

THIRD OBJECTION FROM OLD OAK NEIGHBOURHOOD FORUM TO APPLICATION AT ONE PORTAL WAY 21/0181/OUTOPDC

This third objection responds to points made in representations on this application from LB Ealing, LB Hammersmith & Fulham, and the GLA. None of these representations were published prior to the original end date for public consultation. They were not available on the OPDC online planning register at the time of our previous two sets of comments.

LB Ealing consultation response (undated)

Under the heading '**Principle of a Hybrid application**' LBE state '*Given the comprehensive nature of the applicant's submission and the extensive design information and illustrative proposals for the outline element LBE Officers are satisfied that the nature of the application is appropriate*'.

This statement conveniently fails to mention that the LBE Ealing Development Sites DPD Policy OIS1 for the Park Royal Southern Gateway is clear that '*outline planning applications for a tall building will not be considered*'. It is characteristic of Ealing Planning Department to find a way round the text of its own 2013 development plan documents, in the interests of supporting a development.

Since the application is being determined by OPDC, the OPDC may argue that this 2013 LBE statement is of little relevance and weight. If this to be argued, no other parts of LBE Policy OIS1 should be treated as having weight in recommendations to the OPDC Planning Committee.

Under the heading **Key Issues – Residential**, LBE go on to say '*The previous 2016 extant planning permission which was also a residential led mixed-use development is also a material consideration lending further support to the principle of the development now proposed*'. No response is made to the point raised frequently by OONF and the StQW Neighbourhood Forum that this 2016 consent was issued by Ealing's Director of Planning during an extended period between 2015 and 2020, when Ealing Council (through administrative failure) had failed to make a Council decision to enter into the OPDC Scheme of Delegation.

In our view the 2016 planning consent remains void for want of proper authority and should be set aside in the consideration of application 21/0181/OUTOPDC.

Under the heading **Building Heights, Layout and Urban Design**, LBE state '*LBE have also recently published Local Planning Policy Guidance (LPPG): Tall Building which reaffirms that the location of tall buildings should be plan led and should come forward on allocated site's such as the Southern Gateway*'.

We accept that the Ealing Development Plan documents (2012/3) identify North Acton as part of the Park Royal Southern Gateway. This is an area of 9.96 hectares. We do not accept that this designation in the 2013 Development Sites DPD is adequate to meet the 2021 London Plan D9 Policy requirements as set out below:

London Plan Policy D9 Part B

- 1. "Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.*
- 2. Any such locations and appropriate tall building heights should be identified on maps in Development Plans.*

3. *Tall buildings should only be developed in locations that are identified as suitable in Development Plans.*"

Firstly an area of the size of 9.96 hectares we do not consider to meet the definition of a 'location'. This requires more specific identification, if part 3 of D9B is to be met. Secondly, the OIS1 designation makes no mention of 'appropriate heights'.

We have seen no evidence that the prospect of buildings above 50 storeys was considered at the time of the preparation of the Ealing Development Plan documents, a decade ago. The case argued in the LBE consultation response that the set of buildings proposed in 21/0181/OUTOPDC is 'plan led' is open to challenge. The recently published LBE Local Plan Policy Guidance (January 2022) was not the subject of public consultation nor of independent examination and carries little if any material weight.

Were Ealing's Planning Committee, rather than of OPDC, to be determining this application we believe that it would struggle to find sufficient grounds for granting consent. We see no sign of LBE 'engagement' with LB Hammersmith & Fulham (a requirement of D9B part 1). This Council has stated in its own consultation response that the proposals have a significant adverse impact on the Borough (see below).

LB Hammersmith and Fulham consultation response (18th February)

Hammersmith and Fulham Council has raised an objection to 21/0181/OUTOPDC, on the grounds that *'The scale of the tall buildings proposed would have significant and adverse townscape and heritage impacts when viewed from Hammersmith and Fulham.*

In this respect the proposals are considered to be contrary to Policy P7 of the OPDC Post-submission Modified draft Local Plan (PSMDLP) and Policy DC8 of the H&F Local Plan 2018'.

