

## Planning for the Future: Consultation questions

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### **Introduction**

This document is the Ealing Matters response to the Government's August 2020 White Paper on reforming the planning system. Likely to be far reaching, the White Paper's often technical proposals would apply to all of England, most of which faces issues very different to Ealing. Nevertheless, if the proposed reforms are introduced, they will have a significant effect on Ealing. This is of concern for Ealing Matters which formed to respond to the unsatisfactory way the Borough's planning system works. As we comment below, some of the White Paper's proposals would improve things, but others could make them worse.

With this in mind, Ealing Matters has prepared this response to the 26 questions the White Paper puts to respondents which we quote verbatim. Many of the questions ask for responses to the White Paper's specific proposals so to assist readers who have not read the document in full we have summarised these (with their paragraph references) in text boxes like this one.

**1. What three words do you associate most with the planning system in England?**

- Arbitrary
- Opaque
- Under-resourced

**2. Do you get involved with planning decisions in your local area?**

Yes, despite barriers against us doing so.

**(a) If no, why not?** The culture within our planning authority does not encourage involvement by the groups who have come together under Ealing Matters.

**3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify**

Better use of existing technologies including the Council website, local web-based media (Ealing Today) and notification to registered local groups. These are solutions Ealing Matters has espoused for some time with very limited success.

However, this is an area that merits further analysis than the White Paper provides. Planning is not a series of discrete exercises involving first the preparation of a Local Plan and then the determination of individual planning applications. It ought to be a continuous process of managing change in the borough.

Seen in this light it must be apparent that regular monitoring of the way the borough changes must be an integral role for the planning authority. Outcomes need to be reported routinely and the efficacy of policy assessed. Reports must be put into the public domain and the public given opportunities to comment on what is happening and propose where changes in direction are required.

It is similar with monitoring the implementation of developments in which a very much higher priority should be given to enforcement, to ensure that any conditions attached to consents are observed. In recent years enforcement has dropped almost entirely out of favour, such that it can appear obtaining consent for some developments or variation of conditions is optional. This undermines public confidence in the integrity of the whole system. We note the White Paper commits to strengthening planning enforcement, but are disappointed it has no specific proposals in this regard.

**4. What are your top three priorities for planning in your local area?** *Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street/ Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify*

- Carbon reduction by prioritising the reuse of buildings over their redevelopment
- Balanced development which aims to enhance the quality of life of all residents
- The quality of design of new development

Ealing Matters believes that many of the priorities listed above e.g. new or affordable homes should not be seen as ‘planning’ priorities, but the expression of other national and local government priorities. Planning’s task is to integrate these spatially with all the other priorities to achieve the best outcome on the ground. A big part of the crisis planning is now in is that issues like housing have been loaded onto planning in a way that unbalances and destabilises it to the point that it has lost the trust of the community.

The White Paper proposes (Para 2.8) that Local Plans should identify three types of land – **Growth areas** suitable for substantial development, **Renewal areas** suitable for development, and **areas that are Protected**.

Most likely the Southall and Park Royal Opportunity Areas would be classed as growth areas and Ealing’s Conservation Areas and important areas of green space would fall into the ‘protected’ category and so be subject to ‘more stringent development controls.’

Most of the rest of the Borough would probably be classified as Renewal areas in which ‘there would be a statutory presumption in favour of development for the uses specified as ‘suitable’. Local authorities could continue to resist inappropriate development of residential gardens in these areas.

**5. Do you agree that Local Plans should be simplified in line with our proposals?**

No. Putting all land in England into three categories would grossly over-simplify things in a way that would seriously damage the nation’s rich diversity.

It may be reasonable for Local Plans to designate areas for growth that would be appropriate for comprehensive development. Masterplans to shape the way these areas would develop should be required. Drafts should be published and consulted on prior to

adoption by the LPA in the same way that Area Action Plans should be (but are not always) consulted on under existing legislation.

