

Hello everyone. We hope that you have had a good summer despite the constantly changing weather and travel rules. There is a lot to report since our last issue. One of the main themes of this issue is the tactics developers use to return time and again to squeeze the last ounce of profit out of large sites and phased schemes. We demonstrate that Ealing Council is happy to go along with this despite the fact that since 2012 it has consistently over-delivered on its housing targets set as part of the London Plan. But, before that, here is a round-up of borough-wide news.

EALING COUNCIL LEADERSHIP CHANGE AT THE THIRD ATTEMPT

Cllr Peter Mason was elected leader of the Ealing Constituency Labour Party (CLP) by one vote on 10 May and, at the Annual Meeting of the Council held in the Victoria Hall on 18 May, replaced Cllr Julian Bell as the Leader of Ealing Council. This followed two failed coups late last year: one organised by Labour councillors and the other by the opposition parties as reported in the October 2020 edition of our newsletter.

Cllr Mason has pledged 'to demonstrate to the residents of our borough that Labour is on their side' stating that 'under my leadership, Ealing will be an open, inclusive and transparent council that engages and involves residents in tackling the big challenges we face'. A new Cabinet has been installed with more or less opaquely named portfolios ([more detail about each of the roles here](#)).

EALING COUNCIL CABINET	
Portfolio Title	Cabinet Member
Leader	Cllr Peter Mason
Deputy Leader and Climate Action	Cllr Deirdre Costigan
Decent Living Incomes	Cllr Bassam Mahfouz
Inclusive Economy	Cllr Steve Donnelly
Genuinely Affordable Homes	Cllr Lauren Wall
Good Growth	Cllr Shital Manro
Thriving Communities	Cllr Jasbir Anand
A Fairer Start	Cllr Kamaljit Kaur Nagpal
Tackling Inequality	Cllr Aysha Raza
Healthy Lives	Cllr Josh Blacker

Since his appointment, Cllr Mason has engaged with many community groups across the borough with specific local issues. We highlight these in the sections below. Unfortunately, an invitation from Ealing Matters for Cllr Mason to talk more broadly about his vision for the borough at a meeting with the public at large has so far gone unanswered.

So, does the new leadership mark a positive shift in direction for Ealing?

The jury is out. That said, the signs are not good. Cllr Lewis Cox, elected to represent Hobbayne ward in the 2018 local elections and a former member of the Planning Committee, has already voted with his feet. [His resignation statement](#) is a damning critique of the administration past and present. Likewise, the promotion of Cllr Shital Manro, the former Planning Committee Chair, to the role of Cabinet Member for Good Growth, and Lucy Taylor and Alex Jackson, senior members of the planning team that has foisted so much poor development on the borough, to Executive Director of Place and Chief Planning Officer respectively does not inspire confidence.

LOW TRAFFIC NEIGHBOURHOODS (LTNS)

One of first actions of the new Council Leader was to scrap LTN21, the largest and most controversial of the schemes introduced under Experimental Traffic Orders last year. This followed a march of residents from Blondin Park in Northfields to Perceval House on 24 April 2021, as well as [a survey by CAMTAG](#), a group

representing the interests of residents and businesses in the LTN21 area, which registered opposition to the scheme among 78% of respondents.

The Council's justification for removing LTN21 when it did was Hounslow Council's plans to temporarily prevent vehicles entering Swyncombe Avenue from Boston Manor Road. This would have meant south-bound traffic on Boston Road/Boston Manor Road wanting to access Northfield Avenue having to go down as far as the A4 to do so.



LTN protesters' April rally at Ealing Council offices

Having promised local residents the final say on traffic measures in their neighbourhood, the Council conducted [consultations on each of the remaining LTNs](#) as well as the Deans Road/Montague Avenue filter in LTN21 from 1-23 July 2021. Around 22,000 responses were received. The majority of responses to the Deans Road/Montague Avenue and the Adrienne Avenue LTNs were in favour of retaining them. While most residents opposed the remaining seven LTNs, [statutory guidance from the Government dated 30 July](#) requires substantial evidence, including but not only rigorous local consultation, before LTNs are removed, with the threat of cuts to transport funding if they fail to comply. A final decision should be taken at the Council's [next Cabinet meeting](#) on 22 September in the Victoria Hall.