The Council has identified a series of views from Wormwood Scrubs, the Old Oak and Wormholt Conservation Area, and Kensal Cemetery (St Marys Cemetery Conservation Area). In these cases, the assessments made in the TVIAH (Townscape, Visual impact and Heritage Assessment) are considered by the Council to be flawed, with levels of harm greater than those claimed.

The Old Oak Neighbourhood Forum strongly supports this response from LB Hammersmith & Fulham. The damage to the western skyline as seen from Wormwood Scrubs is already severe as a result of tall buildings consented by LBE at North Acton and by OPDC at 'Oaklands Rise'.

Greater London Authority Planning report GLA/2021/1188/S1/01 (

This GLA Strategic planning application stage 1 referral report assesses application 21/0181/OUTOPDC and concludes as follows in terms of **Urban Design**.

Urban Design: The site is considered suitable for tall buildings. The architectural approach raises no strategic concerns. The LPA should ensure that the scheme delivers the highest level of internal amenity for future residents, and that the scale and mass of the proposal does not prevent the delivery of high quality and usable public realm. The proposal would result in less than substantial harm to heritage assets, however, will not have an adverse impact upon strategic or locally important views. Fire safety issues must be resolved prior to Stage two (paragraphs 51 to 87).

Concerns on Fire Safety and evacuation procedures were raised in detail in the second objection letter from OONF. This followed an open meeting of the Forum on February 1st attended by Andrew Slaughter MP, whose objection to these proposals also raises this issue.

We are not clear at present how Imperial College can go about 'resolving' these concerns without fundamental redesign of the three proposed buildings above 50 storeys, each of which includes a core with a single staircase.

In relation to London Plan D9 we do not agree with the brief GLA statement *'the site is considered suitable for tall buildings'*. Considered by whom, LBE, OPDC or GLA? We make the same arguments in relation to our comments on the LBE consultation response, as set out above. Paragraph 53 of this GLA note states that *'In this regard, the Ealing Core Strategy identifies North Acton as being suitable for tall buildings and as such the site is considered to meet the locational requirements of Policy D9 (Part B) of the London Plan.'*

If GLA officers continue to interpret London Plan D9 as meaning that any location within defined areas as large as 9.96 hectares¹ or 32.9 hectares is fair game for buildings of over 50 storeys, this makes a mockery of the term 'suitable location' and the intentions behind the Secretary of State's December 2020 intervention on the London Plan.

We argue that 'suitable location' means a 'particular place' as identified with some precision (and with respect to criteria in D9 Part C) as in e.g. a Site Allocation in a Local Plan. Only then do the public have any opportunity to give a view on 'suitability' at plan preparation stage.

Similarly we differ with the GLA claim *The proposal would result in less than substantial harm to heritage assets, however, will not have an adverse impact upon strategic or locally important views.* We consider LBHF officers better placed than GLA officers to make this assessment.

On Fire Safety, the GLA consultation response states *Whilst the submitted fire statement addresses the requirements of Policy D12 in terms of the content headings, it is noted that the scheme proposes very tall buildings with only one staircase per tower. As Policy D12 seeks the highest standards of fire safety in developments, as a minimum, it must be demonstrated how the number of common stair cores has been rigorously assessed based on the evacuation strategy, and if a stay-put strategy is proposed, what mitigation measures there are if occupants (including disabled occupants) choose to self-evacuate. The strategy to enable fire fighters to reach each floor in the event of a fire must also be fully explained. The London Fire Brigade (LFB) have recently raised objections to single-stair arrangements in proposed tall buildings elsewhere in London. Should the LFB raise any issues regarding this proposal these must also be fully addressed prior to the scheme being referred back to the Mayor at Stage 2.*

These are very similar comments to those made by OONF in our second objection letter of February 14th 2022.

For the above reasons and those set out in our two earlier objections we ask that this application be refused or withdrawn.

Old Oak Neighbourhood Forum
March 13th 2022

.

¹ These areas are as defined as the Park Royal Southern Gateway and as North Acton/Acton Wells in the OPDC OAPF.