It is the designation of ‘renewal area, suitable for development’ that Ealing Matters would most strongly reject. Most of the Borough seems likely to fall into this category and it would be unacceptable for there to be a statutory presumption in favour of its redevelopment. One can imagine whole communities being destroyed by unsympathetic developments that the planning authority would be powerless to resist. The idea that such presumption would be restricted to uses, height or density specified in the Local Plan looks unrealistic based on our direct experience. Suggested safeguards such as national design codes may sound attractive, but how they would work in practice is another matter as they are completely untested.

The designation of areas that are protected may give much needed protection for the Borough’s conservation areas and for this reason it looks an attractive measure. This, however, will risk creating divisions in our towns and cities between those areas where anything is allowed and the ‘protected’ areas in which no change is permitted. Over time these divisions would grow and reinforce wider divisions in our society.

Development management policies would be established primarily at the national level (Paras 2.13ff). The National Planning Policy Framework (NPPF) would be the primary source of policies for development management.

Local planning authorities and Neighbourhood Plans would play a crucial role in preparing local design guides and codes to provide certainty and reflect local character and preferences about the appearance of development. These would be produced with the Local Plan, or as supplementary planning documents.

**6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?**

From Ealing Matters’ point of view, some national level development management guidance would be a very good thing. Ealing’s Local Plan has next to no policies in this area and developers are provided with little guidance as to what is acceptable beyond the whims or the levels of training of the individual planning officers with whom they engage, but from whom Ealing’s residents are kept firmly apart.

We would note that additional policy guidance was provided by the old Planning Practice Guidance and Planning Policy Statements before they were replaced by the NPPF.

**7. (a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?**

We are not aware that this issue has been a concern in Ealing

**(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

We are not aware that this issue has been a concern in Ealing.

A new method for setting housing requirements (Paras 2.23ff) that ensures land is released in areas where affordability is worst, to stop land supply being a barrier to enough homes being built. A new formula is proposed as a means to distribute a national housebuilding target of 300,000 new homes annually.

8. **(a) Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?**

The current method of establishing Ealing's housing requirements is very unsatisfactory. It involves smoke and mirrors discussions between the Borough and the GLA surrounding the Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Assessment (SHMA) that have led to ever rising demands to intensify development across Ealing. These discussions have been kept right away from the Ealing public or any proper scrutiny. Any process for that is more transparent would be very welcome.

We note too that under the proposed formula, once the contribution from the OPDC area is taken into consideration, the Borough's housing targets would be reduced according to figures produced by Nathaniel Lichfield and Partners. This confirms the impression of many people in Ealing that the borough's contribution to the delivery of new housing has been excessive.

From a wider perspective, setting national housing targets is surely a very much more complex matter than the White Paper suggests. Such an exercise must surely start with a broader analysis of the balance of development across the nation to address the imbalance in growth between the regions and the SE and London as a whole. Continually building new homes to meet immediate demand just stokes those imbalances. It harms the amenity of towns and cities in the SE and widens the differences within the country.

**(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**

As noted above, affordability is a very crude tool to determine housing targets. The [most unaffordable parts of the country](#) are in the wealthy south east. This is a reflection of much bigger national problems which mindlessly building more homes here intensifies, in the same way that building new roads intensifies car use.

Decision making would be speeded up (Paras 2.38ff) by establishing in legislation a general presumption in favour of development. In 'Renewal' and 'Protected' areas a new permission route would be established giving an automatic consent for development proposals meeting design and other requirements. Faster decision making would apply where an application can be determined in the context of the Local Plan.

9. **(a) Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?**

Were this to be the case it would be essential for full community involvement at this stage to be assured. Few people have the time or inclination to get involved in planning discussions at the Local Plan stage. Community involvement is usually engaged when planning permission is being applied for as it is only at that point that people can see exactly how a development would affect them. they will be affected.

However, this question looks academic in Ealing where just two areas are likely to be potential growth areas - the Opportunity Areas of Southall and Park Royal. Both already have significant developments now approved for them, so the new measures look unlikely to apply here.

