

Model Representation Form for Local Plans

LPA Logo	Local Plan Publication Stage Representation Form	Ref: (For official use only)
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Name of the Local Plan to which this representation relates:

Please return to [name of LPA] BY [time/ date/year]

NB - LPA to include data protection / privacy notice, see para 4 of Explanatory Note

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input style="width: 95%; height: 20px;" type="text"/>	<input style="width: 95%; height: 20px;" type="text"/>
First Name	<input style="width: 95%; height: 20px;" type="text" value="XXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
Last Name	<input style="width: 95%; height: 20px;" type="text" value="XXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
Job Title (where relevant)	<input style="width: 95%; height: 20px;" type="text"/>	<input style="width: 95%; height: 20px;" type="text"/>
Organisation (where relevant)	<input style="width: 95%; height: 20px;" type="text" value="Creffield Area Residents Association"/>	<input style="width: 95%; height: 20px;" type="text"/>
Address Line 1	<input style="width: 95%; height: 20px;" type="text" value="XXXXXXXXXXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
Line 2	<input style="width: 95%; height: 20px;" type="text" value="XXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
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E-mail Address	<input style="width: 95%; height: 20px;" type="text" value="XXXXXXXXXXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Residents Association

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text" value="No"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Plan has not been produced in accordance with legislative requirements. In particular:

- This plan is the second to have been prepared by LBE under the Planning and Compulsory Purchase Act 2004. The first was adopted in 2012. The Act and its associated Regulations make no provision for sequential plan-making. Instead, Regulation 10A provides that plans must be reviewed at least every 5 years. Ealing's 2012 Plan was not reviewed. Instead, under the current exercise, it is simply to be ditched with no consideration given to its performance or its continued relevance.
- Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that a Local Planning Authority must notify persons, including residents 'of the subject of a local plan which the local planning authority propose to prepare', and to invite them 'to make representations to the local planning authority about what a local plan with that subject ought to contain'. In preparing its plan, the authority 'must take into account any representation made to them'.

Under Regulation 18 Ealing Council did not invite any representations about what the plan should contain and so there was no opportunity for residents to make representations as to the things that should be in it. Had they been so invited they may well for example have proposed the plan include policies on the conservation and

enjoyment of the historic environment, or that it respond to London plan policies by including amenity and play space standards in large developments

Instead, the document residents were consulted on under Regulation 18 was a fully drafted local plan that carries no significant change in scope or content from the Regulation 19 Plan to be examined. Having drafted it before the Regulation 18 consultation, the Council self-evidently had no opportunity to take account, as it is required to, of any representations from local residents with regards its content. It does not therefore meet the requirements of Regulation 18

- This current plan is not based on information that Government legislation and regulations require it to be based on:
 - Section 35 of the 2004 Act requires planning authorities to prepare and publish Authority Monitoring Reports (AMRs) over no more than a 12 month period which describe *'the extent to which the policies set out in the local development documents are being achieved'*. Regulation 34 of the Town and Country Planning Regulations 2012 requires that AMRs showing progress with policy implementation must be published every year. No AMRs for Ealing to inform this plan with regards essential housing delivery data have been published since the year 2013-2014.
 - With an 'interim' and incomplete AMR covering the years between 2014/15 and 2018/19 published in 2021, no AMRs of any description covering the past 4 years inform this draft plan.
 - Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 requires local planning authorities in England to prepare, maintain and publish registers of previously developed (brownfield) land. These should form part of the SHLAA. Ealing has not produced a brownfield land register since 2017. Information on brownfield sites required by the Regulations is not therefore available.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CARA want Ealing to have an up to date development plan, but are disturbed that this one has not been prepared in accordance with legislation requiring plans to be based on:

- reviews of past plan performance
- relevant evidence, especially with regard to house building
- engagement with local communities

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important to press the need for planning to comply with Government legislation. Whether it does so or not should not be optional.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Tackling the climate crisis is high on many people's priorities but Policy SP2.2 is not likely to do this in planning policy terms because it is aspirational and its policies are unspecific in land use terms.

The objective for the Borough to be carbon neutral was a most worthy one, but there is no evidence base at all to demonstrate how it can be achieved and no monitoring framework is proposed to measure whether the policy is succeeding.

