and will be consistent with national policy and the London Plan since it will serve to maximise development on a brownfield site in a sustainable location, whilst also helping to deliver community facilities (in the form of playing fields). In this regard, L&E note the following (as stated previously in this Hearing Statement):
 - L&E have submitted in the L&E Representations, in Appendices 5,6 and 7, why the Club House Site within site allocation EA 21 should be allocated for development with at least 100 residential units which would then enable delivery of sports facilities based on re-use of the former sports fields for the local community.
 - The Club House Site within site allocation EA21 is a brownfield site of over 0.5 ha.
 - The Club House Site is capable of being delivered in the next 5 years for **both** residential development and the sought re-use of the sports fields for local community use.
 - The residential allocation at the Club House Site would help meet the housing delivery shortfall in the 5 years supply of housing identified in Document LB EB73.

Appendix 1 – Paragraph 145 of December 2023 NPFF

Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non- strategic policies, including neighbourhood plans.