It needs also to be said that the schemes consented in both opportunity areas look set to deliver very disappointing outcomes. Their problems stem from there being no overall vision for what is to be achieved or any masterplan open for public comment. So though the developments underway in both areas may secure some short term financial objectives for their developer, they will deliver unattractively designed new homes, built to very high densities with next to no public benefits. They are tragically missed opportunities for their wider communities.

Worse still in our experience is that once development is consented the planning authority's concern for the quality of the local environment that is the consequence of the planning consents vanishes. The situation is particularly bad in Southall. The lives of residents of this existing and densely populated town are now being shattered by a building programme set to last for at least the next 10 years. There's been a catastrophic and well-documented decline in local air quality as the giant gas works site is being decontaminated. Less well publicised but equally injurious is the permanent road congestion that construction vehicles have brought to a town whose highway network was always poor, the never ending unannounced 'temporary' road closures as streets are dug up and dug up again for new services, and the constant noise and dust this creates.

The point we are making here is that to avoid other communities suffering to the extent that Southall's has, whatever mechanisms for consenting development in growth areas are adopted they must include implementation strategies involving representatives of the local community. These need to be monitored routinely.

**(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?**

We strongly support the 'plan-led' approach and regret that in Ealing it has not operated for years. We do not, however agree with the 'presumption in favour of development' as it could only work if every conceivable objection to a development could be anticipated and guarded against in the Local Plan or the NPPF or in the proposed design codes.

What is needed instead is for the planning authorities to rebuild their establishment of properly trained and well managed planning departments able to make balanced decisions on the proposals put to them.

**(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?**

We are not aware that this issue is a concern in Ealing.

Paras 2.38ff say greater use of digital technology will enable decision-making to be faster and more certain. Applications will be shorter and more standardised. Major developments should have one planning statement no more than 50 pages long. There should be greater standardisation of technical supporting information e.g. on highways or heritage. More decisions should be delegated to planning officers where they principally involve professional judgement.

Applications not determined within the time limit should have their application fees refunded, as would applications refused by Committee but granted on appeal.

**10. Do you agree with our proposals to make decision-making faster and more certain?**

Ealing Matters does not see faster decision making as a priority. Major developments have a lasting impact on the locality and the environment generally. If not considered properly they can do considerable harm or create damage that puts costs onto the public purse to resolve. It is essential therefore that decisions are not unduly rushed. A first priority must be to staff planning departments with experienced people who can understand the impact of development and challenge applicants about them. Expertise of this kind has declined seriously in recent years.

Much can be done to improve planning documentation. Developers should be instructed to slim down their application documents and not pad them out with ludicrous histories of the site with maps that go back 200 years, tinted images or wire frame visual representations artfully designed to misrepresent what they want to do or reams of meaningless numbers nobody understands. But setting a maximum of 50 pages on any application is an arbitrary figure and all larger planning applications will still need to be more fully documented.

We would support any initiative to standardize technical assessment methodologies which can often be incomprehensible even for so called experts. Equally important however, must be a requirement for the authors preparing the reports to be objective. Under the current system reports are commissioned by the developer able to stipulate what conclusions they are to reach. One way to address this would be for the planning authority to set the terms of reference for these technical studies in conjunction with the applicant. This would require authorities to develop a much higher level of technical understanding than is often the case now. Raising the skills of the regulatory body this way would have wide ranging public benefits.

There can be very good reasons why applications need to extend beyond the 8 or 13 week targets. It may become clear during the consultation period that further information about the proposal is needed which was missed during the validation process and it would take time to assemble. It will be in nobody's interest to artificially impose a decision deadline that would make it impossible to obtain.

More certain decisions can be achieved through other measures discussed in the White Paper. Key among them will be greater adherence to Local Plan policies.

