



## **1. Introduction**

- 1.1. Savills has been instructed by the John Lewis Partnership ('JLP') to prepare this statement and participate in the forthcoming examination of the London Borough of Ealing ('LBE') Local Plan 2024 to 2039 ('the Plan').
- 1.2. JLP is the UK's largest employee-owned business and operates stores and warehouses under the John Lewis and Waitrose brands. The Partnership seeks to develop some of its existing portfolio of supermarket sites to create a Build-to-Rent ('BTR') portfolio.
- 1.3. This statement addresses questions raised by the Inspectors regarding site allocation 15 EA – Waitrose, West Ealing, and is set out under the following headings:
  - Introduction to JLP
  - Context of JLP's Planning Application and Appeal Inquiry
  - Context of JLP's Engagement with LBE's Draft Local Plan
  - Main Representation
  - Summary of Recommendations

## **2. Introduction to JLP**

- 2.1. As JLP's retail business has expanded over many years, it has grown a sizable property portfolio of shops, warehouses and previously developed land. As a result, JLP's property portfolio is extensive. Many of JLP's stores and land holdings are close to transport links and amenities, and the company believes it has a social responsibility to make the best use of these sites to play a role in addressing the housing crisis facing London and the UK.
- 2.2. By transforming some of its supermarket and car park 'brownfield' sites, JLP has the potential to deliver homes, including affordable homes. The company seeks to deliver BTR homes, which will be purpose-built for renters, developed and managed by the JLP. Residents would rent directly from a trusted business, providing them with greater certainty around areas such as quality, service, community and security of tenure.

## **3. Context of JLP's Planning Application and Appeal Inquiry**

- 3.1. Following an initial site review, the partnership identified the Waitrose in West Ealing as suitable to deliver BTR homes alongside a replacement Waitrose supermarket. The Proposals (ref: 233076FUL) represent one of the first Build-to-Rent schemes to be delivered and managed by the John Lewis Partnership BtR Ltd ('JLP').
- 3.2. An application was submitted by JLP on 4 August 2023, proposing:

*Demolition of existing buildings and structures and the phased erection of buildings for mixed-use scheme, including new homes; a replacement food store; Flexible Commercial Space; alterations to the existing access road; associated improvements to streets, open spaces, landscaping and public realm; and provision of car and bicycle parking spaces and servicing spaces and other works incidental to the proposed development.*

- 3.3. Prior to submission and throughout determination, the application underwent extensive public and statutory consultation. However, it was subsequently appealed by JLP on the grounds of non-determination on 10 July 2024.
- 3.4. The inquiry was conducted between two parties: JLP, as the applicant and the third party objector, Stop the Towers. LBE chose not to participate in the inquiry and raised no objection to the proposed development.
- 3.5. The inquiry commenced mid-November and adjourned in early December 2024. Following adjournment, both parties provided written representations on the impact of the revised National Planning Policy Framework ('NPPF') and updated Housing Delivery Test (2023) to the Inspector on 28 January 2025. Upon retrieval of these documents, the inquiry was formally closed on 12 February 2025.
- 3.6. The Inspector granted permission on 27 May 2025.
- 3.7. Insp. Griffiths found the proposal to be well designed; concluding that JLP's proposals manage an 'effective balance between the impacts of buildings of the height, scale and mass proposed, against the need to optimise the site'. On that basis, the scheme accorded with London Plan Policies, D9, GG2, and D3.
- 3.8. Insp. Griffiths also noted how it would be difficult to see how the indicative heights suggested for the appeal site within the relevant allocations would survive the examination. He stated *'analysis of the TBS and the TBS Appendix shows that the authors were aware of the 55 West permission but the Hasting Road permission post-dates the documents. In the light of these permissions, which in the case of the latter comfortably exceeds the suggested height limits for the EA25 site, it is difficult for me to see how the indicative heights suggested for the appeal site (15EA/EA24) would survive examination'*.
- 3.9. He also highlighted the "colossal" need for new homes in London and identified housing delivery as a "massive" benefit, with 20% affordable housing making a "major" contribution.
- 3.10. Overall, he concluded that the scheme would bring forward very significant benefits in a way that would not harm the character or appearance of the area or the significance of heritage assets. Neither would it have any undue impact on local residents, nor undermine the eventual adoption of Ealing's Local Plan. As such, planning permission was granted.

