

# **Ealing Local Plan Examination Response to Inspector's Matters - Matter 9**

**Development Sites**

Four Counties Training Ltd

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## 1.0 **Matter 9 – Development Sites**

**Issue: Are the development sites proposed for allocation in the Plan justified, effective, in general conformity with the London Plan, consistent with national policy, and positively prepared?**

- 1.1 Four Counties Training Ltd, hereon referred to as FCT are committed to bringing forward a proposal for the demolition and redevelopment of Shaftesbury House and Oak House, at 49-51 Uxbridge Road. This site is allocated in the adopted Development Sites DPD for office-led redevelopment forming part of allocation EAL8. The emerging Local Plan proposes to retain the allocation, under proposed site allocation O6EA.
- 1.2 FCT has previously submitted representations in relation to Ealing's Regulation 18 Draft Local Plan in January 2023 and Ealing's Regulation 19 Draft Local Plan in April 2024. We provide below our responses to the Inspector's questions regarding Matter 9 – Development Sites.

### **Questions**

**Question 2: Are the overarching principles for the Development Sites (set out at the start of each section, e.g. Acton is at para 4.1.61) justified and deliverable, including the expectation that key infrastructure is expected to be delivered in early phases of development?**

- 1.3 The Regulation 19 Ealing Local Plan sets out the overarching principles for development sites in Ealing Town Centre at paragraph 4.2.56. FCT generally agrees with the overarching principles set out in this section of the Plan, except for the tall building principle. It is noted that details on specific tall buildings sites are set out in the evidence within the Tall Buildings Strategy (December 2023) and associated Appendices. As set out in our representations, there is an inconsistency with the proposed tall building threshold heights outlined in Site Allocation O6EA and the Tall Buildings Strategy. We discuss this further in response to Question 5 below.
- 1.4 At Regulation 19 Stage, FCT requested that the allocation references that proposals for redevelopment on this site may come forward as individual buildings and on a phased basis in the future. Within the Statement of Consultation (Document S21), Ealing Council confirm that piecemeal development in this instance is acceptable, noting that various landowners.
- 1.5 FCT consider that this should be reflected in the Policy and the overarching principles should therefore recognise the varying arrangements in ownership across site allocation O6EA.

**Question 3: For effectiveness, is it clear how a decision maker should respond to the contextual considerations and design principles for each Development Site and the overarching principles? Is modification needed to clarify policy from guidance?**

- 1.6 Our comments to this question relate specifically to proposed site allocation 06EA, within which 49-51 Uxbridge Road is located.
- 1.7 With regards to the building height design principle, it is not clear how a decision maker should respond as the building height suggested contradicts the recommended building height outlined in the Tall Building Strategy (TBS)(EB44). The building height design principle notes that building height, massing, and street layout proposals should be developed in accordance with the TBS. The TBS applies a building height threshold of up to 21 storeys for proposals coming forward in Ealing Town Centre – referred to as Zone D within the strategy. This contradicts with the suggested tall building heights quoted in the design principle, which states that “*Heights are to range between 3 and a maximum of 8 storeys (28m) across the site.*”
- 1.8 Limiting building heights to 8 storeys is not justified and evidenced and it is not clear how a decision maker should reach a conclusion on building heights at the site allocation, given that the wording of the design principle does not relate to the recommendations on building heights made in the TBS. A tall building height threshold of 8 storeys would not allow for the site’s development potential to be maximised in this important town centre location.
- 1.9 It is understood that it would be for any future planning application to propose a height that is suitable and acceptable. The current wording of this site allocation policy does not allow for this and is onerous given the evidence.
- 1.10 We, therefore, request that the wording of this design principle and Policy 06EA is revisited to ensure that it is clear, justified and consistent with the evidence provided in the Tall Buildings Strategy and in line with the London Plan’s good growth principles.

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

- 1.11 No, as outlined at Question 3 above, the building height limits for site allocation 06EA are not consistent with or based upon the evidence within the TBS. On this basis, the methodology for determining building heights is not justified.
- 1.12 Site allocation 06EA is within Ealing Town Centre, which is defined as being within Zone D in the TBS and recognised as having a high suitability for tall buildings, noting that “*prevailing heights are generally taller in this area including the recent development of Dickens Yard.*”
- 1.13 Further, directly opposite site allocation 06EA, is site allocation 05EA, which is also within Zone D and is identified as being appropriate for a building with a maximum height of 21 storeys. As such, it could also be suitable for development of the same height to come forward at site allocation 06EA, subject to detailed design proposals. It would be unreasonable for there to be a drop in maximum height to 8 storeys directly opposite without adequate justification. The difference in building height thresholds at allocation

06EA and 05EA does not represent a robust methodology for determining building heights for each site allocation and it is not justified against the underpinning evidence in the TBS.

