

# **Ealing LPA Local Plan (Regulation 24) 2025**

## **Matter 6: Design and Amenity, Tall Buildings and the Historic Environment**

### **Issue:**

**[Focus – Policies DAA, D9]**

**Whether the Plan is justified, effective, and consistent with national policy and in general conformity with the London Plan in relation to design, the historic environment, and tall buildings.**

**Written Statement on Behalf of Ealing Council**

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# Questions

## Design and amenity:

### **1. In terms of the local variation to Policy DAA of the London Plan:**

#### **a. what is the background to the variation and why is it proposed?**

**LPA Response:** Policy DAA gathers together the generic elements of design and amenity policies and sets them out in a single place that make clear how these are a delivery mechanism for the plan as a whole.

#### **b. what is the evidence justifying it?**

**LPA Response:** The policy focuses upon qualitative requirements and so is not subject to a technical evidence base, however, it is informed by design and context evidence, specifically the Character Study {EB42} and Housing Design Guidance {EB43}. In terms of testing and practicality the policy is also a reflection of the current approach set out in adopted local plan policy Development Management DPD Policies 7A and 7B, which has been tested and refined since the adoption of that plan, particularly for the ways in which it interacts with the London Plan {EB13}.

#### **c. does it clearly articulate the adverse impacts which it seeks to manage and, where necessary, secure the appropriate type and level of mitigation for any adverse effects?**

**LPA Response:** The policy does address some factors which are essentially subjective in nature, for example good design, however, it is carefully worded to expand upon these in the supporting wording, using a form which has been well tested over the last 12 years, and in addition provides a useful basis for supplementary guidance, where necessary.

#### **d. is it consistent with national policy and in general conformity with the London Plan?**

**LPA Response:** Yes, the policy is supplementary to the London Plan {EB13} and will aid in the delivery of its strategic objectives for example, Good Growth. The policy specifically responds to the guidance set out in paras 135, 137, and 139 of the NPPF, and more generally to Section 12 as a whole. It should also be noted that the Mayor of London has raised no issues regarding conformity with the London Plan regarding the council's approach.

#### **e. are any modifications needed to the variation to Policy DAA for soundness?**

**LPA Response:** No. However, it is suggested that an amendment for clarity is made as proposed in the Schedule of Suggested Modifications {S24 - reference SMM127} which adds a new clause relating to health and well-being. Additional amendments are also proposed in the supporting text {SMM128-129}.

## **Tall Buildings:**

### **2. In terms of the local variation to Policy D9 of the London Plan:**

#### **a. what is the background to the variation and why is it proposed?**

**LPA Response:** The policy exists to supplement and deliver the requirements of London Plan Policy D9 {EB13} particularly the requirement in limb A:

*‘Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.’*

#### **b. what is the evidence justifying it? Are the proposed parameters with the available evidence?**

**LPA Response:** Evidence supporting this policy is set out in the Tall Buildings Strategy {EB45 A and B} and the Character Study {EB42}.

#### **c. does the character led approach of the Plan to determining building heights strike an appropriate balance with the ‘Good Growth’ and appropriate densification principles of the London Plan?**

**LPA Response:** Yes, this approach is founded in a balance between the suitability of sites to accommodate tall buildings and the sensitivity of the local context to increased height. Good Growth policies are specifically founded in this balance with requirements both to increase the development capacity of accessible locations and town centres, and also to ensure that local identity and character is maintained, and that development as a whole should have a net positive effect upon the environment, including at a strategic level.

It is the Council’s view that, much like the three overarching principles identified in NPPF Para 8, the Good Growth principles are interdependent and need to be pursued in mutually supportive ways, rather than prioritising one over another.

#### **d. is the differential between the definition of a ‘tall building’ contained in the Policy D9 of the London Plan and the measurements which are referred to in criterion E and specified in Table DMP1 justified and in general conformity**

**with that adopted strategic plan?**

**LPA Response:** Yes, the 6 Storey/18m threshold set out in the London Plan {EB13} is a minimum default to ensure that thresholds are not set too low. The 3.5m per storey definition is applied consistently throughout Ealing's evidence and policy and reflects both the practicalities of construction and the evidence and understanding of local character.

It should be noted that height as it is subject to control in Policy D9 is distinct from design considerations such as bulk and massing, and there is a separate test of development applying to its impact upon its neighbours and surroundings in the form of Policy DAA.

**e. do criterion E, Table DMP1 and Figure DMP1 provide sufficient clarity on what is meant by a 'tall building' in an Ealing context for each of the Town Plan areas?**

**LPA Response:** There is an acknowledged shortcoming with the current mapping of Figure DMP1 due to overlaps and lack of coverage of green spaces. This is addressed on the Interactive Policies Map {S18}, and it is proposed to update the figure in the same way. This approach is supported by the Mayor of London in a Statement of Common Ground between the GLA and the Council {S22 d} and in a separate Statement of Common Ground between Historic England and the Council {S22 j} which is nearing completion.

This should be also read in conjunction with an amendment for clarity as proposed in the Schedule of Suggested Modifications {S24 - reference SMM131}. Please note that there is an error in the suggested modifications (SMM131) which indicate 45.5m and 13 storeys for E14 instead of 31.5m and 9 storeys.