#### **4. Context of JLP's Engagement with LBE Emerging Local Plan**

- 4.1. As a committed community partner and long-standing employer within the Borough, JLP is dedicated to enhancing the community it serves and welcomes the opportunity to be heard in shaping the future of LBE.
- 4.2. JLP participated in Block 1 Hearing sessions, submitting a series of hearing statements relating to Matters 1, 3, 4 and 5.
- 4.3. JLP has also previously submitted Regulation 18 and Regulation 19 representations.
- 4.4. As such, JLP looks forward to continuing conversations with the Council regarding the Waitrose Store in West Ealing and its potential contribution to the Strategic Objectives of the DNLP.

## **5. Main Representation - Question 33 Matter 9**

### **33. Is the allocation justified in respect of potential effects on the capacity of the local highway network and stipulated level of car parking provision?**

- 5.1. As discussed in detail at the recent public inquiry at the Site (Ref: APP/A5270/W/23/3347877), comprehensive redevelopment of the Site will not come forward if the replacement supermarket has an insufficient level of parking to maintain operational requirements and commercial viability. There would be too much risk in redeveloping one of JLP's highest-performing retail assets.
- 5.2. During the inquiry, the appellant presented evidence to justify the reprovision of car parking spaces (133 spaces, approximately 40% fewer than the existing 221 spaces). This material reduction of car parking spaces was deemed to be compliant with London Plan Policy T6(L), which permits a reduced level of replaced parking spaces within redevelopment, provided it aligns with the overarching goal of promoting sustainable transport.
- 5.3. It is assumed that the 'car-free' objectives of 15EA have been derived from London Plan Policy requirements of T6.3. However, Policy T6.3 explicitly applies to new retail development. The redevelopment of an existing store would not constitute new retail development, but rather replacing an existing store. Therefore, requiring the site allocation to be 'car-free' would not be in general conformity with the London Plan. Moreover, London Plan Policy T6.3 Part G, encourages Boroughs to consider amended standards in defined locations where there is clear evidence that the standards would result in a significant reduction in the viability of mixed-use redevelopment proposals in town centre.
- 5.4. Insp. Griffiths agreed, acknowledging JLP's concerns that it would be unrealistic to expect a complete departure from car parking on site as the replacement store would be serving an established customer base, who have entrenched shopping and travel habits to be considered when determining parking needs. Insp. Griffiths stated, *'it would not be in the commercial interests of the retailer to allow parking issues to undermine the experience of their customers'*. As such, a series of conditions were suggested to ensure it is managed effectively.
- 5.5. As such, the current design principle to *'incorporate car-free shopper parking for replacement food store/supermarket'* should be removed.

## **6. Main Representation – Question 34 Matter 9**

### **34. In terms of effectiveness, should Jacob's Ladder footbridge be included within the allocation site?**

- 6.1. Jacobs Ladder should not be part of Site Allocation 15EA. The footbridge is not in the same land ownership as the Site and therefore JLP do not have overall control of improvements to it. Instead, it is recommended that LBE could utilise s106 monies from any surrounding planning applications to fund nearby public realm and/or transport improvements, such as the improvement of Jacob's Ladder. For instance, as it stands, the Waitrose, West Ealing permission provides the Council with funding for town centre improvements that could be allocated to Jacobs Ladder via the signed S106, should the permission be implemented. Therefore, inclusion of Jacob's Ladder in this site allocation would be contradictory to the existing permission.

## **7. Main Representation - Question 35 Matter 9**

### **35. Does the scale of development optimise the reuse of previously developed land in line with the London Plan?**

- 7.1. The draft allocation supports the principle of development in this location. As a highly sustainable, brownfield site within the metropolitan town centre, with a surface-level car

park adjacent to a Crossrail station, there is no objection to that principle, and accordingly, those parts of the draft allocation are supported.