LOCAL DEVELOPMENT PLAN

As part of the re-shuffle within Ealing Council, Cllr Paul Conlan has replaced Cllr Mik Sabiers as Chair of the Local Development Plan Advisory Committee. We can also report that monthly [Local Development Plan Advisory Committee meetings](#) are scheduled to re-start on 28 September.

Although there is as yet no published agenda, our last newsletter reported that the next committee meeting would deal with the missing backlog of Authority Monitoring Reports (AMRs) for the years 2014/15 to 2019/20. These statutorily required documents are intended to evaluate the implementation of the current Plan, and contain data critical to the preparation of any new Local Plan. Government policy guidance requires the information in them to be produced annually, but Ealing has not published any since 2013/14. The promised publication date of 'the end of March 2021' for the backlog came and went, as did 'the end of June'. The latest missive from the Regeneration and Planning Team sets a new hoped-for date of 'the end of the calendar year'.

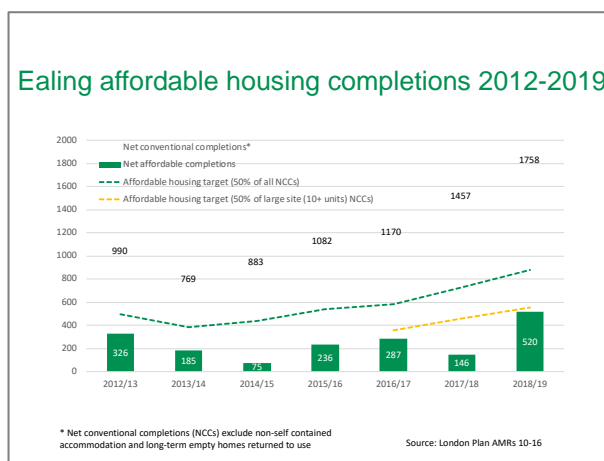
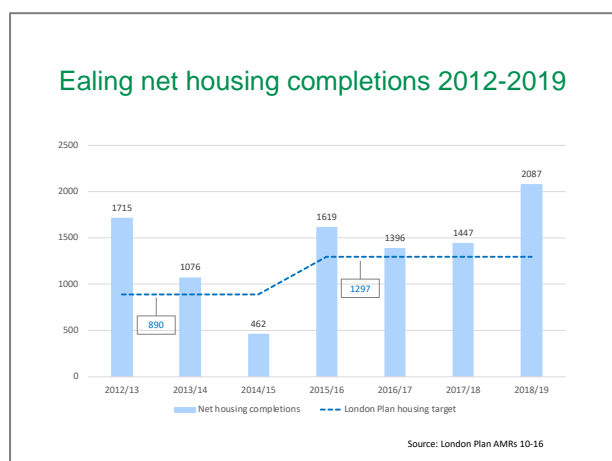
Residents have been complaining about the failure to produce AMRs since September 2016. Ealing Matters has recorded [32 requests and the responses to them](#) to date, and we know that there have been more. Different excuses have been offered during that time. The latest is the change in the system of collecting and storing relevant data by the Greater London Authority (GLA), but this only accounts for data for the financial year 2019/20, not the ones preceding. Likewise, it doesn't explain why [15 other London boroughs have been able to produce AMRs](#) up to and including 2019/20. Having exhausted the Council's own complaints procedure, we have submitted a complaint to the Local Government Ombudsman. Its wheels grind slowly – the complaint was accepted in April, but an investigating officer was only appointed in mid-August.

The Council's failure to produce up to date AMRs should be acutely embarrassing. However, more importantly, it may have real and negative consequences for the borough as demonstrated by the Manor Road appeal (see West Ealing section).