We strongly oppose the proposal to reimburse developers if a decision against them is overturned on appeal. Were this to happen, planning authorities, already under severe financial pressure, will be extremely reluctant ever to refuse any application for fear of the costs against them. Inspectors already have the powers to grant costs against an authority where they feel they have been unreasonable. This is more than sufficient as an incentive.

Paras 2.42ff say Local Plans should be visual and map-based, and use the latest digital technology. They should be web-based and standardised across the country allowing updates to be published instantaneously. External 'PropTech' entrepreneurs will help to improve transparency. The aim is to support local authorities to radically rethink how they produce Local Plans, and re-invent the ambition, depth and breadth of engagement with communities.

**11. Do you agree with our proposals for accessible, web-based Local Plans?**

We welcome the White Paper's focus on using improved digital technology in all areas of planning. Ealing's antiquated systems have long been a bone of contention, with regards both the Local Plan and individual planning applications. To ensure that new systems are fully accessible to everyone it is essential that any redesign of the systems in Ealing should involve users as well as the service providers. Safeguards need to ensure that the significant minority in the community who remain uncomfortable with the use of digital technologies are not excluded from the new systems.

Legislation would require local authorities to produce Local Plans in 30 months (Paras 2.47ff). Sanctions would be imposed on those failing to do so. Local authorities would have a statutory duty to adopt a new Local Plan by a specified date and the plan reviewed every 5 years. Planning authorities failing to do this would face government intervention.

**12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?**

We fully appreciate the reasons for speeding up Local Plan making. The update of Ealing's Local Plan has been rumbling on since 2018 and has still not got anywhere. And we think that much stronger oversight on the part of central government of the planning authority, including the use of sanctions is necessary to ensure that authorities manage their planning systems as the White Paper intends.

However, it could be pushing things considerably to expect a first cycle of Local Planning under the proposed new system to be complete within 30 months. The new procedures generally, and the assembly and presentation in different ways of a lot of new evidence would probably make this deadline unrealistic, especially as boroughs would be competing against one another for the necessary professional expertise to assist them. Such pressures look likely to result in the essential but sometimes time-consuming engagement with local communities being restricted to the current tick-box level.

But once the first plan is complete, and assuming appropriate reporting mechanisms are built into the planning authority's schedules, subsequent rounds of local planning should be achievable within this time frame.

We think it will be essential for Government to develop and test methodologies for the new procedures if they are to be rolled out successfully within the tight time frames proposed.

Planning authorities should be required to report on the performance of their plans and to review them on a regular basis. Sanctions should be applied to them if they fail to do so.

We would oppose the removal of the need for Local Plans to be examined by an independent inspector. In our experience the examination is not always perfect, but at least it keeps the planning authority honest and requires them to justify before an outside authority what they propose to do. Removing the need for an examination will risk the authority avoiding its duty to engage with the public.

Neighbourhood Plans should be retained (Paras 2.55ff) as an important means of community input and their use spread further, particularly in towns and cities.

**13. (a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

When first introduced there was a lot of enthusiasm for Neighbourhood Plans in Ealing. The community saw Neighbourhood Plans as giving them a voice in the changes taking place in their areas. They proved disappointing as the Ealing planning department appeared to go to great lengths to resist them as an unwelcome interference in the discussions then being held between the council and property developers whose only interest was to maximise the return on their investments.

Ealing Matters' supporters would therefore argue against the retention of Neighbourhood Plans on this basis. However, we would support very strongly amending the model so that the Council planning department was required to work in partnership with communities to prepare Neighbourhood Plans. This would give communities the opportunity they crave but now lack to shape higher level plan policies in accordance with local character.

**(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

Key therefore would be to change the relationship between the planning department and local communities. Many of the key components now exist to achieve this, primarily the community is knowledgeable about planning and there is plenty of expertise, e.g. amongst the established Conservation Area panels, to support the process.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?**

There is a very serious failure on the part of developers in Ealing to build out their schemes. House building targets in the borough have increased by over 150% since 2011, but planning



consents have run far ahead of them. While the Council has not reported completions for some years it is clear that the rate of building has lagged far behind the number of consented schemes. Something clearly needs to be done to correct this imbalance, but Ealing Matters does not see that the White Paper's proposals would change things much.

