

## 1. Introduction

- 1.1. Savills has been instructed by Luxgrove Capital Partners ('Luxgrove') to prepare this Statement and participate in the forthcoming examination of the London Borough of Ealing ('LBE') Local Plan 2024 to 2039 ('the draft Local Plan').
- 1.2. Luxgrove Capital Partners is a West London-based real estate investment firm and developer. They have been highly active in Ealing for over 10 years, having developed and constructed multiple residential developments in the Borough. They are currently active in Ealing on several sites, including a number of strategic sites for residential, mixed-use and alternative residential accommodation developments including purpose built shared living ('co-living' or 'PBSL') and hotels, ranging from 4 to 270 units. Luxgrove is highly committed to investing in the Borough and is dedicated to supporting the community in Ealing and enhancing the built environment, and therefore welcomes the opportunity to be heard in shaping the future of the Borough through the current consultation process.
- 1.3. This Statement has been drafted further to Luxgrove's previous Regulation 19 Representations on the draft Local Plan, which commented on a number of policies within the Plan and raised concerns over the Plan's soundness.
- 1.4. This Statement has been drafted in relation to **Matter 9 – Development Sites**, and the questions contained in this section within the Matters, Issues and Questions document issued by the Planning Inspectorate on 8 May 2025. This Statement queries whether the policies contained within this chapter are **justified, effective and consistent with national policy**.

## 2. Main Representation

### Town Plan Development Site Allocations - general

#### ***Question 5 – is the methodology for determining building heights robust and are the building height limits for each site allocation consistent with it?***

- 2.1. The Council's evidence base for determining appropriate building heights is mainly taken from the 'Ealing Tall Building Strategy with Site Guidance Appendix (last updated in September 2024)' produced by Allies and Morrison.
- 2.2. Luxgrove have previously instructed Icení Built Heritage and Townscape and made representations at Regulation 18 and 19 stages in relation to the methodology used within this report to establish appropriate building heights. It is acknowledged that these representations were made with reference to a previous iteration of the Tall Building Strategy published in November 2022.
- 2.3. It is noted that in the Schedule of Suggested Minor Modifications published by the Council on 15 November 2024, the Council has suggested amendments to most of the individual site allocations to amend the wording under the 'design principles' section to suggest 'appropriate heights' on each site rather than 'maximum heights'. This change is welcomed, however in stating the range of 'appropriate' heights on each site, this should not mean that any heights outside of this range should therefore be automatically considered unacceptable.
- 2.4. It is Luxgrove's view that the same concerns remain as at Regulation 19 stage that the study conducted by Allies and Morrison is not detailed enough to be able to preclude development of any certain height in individual site allocations. Instead, the onus should be on the applicant to

provide the detailed design justification of what height would be appropriate, in line with the requirements of Part C of London Plan Policy D9.

- 2.5. This would be consistent with the ‘overarching principles’ that are shown on P.169 of the draft Plan, whereby it states ‘the tall buildings threshold height is simply that and not a presumption that any height up to this is automatically acceptable. Proposed heights remain subject to a full design assessment at the point of application’.
- 2.6. In May 2025, planning permission was granted by appeal on the Waitrose site in West Ealing, for a mixed-use development with the tallest part of the development standing at 20-storeys (appeal reference: APP/A5270/W/24/3347877). It should be noted that this site is allocated under site allocation 15EA in the draft Local Plan, whereby it is stated that ‘design analysis indicates a maximum height of 13 storeys’ (updated in SMM70 to ‘Design analysis indicates an appropriate height of up to 13 storeys’).
- 2.7. Paragraphs 16 and 17 of the appeal decision references the Council’s Tall Building Strategy, whereby within this, the maximum indicative height on the site is shown as 11 storeys. Paragraph 18 points out how the draft Local Plan is inconsistent with the Tall Building Strategy as the maximum height of 11 storeys within the Tall Building Strategy has become 13 storeys as set out within the draft Local Plan.
- 2.8. Paragraph 24 of the appeal decision questions whether the draft site allocation has optimised site capacity, in line with London Plan Policy D3. This paragraph also makes reference to two nearby tall buildings which the Council has granted permission for, including at 42 Hastings Road (EA25 within the Tall Building Strategy, which allows for a maximum height of 13 storeys) which has planning permission for up to 16 storeys. Paragraph 25 states that in light of this permission, which ‘comfortably exceeds the suggested height limits for the EA25 site’, the Inspector considers it ‘difficult... to see how the indicative heights suggested for the appeal site would survive the examination’.
- 2.9. Paragraph 30 of the appeal decision states ‘*the changing context of the appeal site, and the approach the Council has taken to other tall buildings in the Borough, against the background of the London Plan, suggest very strongly to me that the approach to the appeal site, and indeed the approach to other sites expected to house tall buildings, in the new Local Plan, is very unlikely to remain intact in any event.*’ The inconsistencies and issues raised with the methodology highlighted in this appeal decision should be considered by the Inspector in this current examination of the draft Local Plan.
- 2.10. Therefore, in light of the above and in the absence of robust methodology evidencing how individual appropriate height ranges have been established for each of the site allocations, we consider that the height ranges stated are not justified and greater flexibility should be applied in the wording to allow for greater heights outside of the stated ranges, subject to detailed design analysis at the point of application.
- 2.11. We also consider that the building height limits for individual site allocations are not consistently presented, which we will set out individually below.

