

**London Borough of Ealing Development Sites and Development Management DPD's
Examination Hearing
Further Comments Statement on Behalf of Telereal Trillium
Representor Number DS47 and DM21**

Development Management Reps Made

Representation Number 292- Policy 3.4
Representation Number 293- Policy 3A
Representation Number 294- Policy 6.2
Representation Number 295- Policy 7.7

Development Sites Reps Made

Representation Number 525 EAL13
Representation Number 526 EAL13
Representation Number 527 EAL13
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Representation Number 531 EAL13
Representation Number 532 EAL13
Representation Number 533 EAL13

MATTER 1 - REPRESENTOR DM21/TELEREAL TRILLIUM

- 1.1 Overall we consider the approach of the of the Development Sites and Development Management DPDs to be sound, justified, deliverable within the Plan period and consistent with both the NPPF and the Core Strategy.
- 1.2 The approach of the Development Sites DPD (DSDPD) is consistent with the overall approach of the London Plan, Core Strategy and NPPF. It seeks to optimise development within the urban area, increase the density of development consistent with high quality environments and living standards and allows for development to come forward in a manner that is viable and of a high quality. This requires flexibility and pragmatism in the application of policy.
- 1.3 While the Council are updating the specific delivery information associated with sites, we consider the Council's general approach to delivery is consistent with the required trajectory and the Core Strategy.

MATTER 2 - GENERAL ISSUES/ REPRESENTOR DM21/TELEREAL TRILLIUM

- 2.1 The nature and location of sites is considered to generally comply with the London Plan, subject to any specific issues raised on individual sites. The approach of focussing town centre uses in the town centres and identified employment locations is consistent and the release of sites in predominantly residential areas for residential redevelopment is consistent with securing an optimum distribution and quantum of development, consistent with the character and function of the area.
- 2.2 We would support the identification of the most appropriate use or mix of uses for each site as is broadly the case in the DPD (which in the case of EAL13 is residential). We do not consider that the precise quantum of development should be fixed for each site, since at this stage any notion in the DPD of site capacity will be broad brush and suitable for a guide only. The detailed capacity of each site for development should not be constrained.

MATTER 3- AREA 2 EALING/REPRESENTOR DS47/TELEREAL TRILLIUM

- 3.1 The identification of major development opportunities in the form of the identified sites is a key plank in the regeneration and revitalisation of Ealing and West Ealing in accordance with the Core Strategy.
- 3.2 The site assessment and design principles set for the sites appears clear, identifies the key issues for the sites and provides a degree of flexibility and avoids prescription such that development is considered likely to come forward.
- 3.3 The overall approach to EAL13 is considered acceptable and capable of guiding development in the manner proposed.

Other Representations

- 3.4 Some limited representations have been made which have claimed the allocation of site EAL13 to be unsound. Three representations have been received from the Ealing Civic Society and West Ealing Neighbours Community Group. This evidence addresses the issues raised and indicates why we consider allocation EAL13 to be sound.

Rep Number 467

- 3.5 This representation (Ealing Civic Society), suggests that the most suitable option would be to retain the existing building and convert it to an alternative employment use. This is simply not practicable and would be the wrong planning response to the opportunity presented by the site.
- 3.6 The existing development on the site does not lend itself to conversion to alternative use, given that the buildings were specifically designed to house switch gear and other telecommunications technology.
- 3.7 The site is of scale that it has the ability to create a real sense of place and an environment that provides for a high quality of residential environment and a standard of accommodation that meets the London Housing Design Guide and Development Management DPD. It also has the ability to provide a significant enhancement in the townscape of Gordon Road and the relationship of the site to the area.
- 3.8 Hence, the most appropriate way to secure the redevelopment of the site is through a master plan approach that secures a phased residential development in accordance with the relevant policies and standards.
- 3.9 The site lies within an extensive residential area and is essentially a non-conforming use. It is not within a town centre location, is outside of the strategic employment locations where employment development is focused and where there are other commercial uses. Its lacks strategic presence and profile in business terms. Thus, it lends itself to residential development.

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3.10 It is concluded that the site is no longer suitable for employment use and complies with Core Strategy and emerging Development Management policy.

Rep Number 468

3.11 Rep number 468 (Ealing Civic Society), supports the Development Sites DPD that frontage development should be 3-4 storeys in height, however states that the plan is unsound by virtue of a 'no-car' development, being unsuitable.

3.12 As detailed in Telereal Trillium Rep number 532, we would agree that no-car development is unsuitable in this location, which currently has a PTAL of between 2-4, but which will benefit to some extent from future Crossrail improvements. The level of parking provision should therefore, be determined by an appropriate transport assessment (TA) that would accompany any master plan approach.