THE GREAT 'MUCH NEEDED HOUSING' CON

Anybody who has attended a planning committee meeting in recent years will be familiar with the 'much needed housing' justification for granting permission for yet another overbearing and out-of-place development in the borough.

Using the [GLA's London-wide AMRs](#), which are based on data provided by the individual boroughs, Ealing Matters has evaluated housing delivery in Ealing against the Council's London Plan targets since the adoption of the current Local Plan in 2012. These demonstrate that Ealing has exceeded its total housing target in all but one year, and over the period as a whole by 25%.



Indeed, the 2,087 units completed in 2018/19 are only around 3% short of the borough's massively increased target of 2,157 units per annum for the ten-year timespan of the new London Plan published in March this year.

While consistently over-delivering on its total housing target, Ealing's performance on affordable housing tells a different story. The Council's stated aim was for half of its conventional housing delivery to be affordable. It has fallen well short on this measure every year since 2012/13, and even in the last three years, when the target was reduced to half the units in major schemes only (i.e. of 10 residential units or more), the affordable share of its conventional housing completions was cumulatively 30% short of target.

In the meantime, Ealing's excess housing is being marketed in the Far East at outlandish prices to investors looking for a safe haven for their money. How does this benefit any local person needing somewhere to live?

CROSSRAIL/ELIZABETH LINE

The latest estimate is that Crossrail/Elizabeth Line services from Ealing will start running through central London to Abbey Wood in Kent in autumn 2022. The whole system will be fully operational – they say – from May 2023.

While open, the new station at Ealing Broadway is still unfinished. Designs for the public realm have not been published, but we understand that a shortage of funds means that they will be minimal. We are told the Department for Transport and TfL have withheld money previously committed for improvements because of the spending wasted on the LTNs are now being scrapped.



The new entrance to Ealing Broadway station

There has been no progress on plans to reinstate Haven Green when – indeed if – the Crossrail worksite is dismantled, along with the rest of the clutter the Council has promised to remove.

The new Acton Mainline, West Ealing and Southall stations are also operational, and public realm works outside are in their final stage, if not complete.

Below is a round-up of other news from around the borough.

ACTON

Friary Park, North Acton (193424HYBRID)

Full planning permission was granted to Catalyst Housing in November 2019 to demolish this 1980s, low-rise housing estate of 225 homes and build 500 residential units in four blocks of 3-24 storeys.

Not content with this, Catalyst is now proposing changes to the scheme and is using Commonplace, the digital planning engagement specialists of which Cllr Peter Mason was the lead on public affairs before becoming Leader, to run a so-called ‘enhancement consultation’. The stated aim of the changes is ‘to proactively address how COVID-19 has changed the way we live and work. The benefits of these changes include improved green spaces, more places to work and relax, and better community facilities.’ Hidden among sections on bee bricks and hedgehog highways is the fact that Catalyst is now looking to increase the height of two of the towers, one from 24 to 29 storeys (B1) and the second from 22 to a whopping 37 storeys (B3). This will add 154 flats to the scheme, 90 of them private and 64 shared ownership.



Friary Park: the only way is up

If this isn't cynical enough, consider this. As agents for Catalyst, Barton Wilmore applied earlier this year 'to amend the description of development to remove specific reference to the number of dwellings, floor areas and building heights...'. Their reason? A legal case (*Finney v Welsh Ministers* [2019] EWCA Civ 1868) on which the Supreme Court has ruled that 'on an application made under section 73 of the 1990 Act (a so-called non-material amendment as with the Friary Park application), a local planning authority has no power to amend the description of development when granting the new permission.' By removing the detail in this way, developers have carte blanche to apply to change the agreed specification as they are attempting to do now. By accepting the application Ealing's planning department is effectively colluding in increasing the height and density of the development. Friary Park is not the only scheme where this has happened.

The original Friary Park application also received outline consent for a further 490 homes. No doubt there will be more 'enhancements' to come.