- 7.2. However, with regard to the scale of development and maximum indicated heights (to range between 6 - 13 storeys), this threshold is a reflection of character-led assessment of the appropriateness of tall buildings in this location which we do not believe is appropriate.
- 7.3. As it stands, the Site currently hosts a low-rise retail store with the remainder being an open-air car park of 221 spaces. Given the Site's highly accessible, town centre location, in its current form, the Site does not make the best use of land despite being an appropriate location on which to do so. In this respect, Policy SD7 of the London Plan supports the optimisation of sites, noting that Boroughs should recognise the capacity of low-density car parks and supermarkets for housing intensification and mixed-use redevelopment.
- 7.4. The emerging context of the Site (emerging and consented schemes) includes taller buildings. For example, 51-56 Manor Road/53-55 Drayton Green Road (202231FUL) at 19 storeys; 41-42 Hastings Road at 25 storeys; Jigsaw Marketing Suite at 9 storeys; Dominion House on the Avenue at 12 storeys; Rome House on Gordon Road, at 14 storeys; and the Green Man Estate at 16 storeys. The site is also largely devoid of heritage assets in proximity. In short, the site displays many characteristics that every level of the Development Plan would direct growth to in order to combat the acute housing crisis facing London. It is against this context that the Proposals have been carefully designed in order to optimise the Site.
- 7.5. As the Inspectors will be aware, JLP went to inquiry at the end of November – December 2024, providing evidence that the Proposal optimises the potential of this Site appropriately through a design-led approach which seeks an appropriate balance between delivering against London's growth needs, the Site's context, and delivering high quality design. Ultimately, the Inspector approved JLP's proposals stating that:
- 'I regard the proposal as one that is well designed. It manages an effective balance between the impacts of buildings of the height, scale and mass proposed, against the need to optimise the site. On that basis, the scheme is in ready accord with London Plan Policies, D9, GG2, and D3. It would cause no harm to the significance of heritage assets whether designated or non-designated'.*
- 'Overall, the scheme is in ready accord with London Plan Policies D9 and D3 and the development plan as a whole. There are no material considerations that might justify a departure from the development plan.'*
- 7.6. PINS reached this conclusion because they agreed that the site is the type of location where development should be focused. It is underutilised, situated directly next to a new Elizabeth Line station, has a good PTAL rating and offers access to a range of local amenities and services in Ealing town centre.
- 7.7. The NPPF enshrines this approach, encouraging sustainable development on brownfield land playing a key role in meeting housing and economic needs whilst protecting the environment. Therefore, it is important that Local Authorities make the best use of brownfield land in urban locations to reduce pressure on greenfield sites, support urban regeneration and address the colossal housing crisis.
- 7.8. In this vein, site allocation 15EA could be better optimised in line with the London Plan's design-led approach to allow for an increased level of development to reflect the current permission. This has been proven following a detailed analysis undertaken by LDS and Montagu Evans, which PINS agree with. Importantly, the Inspector strongly agreed this scale of development in light of London's crippling housing crisis, stating:

*'There can be no doubt that the need for new homes in London is, as the appellant puts it in closing, colossal. The lack of effective delivery results in house prices that*

*are beyond the reach of very many; something that has wider repercussions for the economy and the social wellbeing of London. The Secretary of State wrote to the Mayor of London and stated: 'we both appreciate the need to urgently deliver more homes of all tenures if we are to tackle the housing crisis and boost economic growth'.*

*Bearing in mind the position in London generally, and in the London Borough of Ealing specifically, in view of the recent HDT results, the significant amount of housing that forms part of the scheme is a massive benefit.'*

## 9. Recommended amendments:

**RECOMMENDATION 1:** The design principles of 15EA should remove reference to the need to 'incorporate car-free shopper parking for replacement food store/supermarket', This would ensure consistency with the appeal decision APP/A5270/W/23/3347877; which confirmed that the retention of shopper parking as part of the redevelopment was in conformity with the development plan.

**RECOMMENDATION 2:** The key infrastructure requirements of site allocation 15EA should be amended to reflect site ownership boundaries, requiring any application to contribute s106 monies to LBE to fund nearby public realm and/or transport improvements, in line with the decision APP/A5270/W/23/3347877. This would enable LBE to fund improvements to Jacob's Ladder, should this remain the preferred use of funds.

**RECOMMENDATION 3:** The height thresholds of Site Allocation 15EA should be amended to 100.43 metres (AOD), as opposed to the current 13 storey limit, to reflect the appeal decision APP/A5270/W/23/3347877.

No.	Modification	Recommendation
1	Variation to tall building principles	The site is <del>in-principle</del> suitable for a tall building in accordance with <del>Design analysis</del> Granted planning permission of APP/A5270/W/24/3347877 which includes a permitted height of <del>indicates a maximum height of 13 storeys</del> 100.43 metres (AOD) <del>(45.5 metres)</del> .
2	Key Infrastructure requirements	Public realm improvements funded via s106 monies, landscaping and greening and measures to improve active travel. including Jacobs Ladder footbridge and Green Man Lane
3	Design Principles	<del>Ensure building height, massing and street layout proposals are developed in accordance with the Tall Buildings Strategy</del> †. Heights are to range between 6 and a maximum 13 storeys (45.5m) across the site. Granted planning permission of APP/A5270/W/24/3347877 includes a permitted height of 20 storeys or 100.43 metres (AOD). Any future applications will be subject to testing in townscape, heritage impacts and visual/residential amenity terms.
4	Design Principles	Incorporate a level of <del>car-free</del> shopper parking for replacement food store/supermarket in line with London

		Plan Policy T6.3 (G) and planning permission APP/A5270/W/24/3347877 .
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<sup>1</sup> In so far that the tall building strategy has reassessed design capacities in line with comments on Matter 6