3.13 The Proposal EAL13 only says that the site's location may support a low or no car development. It does not state that this is required or a maxima. It will be relevant to consider the mix and size of dwellings proposed as well as accessibility and hence likely levels of car use. It may be that up to 1 space per dwelling is appropriate as an average across the site, particularly for family accommodation. We would support this clarification should the Inspector feel this appropriate.

3.14 The normal policies of the London Plan and Development Management DPD would apply. Hence it is considered that an appropriate car parking provision can be determined in the normal way.

3.15 It is important that car parking and access requirements are subordinate to the creation of an attractive residential environment and high quality shared and private amenity space.

3.16 Hence we consider the provision within the EAL13 appropriate in this regard.

3.17 In relation to building heights, we would agree that 4 storeys at least could be supported on the Gordon Road frontage, possibly allowing for some limited increase for marker buildings and focal points relevant in any masterplan layout.

3.18 We would also concur that taller buildings would be appropriate within the site and as the site falls to the railway, to reflect both the neighbouring A2 Dominion development and the scope afforded by the site topography, in order to optimise the contribution to meeting wider housing trajectory and development within the urban area.

3.19 This is in accordance with the Spatial Vision for Ealing, as detailed in the Core Strategy, which states at 1.2 (h) that tall buildings are acceptable where they contribute positively to the urban environment and do not cause harm to existing heritage assets.

Rep Number 469

3.20 Rep number 469 (Ealing Civic Society), claims the plan is unsound as garden/playspace is essential. However, this is agreed and the details of site allocation EAL13 confirm that

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adequate and generous provision of communal and private garden space for residents commensurate with the potential offered by the size of the unit.

- 3.21 As such, we would agree with this requirement and it is not clear what grounds are being pursued by Ealing Civic Society to claim that the plan is unsound in this regard. It is contended that the DSDPD and allocation EAL13 are sound and legally compliant.

Rep Number 558

- 3.22 Rep number 558 (West Ealing Neighbours) reflects the comments by Ealing Civic Society, as detailed above in rep number 467. For the reasons given above, we disagree with this sentiment and support the Councils allocation for residential development through a phased process. The site could provide for 350-400 new residential units and constitutes a key development site for Ealing to meet housing targets, supporting policy 1.1 of the Core Strategy, requiring 14,000 new residential dwellings by 2026.

Para 3.5 of the Draft Schedule of Matters and Issues

- 3.23 This questions whether the development sites would revitalise Ealing Metropolitan Centre. The proposed site, in a wholly residential area, is suitable for residential development and revitalisation of the area and an existing underused site capable of making a major contribution to the Plan.

- 3.24 The economic benefits of an increased residential development and an increased residential population are clear, providing revitalisation of the area and greater footfall to the town centre, supporting local shops and services. The bringing forward of an important residential development site would certainly reinforce the character of the area and town, providing greater choice for residents in the town.

Para 3.6 Schedule of Matters and Issues

- 3.25 Paragraph 3.6 raises the question of whether the sites form part of a wider strategy for West Ealing or whether there should be a more holistic approach and where infrastructure can cope.

- 3.26 This increase in population and development will assist in the regeneration aims and visions for the Borough, by regenerating a large site in a residential area and increasing population and expenditure in the local economy. It is contended that the redevelopment of site EAL13 ties in with the other designated sites and would bring about real regeneration benefits in accordance with the Core Strategy.

- 3.27 Paragraph 3.6 also raises the question of whether existing infrastructure can cope with the level of development proposed. With regard to site EAL13, the redevelopment would be subject to Local/Mayoral CIL contributions and s106 agreements, which would fund any necessary infrastructure improvements in the Borough, providing these are flexibly applied and viable. The same applies to other development sites. As such, it is contended that there is no requirement for any other approach within the Borough, as this would stifle sites coming forward in the short and medium term.

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- 3.28 The site allocations provide the certainty needed to provide the basis for applications to be brought forward. Without the DSDPD, this required certainty would be undermined.

Para 3.7 of the Draft Schedule of Matters and Issues

- 3.29 Paragraph 3.7 of the Inspectors Draft Schedule poses the question of whether the design principles are clear, justified and flexible enough to be effective and whether there will be sufficient parking provision for the town centre, for 3 sites, including EAL13.
- 3.30 The Development Sites DPD specifically details the need for a masterplan to support any phased residential development. This has to be clear and coherent and cover the whole site, detailing layout, scale, massing and design of buildings. It is also required to demonstrate the location of access points and routes and the location, nature and levels of provision of garden space for residents. It is required that this be achieved through the submission of an outline or full planning application for the whole site.
- 3.31 Whilst the design requirements are detailed in the Development Sites DPD at page 49, these are general and if applied with flexibility and pragmatism should provide guidance without stifling individual proposals at the site, through the requirement for the submission of a masterplan. The details allow for a mix of dwellings to be progressed at the site.