A National Design Guide, (Para 3.4ff) has already been published and a National Model Design Code will supplement it with more detailed guidance for development in different locations. Design guides and codes will also be prepared locally with community involvement and be more binding on decisions about development. There will be a 'fast-track for beauty' for proposals complying with established principles of what good design looks like.

15. **What do you think about the design of new development that has happened recently in your area?** *[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]*

The design of new development in Ealing has been quite awful in recent years. This is no doubt partly a consequence of the decision to disband entirely the Council's design and conservation capacity, but it also reflects the undue dominance of the development industry over Ealing's planners.

16. **Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?** *[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]*

Understanding embodied carbon in line with the Architect Journal's campaign 'think reuse first, new build second'.

Ealing has suffered egregiously in recent years through the redevelopment of buildings, many of them relatively young. This is hugely wasteful of energy and resources. 51% of the whole-life carbon of a typical new residential development is spent before it is even occupied. This means that it will take decades before any carbon debt is repaid with efficiency savings over the buildings it replaced. These are the decades when carbon must be most sharply reduced. Almost two-thirds of all UK waste is construction debris. While more than 90% of the waste material is recovered, most is recycled into a less valuable material meaning more carbon is spent manufacturing materials for the new buildings.

17. **Do you agree with our proposals for improving the production and use of design guides and codes?** *[Yes / No / Not sure. Please provide supporting statement.]*

Design Guides sound as if they are a good idea but their use has lapsed in this country since the days of Parker Morris. The challenge will be to develop guides of relevance and real use in an Ealing context, particularly if they are expected to relate to established housing areas.

18. **Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?** *[Yes / No / Not sure. Please provide supporting statement.]*

Ealing Matters would strongly support any initiative to strengthen the role of design. Standards have declined drastically in recent years, with most development now being computer generated large bland boxes. Conservation areas and town centres have suffered seriously as a result. Design must play a much stronger role in planning and developers must be encouraged to understand how good design can add value to their projects.

**19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]**

See response to question 18 above.

**20. Do you agree with our proposals for implementing a fast-track for beauty?**

The ideas outlined remain theoretical and entirely untested. To be honest we do not understand them or how they would operate. If they are to be taken forward they need to be developed and tested in different development contexts.

**21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]**

All of the above. Ealing Matters sees planning as the delivery of balanced development to meet the needs of existing and future communities. It is not helpful to prioritise one area over another.

CIL and S106 payments should be replaced (Paras 4.7ff) with a nationally set flat-rate Infrastructure Levy, charged as a fixed proportion of development value. To forward fund infrastructure local authorities could borrow against future Infrastructure Levy revenues.

**22. (a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]**

Ealing Matters believes strongly in the value of CIL as a means for developers to contribute to the environment in which they are working. Developments impose costs on all localities and it is appropriate that they should contribute to meeting them. Furthermore, CIL provides a means for local communities to establish expenditure priorities and projects that need funding – e.g. through Neighbourhood Plans. This is something Ealing Matters strongly supports.

However, Ealing is unusual in London in never having introduced CIL. It has also not been active in reporting its receipt of S106 payments and the way they are applied. For this reason it is difficult for Ealing Matters to comment sensibly on these proposals. Instead, the key

point we wish to emphasise is the need for transparency and openness about whatever receipts the borough obtains from developers and how these monies are spent.

We caution that some thought is given before abolishing S106 payments in their entirety under this proposal. All major developments impose direct costs on the public domain which developers should continue to pay for directly though S106 agreements as they were originally conceived.

