



Ealing Local Plan Examination

Matter 6 Hearing Statement

Iceni Projects Limited on behalf of
Imperial College London

July 2025

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1. INTRODUCTION

- 1.1 This Statement has been prepared by Iceni Projects Limited ('Iceni') on behalf of Imperial College London ('Imperial'). Imperial has a number of landholdings in North Acton such as 140 Wales Farm Road, Woodward Halls, 1 Portal Way and the Victoria Industrial Estate, which are located near the Borough's northern boundary.
- 1.2 Imperial is a significant stakeholder within Ealing and the Old Oak/Park Royal Development Corporation ('OPDC') as a major landowner, operator and landlord of both homes and workspaces in North Acton and West London as a whole. North Acton is home to two of Imperial's newest halls of residence, Woodward and the Kemp Porter Buildings, which opened in 2014 and 2020, respectively.
- 1.3 Written representations were submitted to the London Borough of Ealing ('LBE') in relation to these sites which focus on housing, economic development, design and tall buildings policies. This Statement seeks to reinforce points made in Imperial's earlier representations to the Regulation 19 Draft Local Plan and seeks to ensure that identified policies remain supportive of current and future development within LBE.

2. MATTER 6 – DESIGN, AMENITY, TALL BUILDINGS AND 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.

Tall Buildings: MIQ 2d – In terms of the local variation to Policy D9 of the London Plan...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?

- 2.1 Imperial supports the principle of LBE’s tall buildings’ definition insofar Table DMP1 provides the minimum number of storeys to be considered a ‘tall building’ is 6-storeys, which aligns with London Plan Policy D9(A). Notwithstanding, we have identified inconsistencies with some of the varied definitions in Table DMP1 and key evidence base documents such as the Tall Building Strategy Main Report (December 2023), hereafter referred to as the ‘Tall Building Strategy.’ For example, Page 9 of the Tall Building Strategy outlines that tall buildings threshold within Ealing Town Centre as 9-storeys, compared to Table DMP1 which identifies the threshold as 21-storeys.
- 2.2 There does not appear to be any explanation for this discrepancy, outlining reasons why LBE have used a different threshold in the Draft Local Plan in instances where the evidence base identifies otherwise. On this basis, whilst the overall definitions of ‘tall’ buildings are in general conformity with Policy D9 of the London Plan, Imperial is of the view that LBE Policy D9 and accompanying Table DMP1 is not justified.

Tall Buildings: MIQ 2h – In terms of the local variation to Policy D9 of the London Plan...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?

- 2.3 Imperial does not consider that LBE’s local variation to London Plan Policy D9 to be an effective policy in securing well-designed tall buildings, nor is it in general conformity with London Plan Policy D9. This is because LBE Policy D9 F-H does not provide any guidance for developers or landowners regarding LBE’s design expectations of tall buildings, should they be proposed. The absence of design guidance (similar to that specified in London Plan Policy D9(C)) within LBE Policy D9 may cause unnecessary confusion around standards to be adhered to in tall building developments (regardless of whether they are within or outside of a designated tall buildings zone) and could result

in slower planning application processes over time. Where applications are delayed for matters such as design this impacts the effectiveness of LBE's Local Plan insofar as a delay to tall (residential) buildings delivering housing impedes LBE's ability to deliver its housing need, which is particularly pertinent given LBE is currently only able to demonstrate a 3.9-year housing land supply. LBE Policy D9 is therefore not effective in this regard.

- 2.4 Imperial also considers the omission of a set of tall building criteria/impacts to be considered within LBE Policy D9 renders the policy not positively prepared and not in general conformity with the London Plan Policy D9 (c). Even in the event that LBE policy officers contend that an omission means a deferral to the London Plan, the LBE Local Plan should have such provisions clearly stated in policy. Therefore, LBE Policy D9 must be modified to specifically reference the impacts/design implications to be considered as identified in London Plan Policy D9.
- 2.5 Further, Imperial objects to LBE Policy D9 (F), which states that tall buildings above identified height thresholds are exceptional¹ and should be located upon specified Development Sites as defined within the Development Plan. Whilst we acknowledge LBE's ambition to align with London Plan Policy D9 (A) and adopt a plan-led approach to tall building development, tall buildings are capable of being developed outside of site allocations and Policy D9(F) fails to acknowledge the Master Brewer legal judgment.² This Master Brewer judgment reiterated that tall buildings can indeed come forward on unallocated sites, provided they satisfy the requirements within London Plan Policy D9(C).
- 2.6 Sites should be capable of being considered on their own merits, and based on their own local circumstances, and the policy should be amended to explicitly acknowledge that. For example, considerations such as local context, microclimate and other constraints and opportunities should be considered, rather than a simply locational assessment, which is the position in the adopted London Plan Policy D9(C). In addition, the Greater London Authority's ('GLA') 'Towards a New London Plan' consultation document (the 'Consultation Document') illustrates the GLA's intent to maintain a flexible tall buildings policy that allows tall buildings in locations outside of designated tall buildings zone. This is evident at Paragraph 4.2 of the Consultation Document, which states '*whatever option is taken, all individual applications would still need to be assessed on their own merits against policy criteria*'. As currently drafted, LBE Policy D9 is not in general conformity with the adopted London Plan Policy D9(C) and it must be amended to allow for a site-specific approach to tall building development.

¹In our view this drafting is unclear as to whether LBE means these buildings would be considered in exceptional circumstances or are expected to be of exceptional design quality. Notwithstanding we have interpreted this to as 'exceptional circumstances'.

² R (London Borough of Hillingdon) v Mayor of London, 15 December 2021