MATTER 4 - REPRESENTOR DS47/TELEREAL TRILLIUM

- 4.1 We fully support the allocation EAL13 which we consider also to be sound, justified, deliverable and legally compliant.
- 4.2 The allocation EAL13 is capable of being delivered within the plan period. Initial discussions are underway concerning a proposed master plan, initial designs for which are under preparation and discussion and initial supporting studies have been commissioned. There are no in principle constraints to development taking place in the manner proposed.
- 4.3 A formal pre-application process and consultation is planned for later in 2013. It is anticipated that development at the site will be phased and the initial phase of development may be commenced in the first phase of the Plan 2011-16.
- 4.4 Our representations considered viability. The Development Management DPD (DMDPD) considers viability specifically in relation to affordable housing and requires toolkit appraisal. This by definition considers extraordinary costs, existing use values, development costs, future values and hence development viability. It is considered that the Site Allocations and DMDPD should contain adequate flexibility to ensure development is viable and can take place without unnecessary burdens in accordance with the NPPF.

MATTER 5 - REPRESENTOR DM21/TELEREAL TRILLIUM

- 5.1 Representations were made by Telereal Trillium towards policies 3.4, 3A, 6.2 and 7.7. The reps submitted by Representor DM21 contended that policies 3.4, 3A and 7.7 were unsound.

Policy 3.4

- 5.2 This policy was contended to be unsound as it was not in compliance with London Plan policies which encourage growth, as it does not include sufficient reference to allowing flexibility for higher density development. This is especially so where higher density development already exists and where it can be demonstrated through good design, that higher density is acceptable. It should be noted that the forthcoming review of the London Plan will later in 2013 seek to increase housing requirements in line with updated demographic data and require higher densities, especially in areas of high transport accessibility or where there are major opportunities for development.
- 5.3 The policy can be made sound through greater reference to flexibility, as detailed in the London Plan, through policies 3.3 and 3.4. Policy 3.3 aims for an increase in housing output, whilst 3.4 takes account of local context and character, as well as design principles, when considering an acceptable density to optimise housing development at a site.
- 5.4 Whilst the policy replicates London Plan density standards, it would be more successful if it were to identify those areas within the Borough where flexibility to these standards could be applied. This would be well related to the individual sites as identified in the Development Sites DPD.
- 5.5 It is contended that the policy is not positively prepared and that the role of design in increasing density and optimising development should be included in the wording of the policy.

Policy 3A

- 5.6 Whilst reference to viability is vital and in line with the requirements of the NPPF and was welcomed through Telereal Trillium's previous representations. It was considered, however, that the policy did not reflect London Plan and NPPF requirements of optimising affordable housing on a site by site basis.
- 5.7 In order to make this policy sound, stronger reference to development being assessed on a site by site basis is required. The availability of grant and level of developer contributions should also be considered through the policy. Likewise, the tenure split should also be assessed on a site by site basis, taking account of suitability and demand in the area.
- 5.8 The NPPF states that such policies, within LDF documents, should be sufficiently flexible to take account of changing market conditions over time.
- 5.9 In accordance with the inspectors question posed at paragraph 5.5 of the 'Draft Schedule of Matters and Issues' document, there is concern that in its current wording, policy 3A would place an unreasonable burden on development, affecting its viability in the current economic climate. This has the potential to stifle development in the Borough, contrary to the aims of the London Plan and NPPF.

Policy 7.7

- 5.10 Policy 7.7 limits the location of tall buildings to specified sites within predominantly town centres. This is contended to be unsound and that a greater consideration of the proposal site should be afforded. It may be noted that a tall building is defined simply by reference to its neighbours and there will in reality be circumstances where the site context allows for taller buildings to be in line with London Plan and NPPF policy to maximise the utilisation of land and reflect transport nodes, site context and other issues.
- 5.11 If a tall building is deemed to be acceptable in design and amenity terms, in relation to the context in which it sits, then it should not be refused simply because it is not in a designated tall building location. A tall building is defined in the policy as one which is substantially taller than its neighbours. This however does not take account of the character of the area, which should not be determined by the height of immediately adjoining buildings only.
- 5.12 In order to make this policy sound, it is suggested that greater reference to assessment on a site by site basis be included, rather than identifying a restricted number of suitable locations only. If it can be demonstrated that such a building is acceptable in a location, then it should be permitted in accordance with the NPPF requirement for regeneration and the achievement of sustainable development.