1 Portal Way (Carphone Warehouse site), North Acton (P/2015/0095, 214451SCO)

Six years after receiving phased outline planning consent for up to 764 flats in eight tower blocks of 6-32 storeys, Imperial College came back in June this year to seek a scoping opinion for up to 1,240 residential units and 320 co-living units on the same site in an as yet unspecified number of tower blocks of up to 218 metres AOD. A decision is pending.

Old Acton Library

The restoration and repurposing of this 120-year-old Grade II listed building on the opposite corner to the Old Acton Town Hall on Uxbridge Road is well under way. [Acton Arts Project](#), a Community Interest Company (CIC) formed by local Acton residents, signed a lease with Ealing Council in April and is transforming the building into a cinema-based community arts centre using a grant from the National Lottery Community Fund, crowdfunding and a lot of volunteer elbow grease. Its first gallery exhibition, *Prop Houses*, is now on. The group is seeking [volunteers](#) to help run the venue.

CENTRAL EALING

Perceval House, 14/16 Uxbridge Road (20327FULR3)

After being approved at the third time of asking on 31 March despite representations from MP Dr Rupa Huq, ward councillors Seema Kumar and Anthony Young, Historic England and over 2,400 online objectors, the scheme went to the Mayor of London and subsequently to the Secretary of State, Robert Jenrick, asking them to use their powers to 'call in' Ealing's plans so that they could be independently assessed. Both refused to do so, despite the fact that the development will do serious harm to Ealing's historic character and several key listed buildings, particularly by setting a precedent for a cluster of high buildings in central Ealing and by depriving surrounding homes of their natural light. The message from the Government was that, if Ealing residents don't like what our Council is doing, we should vote them out. We have been told.

Victoria Hall

In March the Charity Commission decided to allow Ealing to dispose of the Victoria Hall, the largest community space in central Ealing, to hotel developers, Mastcraft, despite the fact that this and several other rooms in the Town Hall actually belong to a charitable trust for the benefit of the people of Ealing and not the Council. Residents' use of the rooms would be much more restricted and expensive if the deal went ahead. The [Friends of the Victoria Hall](#) (FoVH) have decided to appeal and are preparing their case against the Charity Commission. They are being advised by Bates Wells, City solicitors with a strong background in charity law. Dates have yet to be set, but the tribunal is likely to take place at some point in the first six months of next year. FoVH is appealing for [donations to cover its legal costs](#).

Cladding problems at the Arc, Uxbridge Road

The Uxbridge Road had to be closed as a safety measure on 25 May after something flew off the Arc, the residential tower at the corner of Craven Road. This followed the erection of scaffolding at the base of the 21-storey building, which has since snaked up almost to the top of the tower. Completed less than six years ago, the Arc is covered in ACM cladding similar to that on Grenfell Tower. As a workman on site commented to Ealing Matters – 'shoddy workmanship'.

The total cost of remediation was estimated at £20 million and led leaseholders in 2018 to initiate a class action against the then owner, FREP (Ealing) Ltd, which by that time had gone into liquidation. This was before [the Housing Secretary, Robert Jenrick, pledged to fully fund the cost of replacing unsafe cladding](#) for all leaseholders in residential buildings 18 metres (6 storeys) and over in England. It seems that taxpayers pay, developers walk away.

Manhattan Business Park (212468FUL)

A planning application to convert this 1.85 hectare industrial site west of Hanger Lane station and immediately north of the railway line and Western Avenue



Inspection of the Arc cladding from an aerial platform



Westgate Triangle: a strange kind of masterplan

into primarily residential accommodation was submitted in March. Part of the site had already been converted into flats in 2014, but the current plan is for all buildings to be demolished and replaced by five towers of variable height from 7-13 storeys housing 326 primarily one- and two-bedroom flats above light industrial/storage and office space.