**f. is the local approach to defining the parameters for tall buildings across the Borough consistent with evidence base documents EB42, EB44, EB45, EB45A, EB45B, EB46, EB47 and EB48?**

**LPA Response:** Yes, the current policy flows directly from the findings of these studies.

**g. are the Council's suggested modifications [S24] for the design principles of specific allocations throughout the Plan to refer to 'up to' a given number of storeys needed for the allocations to be justified by evidence, effective, and therefore sound?**

**LPA Response:** Yes, this phrasing reflects the nature of the evidence that has been prepared to support the plan. This has been modelled on schemes of these heights and the heights iterated to achieve site optimisation within known

constraints. Policy therefore reflects the limits appropriate at a strategic level and any deviation from it would need to be the result of specific site-by-site impact assessments in line with thematic policies. This also accords with the London Plan requirement to identify 'appropriate' heights.

- h. will criteria F, G and H be effective in securing an appropriate design response that is sympathetic to the character and urban grain of the Borough, as well as any site-specific constraints, in a manner that is in general conformity with the London Plan and consistent with national policy?**

**LPA Response:** Yes, these limbs form a natural extension to London Plan Policy D9 {EB13}, implementing limbs A and B, and avoiding duplication of the design and impact policies in C. Note that the design elements of the policy are largely contained within the London Plan, in limb C, and so the local variation primarily concerns the implementation of planning tests specifically relating to height, rather than design. In addition, the impacts of design, including that of tall buildings, are tested by local policy DAA.

- i. are any modifications needed to the variation to Policy D9 for soundness?**

**LPA Response:** No. The suggested modifications agreed with the Mayor of London in a Statement of Common Ground between the GLA and the Council {S22 d} and in a separate Statement of Common Ground between Historic England and the Council {S22 j} should be noted. In particular, these include amendments to Policy D9 - Ealing local variation limbs F and H, Figure DMP1 and Table DMP1. In addition, it is suggested that an amendment for clarity is made as proposed in the Schedule of Suggested Modifications {S24 - reference SMM130-132} noting an error identified in response to Q.2e above.

- 3. Does appeal decision Ref: APP/A5270/W/24/3347877 for Waitrose, 2 Alexandria Road, Ealing W13 0NL have any implications on the soundness of the Council's evidence underpinning Policy D9 and the policy requirements and capacities of the proposed site allocations? Please qualify your response.**

**LPA Response:** No. There are no implications for the evidence arising from this decision, but it does raise a question about the effectiveness of the current policy wording given the lack of reference in the decision to Kew Gardens World Heritage Site. Ealing is currently documenting the sensitivity constraints that informed West Ealing allocations with the assistance of Historic England. This will be submitted in the form of a formal WHS Scoping Assessment alongside the Ealing/Historic England Statement of Common Ground {S22 j}, alongside any recommended changes to improve clarity and effectiveness. It should also be noted that the form of the policy has changed through the modifications recommended in the SoCG with GLA, and some flexibility exists with the removal of policy maxima.

**4. Are any modifications needed to the Plan for soundness?**

**LPA Response:** No.

**Historic Environment:**

**5. Does the Plan set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats?**

**LPA Response:** Yes, the plan sets out a strategy which focuses upon specific local elements of heritage in the different towns and character areas, recognising what is significant in different places and including proposals for how these should be protected or improved, and also notable opportunities for heritage-led regeneration.

**6. Does the proposed scope of the Plan appropriately supplement the heritage policies of London Plan in a manner that addresses any other local heritage issues?**

**LPA Response:** Yes, the plan focuses primarily upon the specific interventions that need to be made and the nature of significant assets and elements of local character.

**7. Are the heritage assets potentially affected by the planned growth in the Plan clearly identified? Have potential effects been assessed and reported upon in a clear and consistent way, with an effective understanding of significance? Does this include consideration of any effects on setting? Have Historic England raised any objection to the Plan and, if so, how have concerns been responded to?**

**LPA Response:** Yes, the plan takes a local and contextual approach to the protection of heritage, with specific assets identified primarily in town plans alongside any notable opportunities for change and improvement, and instances in which heritage-led regeneration may be appropriate.

The plan is based upon a comprehensive evidence base assessing for the first time in Ealing the borough's local character and context {EB42 – EB45} and is informed by the first comprehensive review of conservation areas in over a decade. This evidence serves to inform the plan, and also as a guide to individual planning applications.

Capacity analysis, and the identified foci for growth are based upon an analysis of suitability and sensitivity, which extends particularly to the approach to tall buildings.

The Council has been engaging closely with Historic England since Regulation 18, and we will submit a joint statement of common ground as soon as possible which clarifies their concerns and proposed remedies {S22 j}.

**8. Will sites of potential archaeological interest be effectively addressed by the Plan?**

**LPA Response:** Yes, these will be appropriately identified on the policies map and are subject to the same protections under London Plan and NPPF policies as other heritage assets.

**9. Are any main modifications necessary for soundness?**

**LPA Response:** No.

**{END}**