- 1.14 It should also be noted that within the Statement of Consultation Appendix (Document S21), the Council confirm that the site falls within Tall Building Zone D where the guidance for prospective tall buildings is 9-21 storeys. The response states that *“it is for the developer to demonstrate where the planning balance should favour a different approach.”* This response acknowledges that a taller building could come forward but this is not consistent with the current wording in the draft allocation Policy and an amendment is required to make this sound.

**Question 10j: For each proposed development site, please set out: how any site-specific recommendation on building heights is justified in terms of local context, including character, heritage and living conditions.**

- 1.15 Our comments to this question relate specifically to proposed site allocation 06EA, within which 49-51 Uxbridge Road is located.
- 1.16 The proposed tall building height of a maximum of 8 storeys (28 metres) is not justified in terms of local context, including character, heritage and living conditions. Within the supporting text, the Draft Local Plan states that building height, massing and street layout proposals should be *“developed in accordance with the Tall Buildings Strategy. Heights are to range between 3 and a maximum of 8 storeys (28m) across the site.”*
- 1.17 The Tall Buildings Strategy (TBS) (EB44) assesses appropriate locations for tall buildings within the Borough. The criteria for assessing suitable locations for tall buildings includes areas of intensification, areas with existing tall buildings, town centres, areas with good access to public transport and sustainable neighbourhoods. Site allocation 06EA lies within the Ealing Town Centre. The TBS defines Ealing Town Centre as an area of high suitability for tall buildings, noting that *“prevailing heights are generally taller in this area including the recent development of Dickens Yard.”* Further, the TBS reviews the appropriate locations for tall buildings in different parts of the Borough and identifies a range from Zones. Ealing Town Centre is classified as Zone D for which the guidance for prospective tall building heights is 9-21 storeys. Directly opposite site allocation 06EA, is site allocation 05EA, which is also within Zone D and is identified as being appropriate for a building with a maximum height of 21 storeys. As such, there should be scope for a scheme with tall buildings above 8 storeys to come forward at site allocation 06EA, subject to detailed design development and technical work.
- 1.18 The appendix to the TBS (Ref. EB45A and B) provides “high-level guidance for a selection of ‘preferred’, strategic sites across the Borough.” Each site has been considered in relation to a potential development scenario including parameters for the distribution of land uses and heights. The indicative scheme for site allocation 06EA shows one way that development could come forward on this site with a range of heights up to 8 storeys. The document confirms that *“the development scenarios and capacities presented in this appendix are indicative only”*. (Lichfields emphasis). This indicative analysis shows an illustrative height of 10 storeys for site allocation 05EA. As noted above, this site is then identified in the draft Local Plan as being suitable for up to 21 storeys.

- 1.19 On this basis, we do not consider that the maximum height within the proposed allocation should be limited to 8 storeys. This would be contradictory to the evidence within the TBS which confirms that this location is appropriate for 9-21 storeys and Tall Building Policy D9. There is no evidence to justify a height threshold of 8 storeys. It is understood that the height limit within the allocation has been based on an indicative scheme and it is therefore not appropriate or justified to solely rely on this, as required by paragraph 35 of the NPPF. The approach taken between site allocation 06EA and 05EA is also inconsistent.
- 1.20 Limiting the site to a maximum of 8 storeys does not optimise the use of the site. The site is in a town centre location, with a PTAL score of 6, and within close proximity to a number of tall buildings, the tallest being 22 storeys in height. As set out within the spatial strategy, draft Policy SP.4.1 confirms that the Council is seeking to ensure that 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. The provision of a taller building in this location would also support overarching aims of the Local Plan and principle of making the best use of land, set out under policy GG2.

### **Ealing Development Site 06EA – 49-51 Uxbridge Road**

#### **Question 26: Is the proposed scope of uses justified, effective and consistent with national policy?**

- 1.21 FCT generally supports the proposed scope of uses within allocation 06EA, which includes the site at 49-51 Uxbridge Road. The proposed use is for a mixed-use scheme, comprising residential, office, community facilities, and flexible non-residential floorspace. Our client's proposal for an office development at 49-51 Uxbridge Road sits comfortably within the wider allocation and so the proposed scope of uses is supported.
- 1.22 However, there has been a change in the wording of the scope of proposed uses at the site, since the draft Regulation 18 site allocation (EA11). The draft allocation previously requested that a "*Commercial-led mixed-use scheme with some residential and cultural/leisure facilities.*" The site allocation is in Ealing town centre and commercial-led development should be directed to town centre locations in line with London Plan Policy SD6 (Town Centres and High Streets) and paragraph 90 of the National Planning Policy Framework (NPPF). On this basis, FCT considers that site allocation 06EA should allow for a mixed-use redevelopment, but with the main uses at the site directed towards commercial development.