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5<sup>th</sup> July 2021

Dear Emma

**Draft Old Oak & Park Royal Development Corporation Local Plan**

I am writing on behalf of the Ealing Council LPA regarding the consultation on the draft Old Oak and Park Royal Local Plan, which I understand closes on 5 July 2021.

Ealing is supportive of much of the Plan particularly as this reflects the continuing joint work between OPDC and the Boroughs, however there are outstanding issues relating in particular to strategic issues of land supply.

Comments on themes of particular interest are set out below and detailed notes on specific policies follow in tabular form at Appendix 1.

Reflecting the supplementary nature of the current consultation these representations are in addition to those that Ealing made in the September 2017 and July 2018 consultations except where noted otherwise.

**Strategic Industrial Supply & Waste Management**

Ealing's previous representations have highlighted the inherent difficulty of industrial and waste planning in the absence of an apportionment for all LPAs including OPDC. This is unfortunately now exacerbated by the shift in the major focus of development to sites within Ealing. This relocation of development is across the borough boundary from LBHF into Ealing and therefore from one Borough apportionment to another. I understand that the OPDC's Industrial Land Review (ILR) allows OPDC to demonstrate a net gain in industrial capacity, and if it was working to a separate apportionment in which its full industrial needs were understood and set out then it might be possible to balance these against the gain and loss across its area.

However, the needs that this land must meet are instead a subset of the composite industrial and waste apportionments of Ealing, Brent, and LBHF and are simply not understandable in relation solely to net gain or loss within the OPDC boundary. Ealing in particular faces a huge one-off loss of industrial capacity as a result of the modifications, with no reduction in either waste or industrial apportionments.

This is primarily a failure of the London Plan process which has failed to implement apportionments for MDCs despite two inspectors' reports directing the Mayor to do so, and Ealing is keen to find the most constructive way forward through the present problem.

On waste matters specifically, Ealing has previously made representations on this matter at each stage of the OPDC Local Plan process, and most recently at the EIP hearing sessions (see Hearing Statement REP-30-001) in April 2019. It is noted that the

Inspector's Interim Findings do not touch on these waste matters specifically, and so we await the full report.

It is acknowledged that since April 2019, the new London Plan has now been adopted, and disappointedly for Ealing this fails to implement apportionments for each LPA. The policy as it now stands in the London Plan is profoundly flawed, and Ealing does not have the mandate at a borough level to respond to the borough apportionments. Whilst we do welcome the OPDC's commitment to joint working, and are similarly committed to a collaborative effort, we remain of the view that each LPA should have clarity over its responsibilities. For that reason, through our own emerging Local Plan we intend to redefine Ealing's apportionment figures at an LPA level, by disaggregating the London Plan borough apportionment figures. As stated previously, we would request that the OPDC does the same through your Local Plan. As well as assisting with remedying a flawed regional policy, this should also help with demonstrating how the OPDC's waste planning authority responsibilities, as set out in national planning policy on waste, are being met.

The inclusion of the waste sites on maps is welcome, as is recognition of their safeguarded status and the need for compensatory provision, but such a mechanism is intended to operate in exceptional circumstances. This position is a given, and is already established through London Plan policy SI 9, the WLWP, and policy EU6, and so the repeated emphasis on this approach for a number of the site is of concern as it implies that the likelihood of this occurring is high. The new London Plan is clear at paragraph 9.9.2 that any release of current waste sites should be done as part of a plan-led process, and not on an ad hoc basis (i.e. through the Development Management process). The plan should not be actively planning for scenarios which have a high probability of triggering this mechanism, without also planning for a solution. As a strategic matter if the delivery of the strategy is contingent on such matters being resolved during the lifetime of the plan, then that shouldn't be passed to a separate development plan (joint waste plan), or left to the Development Management process. The local plan needs to give clarity around the future of these sites and demonstrate how the plan can achieve maintaining current capacity levels.

In respect of OPDC's current plan, therefore, Ealing requests the agreement with OPDC of a clear apportionment of industrial needs and waste needs to enable a constructive way forward in both local plans.

Yours sincerely

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## Appendix 1: Detailed Policy Comments

Policy/Para	Comment
General	Work on the West London Orbital has progressed significantly since the previous consultation and it would make sense to update references throughout the plan from WLO as a 'potential' project to a concrete proposal.
Para 1.19	Ealing's Planning for Schools DPD is adopted.
Places P4	Attention will need to be paid to integration of waste, industrial and other land uses. This could be outlined in more detail within this Local Plan (Park Royal West).
Places P9	In relation to Channel Gate's reclassification as predominantly residential use, consideration should be given to re-provision or support of relocated employment land or services within other areas, perhaps under Policy P9, 'f' in relation to S106. This principle could also possibly be noted under Design, Principles for securing high quality design, 2. iv.
Design Para 5.10	Design codes are mentioned for major outline or hybrid applications, clarity should be given as to whether these will be produced by the LPA or by applicants.
D4	Tall buildings – there is an opportunity to include a positive statement here for skyline creation, this is alluded to in supporting text in paragraphs 5.41 and 5.42, but this could be stronger
EU6 b)	The inclusion of the word 'could' is helpful in recognising that the policy is seeking to maintain/secure the potential capacity position. The use of the word 'normally' however is not supported, as this may permit exceptions to a policy approach which is already established in the London Plan (SI 9). It would be helpful also if the policy through the supporting text qualified what is meant by enhanced compensatory provision, perhaps with regard to the waste hierarchy as per London Plan policy SI 9.
E3 c)	Include note to address appropriate fit out, flexible terms and security of tenure that meet the needs of small businesses and start-ups.
TCC1 Para 10.11	Clarify responsibility for the Vision Statement for town centres, is this for applicants or the LPA?
TCC1 Para 10.11, 10.12	2,500sqm of town centre use is proposed <i>elsewhere</i> throughout OPDC, but this appears to now fall predominantly within North Acton as Atlas Junction

	has been omitted from the town centre list. Please clarify.
Figure/PS2/OPDC/PM16	The inclusion of polygons for all waste sites (existing and allocated) is welcome. We note however that the boundaries for some of the sites differ from those capture locally (on our interactive policies map). We can share these with you if helpful. We wanted to flag this up, but we recognise that as you have done this exercise after us your boundaries may be based on more up to date permit information etc.