The site is part of the 'Westgate Triangle' Strategic Industrial Location (SIL), comprising 14 major freehold, mainly light industrial sites, and lies at its southern edge (marked 1. on the aerial view opposite). The whole 12.2 hectare area was the subject of an intensification study and masterplan published in March 2021 (see parts 1-5 of Manhattan W5 Masterplan under the Documents section of the planning application). Its aim was to identify 'those parts of the Triangle where industrial intensification

and/or co-location could occur to increase industrial land and floor space capacity'. That said, permitted development has led to 'incremental residential incursion' so that a third of the total site is already or about to become residential, including West Gate House (331 flats including 26 purchased by Ealing Council marked 13. on the aerial view) and Kantar (AGB) House (212 flats marked 12.). If the location is meant to intensify commercial use, it seems fair to ask why massive residential development has been allowed next to two heavily polluting arterial routes rather than in the less exposed hinterland by the River Brent.

GREENFORD

Park View Place, Greenford Road (213378FUL)

Together with the adjacent Grove Farm Park, this site was designated Metropolitan Open Land in 1962, but only two years earlier planning consent had already been granted for the Kellogg Tower, a high-rise office block development on part of the land.

Using permitted development rights, three of these office buildings were converted to residential between 2015 and 2017 and are now owned and operated by Network Homes, a housing association. The precedent having been set, planning permission was granted in January last year to demolish the remaining office building and car park on this 2.37 hectare site to build four blocks of 5-9 storeys housing 346 flats.



Park View Place: further encroachment on MOL

The developer is now back for more – a further four blocks of 6-11 storeys would add 215 flats to the existing permission making a total of 561 flats. The new blocks would encroach still further on MOL land and require the removal of 166 out of 221 mature trees. The developer's argument is that this is justified by prior development further supported by the permission granted last year. How can this be justified given Ealing's consistent over-delivery on its housing target and the Council's stated concern about the Climate Emergency? And there are the usual poor design issues in contravention of planning policy: overshadowing of houses on Greenford Road, failure to meet minimum daylight/sunlight levels and many north facing flats. North Greenford Residents' Association is leading the charge against these revisions.

HANWELL

Warren Farm

Representatives of the [Warren Farm Nature Reserve](#) Campaign were some of the first to meet Cllr Peter Mason to discuss their plans shortly after his elevation to Leader. Despite the support of the Brent River & Canal Society (leading), the Campaign to Protect Rural England (CPRE), the Barn Owl Trust, West London Ramblers, London National Park City, Lord Randall of Uxbridge, and forensic biologist Mark A. Spencer, and a petition of more than 10,500 signatures, Ealing Council continues to refuse to grant Local Nature Reserve status. Its policy is apparently to continue to search for a partner to restore sports facilities on the land despite this not being a part of the campaigners' vision.

SOUTHALL

Air pollution at Southall Gasworks site

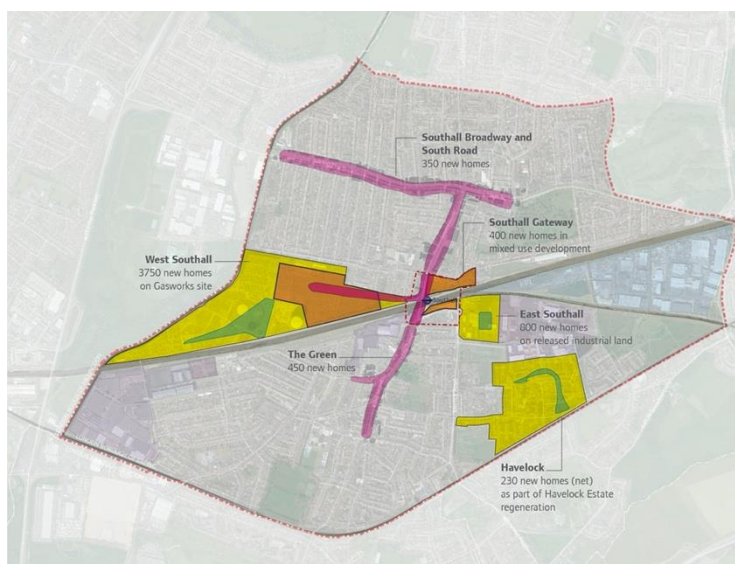
One of Cllr Mason's first acts as Leader was to write to the campaign for Clean Air for Southall and Hayes (CASH) on June 7 outlining a seven-point action plan to monitor and deal with air pollution from the Southall Gasworks development site. While the Council has appointed an [Environmental Protection Officer](#) to record and deal with complaints, and promised air pollution monitoring by a company independent of Berkeley Homes, it has told campaigners that there are 'no tools in the toolbox for enforcement action', Peter Mason himself stating that 'legal action will cost money.' CASH wonders why Newcastle-under-Lyme Borough Council, with similar problems caused by a landfill site, is supporting its residents with up to £1 million for legal action when Ealing Council will not.