#### 12EA – Chignell Place, West Ealing

- 2.12. This allocation should be updated to take into account planning permission dated April 2024 under reference 224322FUL at 114 Broadway, which forms part of this allocation, which permitted a building up to 8-storeys in height on this site. The ‘Tall Buildings’ section of this allocation currently

sets out that 'Design analysis indicates a maximum height of 4 storeys' (updated in SMM66 to 'Design analysis indicates an appropriate height of up to 4 storeys'), which would not be consistent with the above permission. The 'Tall Buildings' and 'Design Principles' sections should be updated to reflect the above.

13EA – 99-113 Broadway, West Ealing

- 2.13. This allocation should be updated to take into account planning permission dated November 2024 under reference 240012FUL at 99-113 Broadway, which permitted a building up to 14-storeys in height on this site. This application was supported by a detailed Townscape and Visual Impact Assessment by Icenl which suggests that the area and nearby townscape would be suitable for a building of up to 15 storeys. The 'Tall Buildings' section of this allocation currently sets out that 'Design analysis indicates a maximum height of 12 storeys' (updated in SMM67 to 'Design analysis indicates an appropriate height of up to 12 storeys'), which would not be consistent with the above permission. The 'Relevant Planning Applications', 'Tall Buildings' and 'Design Principles' sections should be updated to reflect the above.

***Question 32 – is the address for this allocation correctly cited in Table 2, page 170 of the Plan?***

- 2.14. The address is incorrectly cited within the table, and the allocation and the site plan within correctly shows the site as being 99-113 Broadway.

14EA – Western Gateway, 131-141 Broadway, West Ealing

- 2.15. The 'Tall Buildings' section of the allocation identifies that the site 'is in principle suitable for a tall building', and that 'Design analysis indicates a maximum height of 6 storeys' (updated in SMM68 to 'Design analysis indicates an appropriate height of up to 6 storeys'). 6 storeys is at a height which is below the definition of a tall building in the area (7 storeys). There is no recognition of its role as a 'gateway' into the town centre and the merits of height here, as is recognised in the name of the Draft Site Allocation (and in the existing Site Allocation).
- 2.16. Notwithstanding this, application reference 225080FUL (as referenced within the 'Relevant Planning Applications' section of the allocation) granted permission for a 9-storey building comprising 94 co-living units on the site at nos. 131-137 in November 2023. Planning permission has also subsequently been granted in April 2025 at nos. 131-139 under reference 235015FUL, also at 9-storeys in height. On this basis, the site allocation should be updated to reflect that a minimum of at least 9-storeys in height should be acceptable. The 'Proposed Use', 'Relevant Planning Applications' and 'Design Principles' sections should also be updated to reflect the above permission.

20EA – Downhurst Residential Care Home

***Question 39 – Is modification to the site boundary (highlighted in the Council's response to Initial Questions dated 10 January 2025 [EX3] necessary for soundness?***

- 2.17. P.2 of EX3 states that the Council made minor amendments to the site allocation boundary of 20EA as shown on the Interactive Policies Map. The amendment to the boundary is to remove the eastern part of the site from the allocation. This is necessary for soundness as this part of the site has planning permission granted for 4 new homes in August 2023 under reference 232370FUL. Whilst this modification is welcomed, the 'Relevant Planning Applications' section should be updated to take account of this permission.

### **3. Conclusions**

- 3.1. This Statement responds to the issue of Matter 9, Questions 5, 32 and 39.
- 3.2. We consider that the changes outlined above are required to ensure that the draft Local Plan has been positively prepared, that it is justified, effective and consistent with national planning policy, and in general conformity with the London Plan.
- 3.3. We would welcome the opportunity to participate in the hearing session for Matter 9 to assist the Inspectors in their assessment of the soundness of the Plan.