



**GOVERNMENT OFFICE
FOR LONDON**

Jason Kaye
Planning Officer
Ealing Council
Perceveal House
14 – 16 Uxbridge Road
London
W5 2HL

Planning & Housing Division
9th Floor
Riverwalk House
157 – 161 Millbank
London
SW1P 4RR

Tel: 020 7217 3135

Fax: 020 7217 3517

Our Ref: LDN031/006/0005/001
Your Ref: P/2007/4246_ST

joanne.mcgouran@gol.gsi.gov.uk

Website: <http://www.gos.gov.uk/GOL>

30th January 2009

Dear Sir

TOWN AND COUNTRY PLANNING (SHOPPING DEVELOPMENT) (ENGLAND AND WALES) (No. 2) DIRECTION 1993

Arcadia Centre (all), 9-29 (consecutive) and 36 – 42 (consecutive) The Broadway 1-10 (consecutive) Central Chambers 1-4 (consecutive) Haven Place Flower Haven Springbridge Road, land over the Railway between Springbridge Road and Central Chambers and car park adjacent to Haven Green, Ealing W5 2ND

1. I am directed by the Secretary of State for Communities and Local Government to refer to the above planning application, made by Glenkirren (UK) Ltd, dated 7 September 2007, to the London Borough of Ealing, for the following development on the above land,

the demolition of existing buildings and erection of 6 blocks to provide approximately 17,279 square metres of retail shops, 1,363 square metres of café/restaurants, 490 square metres of offices, 1,861 square metres of leisure space and 567 residential units, 3252 car parking spaces, parking for 631 cycles, servicing area and plant equipment with vehicular access and pedestrian access, landscaping, formation of areas of public realm, amenity space for the residential uses and ancillary works.

2. The Secretary of State's policy on call-ins is set out in Richard Caborn's statement of 16th June 1999 in reply to a Parliamentary Question tabled by Mr Bill Michie MP. Her policy is to be very selective about calling in planning applications. She will, in general, only take this step if planning issues of more than local importance are involved. Having regard to this policy, the Secretary of State is of the opinion that the application is one that she ought to decide herself because she considers that the proposals may conflict with national policies on important matters. The Secretary of State accordingly directs, under



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her powers in section 77 of the Town and Country Planning Act 1990, that the application shall be referred to her instead of being dealt with by your Council.

3. To consider the relevant aspects of the proposed works, the Secretary of State has decided to hold a local inquiry. For the purposes of the 2000 Rules this letter is the "relevant notice" that an inquiry is to be held and the date of this letter is the "starting date". All the arrangements for holding the inquiry will be made by the Planning Inspectorate in Bristol. They will write to you within the next few days to let you know the name and telephone number of the case officer who will handle these matters. Meanwhile, the original applications, together with any plans and other documents accompanying it which have not already been supplied to this Office (including any related certificates and correspondence), should now be sent to the following address: -

The Planning Inspectorate
4/03 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Material should be marked for the attention of Mr Gavin Findlay - his telephone number is 0117 372 8918 (fax 0117 372 8181).

4. On the information so far available to the Secretary of State, the following are matters which she particularly wishes to be informed about for the purposes of her consideration of the application: -

- a) the extent to which the proposed development is consistent with Government policies in *Planning Policy Statement 1: Delivering Sustainable Development*. In particular whether the design principles in relation to the site and its wider context, including the layout, height and massing, scale, open space, visual appearance and landscaping, are appropriate in their context and take the opportunities available for improving the character and quality of the area and the way it functions;
- b) the extent to which the proposal is consistent with her policies in *Planning Policy Statement 3: Housing* to meet the housing requirements of the whole community (including those in need of affordable housing), widen housing opportunity and create mixed communities;
- c) the extent to which the application in and adjacent to a conservation area and nearby listed buildings accords with national policy as set out in *Planning Policy Guidance Note 15: Planning and the Historic Environment*. In particular regard to



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the consideration of the preservation or enhancement of the character or appearance of conservation areas;

- d) whether the proposed development accords with the relevant provisions of the saved policies within the London Borough of Ealing's adopted Unitary Development Plan (UDP);
- e) whether the proposed development accords with the relevant provisions of the London Plan - Spatial Development Strategy for Greater London consolidated with alterations since 2004 (February 2008);
- f) whether any permission should be subject to conditions and, if so, the form they should take; and
- g) any other relevant material planning considerations.

This is to be taken as the Secretary of State's statement under rule 6(12) of the 2000 Rules.

5. In accordance with rule 6(1) and (2), the local planning authority shall ensure that two copies of a statement of case are received by the Secretary of State, and one copy has been received by any statutory party as defined in rule 2 within 6 weeks of the starting date (unless the Planning Inspectorate notifies you otherwise). Your attention is drawn to rule 6(11). The Secretary of State will comply with rule 6(4).

6. The statement of case should concern the full particulars of the case which you propose to put forward at the inquiry and a list of any documents to which you wish to refer or put in as evidence. If you are proposing to give evidence, or call another person to give evidence, at the inquiry by reading a written statement (i.e. proof of evidence), your attention is drawn to rule 13.

7. Your attention is drawn to rules 4 and 6(2), in particular to the requirement upon your Council to inform forthwith the Secretary of State of the names and addresses of any statutory parties.

8. Your attention is also drawn to the provisions of rule 14 of the 2000 Rules that the local planning authority and the applicant shall together prepare an agreed statement of common ground and ensure that a copy is received by the Secretary of State and by any statutory party not less than 4 weeks before the inquiry opens.

9. In pursuance of Article 14 of the 1995 Order, the Secretary of State hereby directs Ealing Council not to grant planning permission for any development which is the same kind as that which is the subject of the application referred to above on any land which forms part of, or includes, the site to which the application relates until the Secretary of State has issued her decision on that application.



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10. Your attention is drawn to Article 18 of the 1995 Order which requires Ealing Council to serve on the applicant notice of the terms of, and the reason for the section 77 direction.

Yours faithfully

Hilary Bowman
Head of West London Plans and Casework.

Planning Applications

Mr. Bill Michie: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about his policy on calling in planning applications under section 77 of the Town and Country Planning Act 1990. [87392]

Mr. Caborn: My right hon. Friend's general approach, like that of previous Secretaries of State, is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so. Parliament has entrusted them with responsibility for day-to-day planning control in their areas. It is right that, in general, they should be free to carry out their duties responsibly, with the minimum of interference.

There will be occasions, however, when my right hon. Friend may consider it necessary to call in the planning application to determine himself, instead of leaving the decision to the local planning authority.

His policy is to be very selective about calling in planning applications. He will, in general, only take this step if planning issues of more than local importance are involved. Such cases may include, for example, those which, in his opinion:

may conflict with national policies on important matters;

could have significant effects beyond their immediate locality;

give rise to substantial regional or national controversy;

raise significant architectural and urban design issues; or

may involve the interests of national security or of foreign Governments

However, each case will continue to be considered on its individual merits.

16 Jun 1999