Rescinding the Southall Opportunity Area Framework (SOAF) – too little too late?

Almost immediately after being appointed Leader, Cllr Peter Mason wrote to the London Mayor requesting that [Southall's current Opportunity Area Status](#) be rescinded, stating that 'local people were not adequately consulted.... and deserve the opportunity to shape the direction of their town.' In particular he regrets 'the development of Southall as an almost solely residential location' and says he wants to 'create a new framework for a Southall that is a great, sustainable place to live and, vitally, work.'

Cllr Mason claims that the SOAF, adopted in July 2014, 'is no longer fit for purpose.' It would be more accurate to say that provisions within the plan have been completely disregarded. Whereas the SOAF planned for a minimum of 6,000 new homes in blocks of predominantly four to eight storeys, across five locations, 7,903 have already been either completed or have planning permission, and another 1,269 are awaiting consent.

A further 1,997 units have been approved on the Honey Monster site, which was not part of the SOAF, increasing the total already consented to 9,800 units, 63% more than in the original framework, mostly in towers of 10-27 storeys, and many on industrial land that could have been used to create employment.



Southall Opportunity Area Framework: indicative key principles

WEST EALING

Planning application for 51-56 Manor Road and 53-55 Drayton Green Road (corner site next to West Ealing Station (202231FUL))

The appeal against Planning Committee's decision to reject this application for a 20-storey tower block took place online during the last two weeks of July. The appellant employed one of the country's most respected

planning barristers, Christopher Katkowski QC, to argue their case. Stop the Towers (STT), whose campaign helped to secure 2,400 public objections including one from local MP James Murray, fought hard to uphold the decision. By contrast, the Council failed to field a single officer, relying instead on a consultant who had never previously worked on the scheme to make its case.

Mr Katkowski seized on the Council's failure to publish any information about Ealing's house-building programme for the last six years (the AMRs referred to earlier) to argue in his summing-up that the decision should be tilted in favour of his client, and used it further to lodge a claim for costs against the Council. If successful, not only will it be we as taxpayers who will have to pay for the borough's negligence in this case, but it will subvert our elected representatives' ability to reject officer recommendations for other schemes for which there are otherwise perfectly reasonable planning grounds to do so.

Planning application for Metropolitan Open Land (MOL) at Gurnell (201695FUL)

After being rejected by Ealing's Planning Committee on 17 March by 10 votes to one with two abstentions, this application was submitted to the London Mayor for a final decision. Sadiq Khan chose not to intervene, so this particular scheme is now dead.

Since then Save Gurnell has been campaigning for the leisure centre to re-open. Cllr Mason appeared alongside campaigners on BBC London's *Drivetime* programme on 17 August to argue that it would cost £18 million to bring the complex up to standard. We are aware that a number of refurbishment options have been considered, but that only the most expensive one has been shared with the public. Are we being softened up for a new planning application?

With thanks to Eric Leach for his contribution to this latest issue. Contributions that you think would be of interest to Ealing Matters member groups are welcome.