

DP3762/JWP/AWR

14 April 2016



CENF
c/o Ealing Broadway BID Co
Room 4.01, 4th Floor
Villiers House
London
W5 5PA

DP9 Ltd
100 Pall Mall
London SW1Y 5NQ

Registered No. 05092507

telephone 020 7004 1700
facsimile 020 7004 1790

www.dp9.co.uk

BY POST AND EMAIL

Dear Sir / Madam

DRAFT CENTRAL EALING NEIGHBOURHOOD PLAN (FEBRUARY 2016)

We are instructed by our client, BE Broadway BV, and their development managers, London & Newcastle Capital Limited, to submit on their behalf the following representations on the Draft Central Ealing Neighbourhood Plan (February 2016), in the context of their position as majority landowner of the Arcadia Site, 9-42 The Broadway and 1-4 Haven Place, Ealing.

Introduction

Before we comment on the detailed policies proposed within the Draft Central Ealing Neighbourhood Plan ("DCENP") a general observation we have specific to the Arcadia Site (see location plan attached at Appendix 1) is that no consideration has been given within the DCENP to the site's allocation within the London Borough of Ealing's ("the Council") adopted Development Sites Development Plan Document, December 2013 (EAL3 Arcadia). This is an adopted Development Plan document that has been through the statutory consultation procedures, including an Examination in Public held by an Inspector appointed by the Secretary of State, which should be afforded significant weight in the preparation of emerging planning policies. The legal test for a Neighbourhood Plan is that it has to be "*in general conformity with the strategic policies contained in the Development Plan for the area of the authority (or any part of that area)*".

The allocation for EAL3 Arcadia is for:

"Mixed use development appropriate to the town centre, including additional retail, commercial, leisure / entertainment and residential."

The justification provided for the allocation is that:

"The existing buildings on the site are insufficient to accommodate the scale, range or quality of retail offer required to support the vitality and viability of the town centre, and their comparatively low intensity of development underutilises a key town centre site adjacent to the station. Individually or together the buildings have little architectural merit, such that the nature, form



and scale of development is not considered to make a positive contribution to the Conservation Area or the townscape”.

The design principles for EAL3 Arcadia are set out in the Draft Arcadia Site Supplementary Planning Document, prepared by the Council in June 2012.

Any emerging policies related to Central Ealing more broadly should ensure they do not contradict or conflict with the strategic objectives of the Council’s Local Plan for the Arcadia Site, which is a significant site within the heart of the Ealing Metropolitan Centre, which is about to benefit from a new Crossrail station increasing its importance as a centre. The Arcadia Site is key to the future of Ealing town centre with the opportunity to provide enhanced retail, community and leisure accommodation, new high quality public realm, improved connectivity through the town centre and new homes.

The Council resolved to grant planning permission for the following development on the Arcadia Site on 24 February 2016 (Ref. PP/2015/3479) which has also been ratified by the Mayor of London:

“Redevelopment and demolition of 9-42 The Broadway and 1-4 Haven Place (retaining No.9 and the front facades of No.14 and No.15 & 16 The Broadway) and erection of 8 new buildings (ranging from 2 storeys to 18 storeys) to provide 188 residential units (Use Class C3), 6,667sqm flexible retail floorspace (Use Class A1/A3), 784sqm flexible retail/leisure floorspace (Use Class A1/A3/D1/D2), 514sqm bar/nightclub (Use Class A4/Sui Generis) with basement car parking, new publically accessible route, associated public realm and landscaping, residential vehicular access off The Broadway and primary servicing off Springbridge Road via existing servicing route for 1-8 The Broadway and associated works.”

Observations on the Draft Central Ealing Neighbourhood Plan

We make the following observations on the proposed draft planning policies of the DCENP:

Policy E3 – Mixed Use Development

This policy seeks additional social / cultural / community uses in strategic and major schemes increasing commercial or residential floorspace by more than 30% at a level adequate to meet reasonable demand as evidence by local consultation.

We would query the sound basis for this policy as we are not aware of any evidence supporting the 30% threshold to trigger the provision of social / cultural / community uses and local consultation is not considered a sound basis for determining the quantum of that use that should be provided within the scheme. Any requirement should be evidenced by need.

Policy E4 – Encouraging New Business

Part (i) of the policy may need to be re-considered in light of any changes to Policy E3 as per our comments above.



Policy HBE2 – Protecting The Streetscape

The introductory part of the policy appears to have been omitted which make the policy difficult to understand. Notwithstanding this it would seem part (iii) of the policy is seeking to restrict development on street frontages within the Conservation Area to 4-6 storeys in height.

In our view blanket height restrictions is not a sound approach to plan led policy making. Determining the appropriate scale of buildings should be design led relating to the site's context and following assessment of relevant townscape, heritage and amenity considerations as well as a number of other factors. Furthermore, the proposed policy would be restrictive towards delivering the strategic regeneration and economic development goals laid out in the London Plan which seek to make optimal use of the capacity of sites with high levels of public transport accessibility such as the Arcadia Site opposite Ealing Broadway Station. A more conservation and design led policy would in our view be more appropriate in order to protect the streetscape.

Policy HBE3 – Taller Buildings

The policy and its supporting text (paras 5.2.15 and 5.2.16) should acknowledge that the principle of taller buildings should be acceptable where these have been identified within site specific allocations, subject to assessment of detailed design and impact on character and appearance of conservation areas and settings of heritage assets. Site EAL3 Arcadia is considered in principle an appropriate location for a tall building within the Development Sites DPD and the Draft Arcadia Site SPD identifies the appropriate zone within the site for that tall building. Only identifying the "Office Corridor" as an appropriate location for taller buildings is not consistent with the Council's Local Plan and in our view Policy HBE3 should be expanded to include site allocations for tall buildings. This point goes back to the heart of the issue that the Neighbourhood Plan should be in general conformity with the Development Plan.

We reserve our right to review the next iteration of the Central Ealing Neighbourhood Plan and make representations on other aspects of the plan in due course.

Yours faithfully

DP9 Ltd

cc Steve Barton Esq London Borough of Ealing