**(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?** *[Nationally at a single rate / Nationally at an area-specific rate / Locally]*

We can see the attraction of setting the levy nationally in the apparent simplicity of determining the levy eliminating the need for discussions and negotiations but can see significant problems as setting the centrally would be a huge undertaking if the values in different areas are to be properly reflected. If the levy rate is set too high it will deter development but too low and too little money will be raised to pay for required levels of affordable housing and infrastructure at the local level. Furthermore how would specific site issues such as expensive remediation for some brownfield sites, or the need for new schools or extension to existing schools, or necessary on-site infrastructure be taken into account.

So levy rates would really need to be set locally with rates in different parts of each local authority area, but this would be time consuming and difficult to undertake (although it is/has been assessed locally for CIL, excluding affordable housing).

**(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?** *[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]*

The key priority is that developers must contribute to the additional demand their developments place on existing local infrastructure. The current state of local government finance means that if they don't pay for the extra demand nobody else will, and service levels will therefore decline and the overall quality of life in the borough will fall.

**(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?** *[Yes / No / Not sure. Please provide supporting statement.]*

There is a growing shortfall in the provision of infrastructure in the borough including social housing. Enabling local authorities to borrow against future infrastructure levy receipts would be the quickest way to correct this. Essential, however, is the ability of authorities to manage the finances correctly, and it is not at all clear this exists in Ealing. Much better monitoring and reporting of local authority expenditure is required. The ability of local authorities to shelter their activities from public scrutiny behind fictitious claims of confidentiality must be addressed, and independent audit inspections of accounts should be introduced.

**23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?**

Yes, it is entirely appropriate that where permitted development is likely to impose new cost burdens on the public purse a developer should be required to pay those costs.

Authorities would be able to use funds raised (Paras 4.20ff) through the levy to secure affordable housing. Affordable housing could be provided through in-kind delivery on-site, and this could be made mandatory where an authority wishes. In effect, the difference between the price at which the unit was sold to the provider and the market price would be offset from the final cash liability to the Levy. This would create an incentive for the developer to build on-site affordable housing if appropriate. Local authorities could also accept Levy payments in the form of land within or adjacent to a site.

Alternatively, local authorities or affordable housing providers could be given a first refusal right to buy up to a set proportion of on-site units (on a square metre basis) at a discounted price. Where on-site units are purchased, they could be used for affordable housing, or sold on (or back to the developer) to raise money to buy affordable housing elsewhere.

**24. (a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]**

The current provision of affordable housing is nowhere near sufficient to satisfy local demand. Levels of provision provided by the infrastructure levy should attract matched government funding.

**(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]**

Ealing Matters has no comment to make on this question.

**(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]**

Ealing Matters has no comment to make on this question.

**(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]**

Ealing Matters has no comment to make on this question.

**25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]**

Yes.

**(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]**

A social housing 'ring fence' is required to build up the stock of affordable homes in the borough over time.

**26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?**

Much needed social or council housing is not mentioned in this document, and this oversight therefore removes some 25% of the population from this White Paper's consideration. The term "Affordable housing" is not the same as housing that low income households can afford. The 2018 SHMA states that a vast majority of households in Ealing are unable to afford housing at London Living Rent or Affordable Rent. Although 'London Affordable Rents' are lower than 'Living Rents', many households that need affordable housing will not be able to afford to pay the cost of renting these homes, or the Service Charges which are due on top of the rents and which rise every couple of years regardless of whether there are statutory wage increases. Many BAME families who form part of this quartile, are unable to find the deposits, through low pay, required for LLR and LAR. The building of anything but social housing in the affordable sector discriminates against people of colour.

A second very important area to flag is the potential of these proposals to discriminate against those who do not have the skills or the technical equipment to access digital technologies. The White Paper correctly recognises the opportunities that the new, and sometimes now not so new, technologies create for speeding up and improving planning. However this brings with it the risk that the still significant numbers of people in the country who do not use these technologies will find themselves excluded from the planning process. Many, although by no means all of these people are elderly and the concern is that they will find themselves increasingly marginalised from decisions that will affect the place where they live. As the new planning system evolves full consideration must be given to this risk and measures must be taken to mitigate against it.