Furthermore, the plan's overall focus on the widespread redevelopment of buildings that were erected relatively recently (ie in the past 40 years) is fundamentally at odds with best practice guidance for carbon reduction being promulgated by UK professional bodies like RIBA and RICS. These highlight the construction industry's huge environmental impact, and urge us to 'think reuse first, new build second'. They show that the construction industry is responsible for:

- 35-40% of the UK's **total** emissions
- almost all the planet's carbon-hungry cement
- 50% of its steel production
- 25% of all plastics

And they argue that tearing down and replacing existing buildings is particularly wasteful. Almost two-thirds of all UK waste is construction debris. More than 90% of the resulting

waste material is recovered, but most is recycled into a less valuable material which means more carbon is spent manufacturing the new materials the new buildings require.

A [Royal Institute of Chartered Surveyors report](#) shows that 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. And these are the decades when carbon must be most sharply reduced.

An [Architects' Journal campaign is very clear](#) . *'Replacement of a large building every 30 years or so must entail considerably more energy than maintaining a building that lasts for centuries ... reusing an existing building and upgrading it to be as efficient as possible is almost always the best choice regardless of building type and climate.'*

The embodied energy savings from repurposing existing buildings is so much better than the ultra-high embodied energy costs of demolition and rebuild. Policy SP2 ignores all this, as does the Plan's overall approach which favours the widespread redevelopment of buildings in town centres, especially Ealing and West Ealing and in many residential areas, in Acton, Greenford and Southall.

The Regulation 19 draft plan proposes to redevelop almost the whole of Ealing, particularly buildings that were only erected in the 1980s and which continue to be economically viable. No justification is provided as to why this should happen or what benefits will accrue to the Borough, its residents or the wider economy.

The proposed redevelopment of 5 settled residential estates in Northolt, 2 in Acton and 1 in Southall is equally unjustified. The information provided in the Plan awakens the problems that were created in the 1960s by the sweeping away of communities in the name of slum clearance. The qualification in the design principles for some of the estates that *'as a first option proposals consider retrofitting/refurbishment with infill development and adding additional storeys to the existing 4 storey blocks, although this could limit improved layout options'* are not greatly reassuring. It is not clear on what basis the consideration will be made and what weight should be given to the 'improved layout options' as against the embodied carbon savings of a retrofit first approach.

(Continue on a separate sheet /expand box if necessary)

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Policy SP2.2 is unsound by virtue of its verbosity and its lack of precision. It needs to be re-written to ensure it deals only with the land use planning concerns of the Local Plan.

The Plan overall will not succeed in achieving Policy SP2.2's stated aim of tackling the climate crisis because it is overly concerned with redeveloping viable buildings that have many years of productive use left in them. A clear policy which is publicly available and accessible that prioritises retrofitting existing buildings over redeveloping them is required including metrics that ordinary people can understand in weighing the benefits of one over the other.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This is an important area that the current Plan fails to address. Ideally we would invite a fully qualified climate change expert working in the field to represent us on this matter.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Resident Association

3. To which part of the Local Plan does this representation relate?

Paragraph	Tables SS1, A1, E1, G1, H1, N1, P1 and S1	Policy		Policies Map	
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

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Infrastructure

NPPF Para 20. Requires that:

'Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat).*

NPPF Para 34 requires that:

'Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).'

London Plan Policy D1.B states that:

'In preparing Development Plans, boroughs should plan to meet borough-wide growth requirements, including their overall housing targets, by:

- 2. assessing the capacity of existing and planned physical, environmental and social infrastructure to support the required level of growth and, where necessary,*

improvements to infrastructure capacity should be planned in infrastructure delivery plans or programmes to support growth;

London Plan Policy S1.A states that:

When preparing Development Plans, boroughs should ensure the social infrastructure needs of London's diverse communities are met, informed by a needs assessment of social infrastructure.

London Plan Policy D2B Infrastructure requirements for sustainable densities states:

'Where there is currently insufficient capacity of existing infrastructure to support proposed densities (including the impact of cumulative development), boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. This may mean that if the development is contingent on the provision of new infrastructure, including public transport services, it will be appropriate that the development is phased accordingly.'

The kind of infrastructure planning envisaged by both the NPPF and the London Plan is entirely absent from the Regulation 19 plan. No attempt at all is made to get to grips with the type or the scale of the infrastructure support Ealing's housebuilding targets will require. In this regard the Plan is inconsistent with national policy and therefore unsound.

While the plan itself omits to say how many new homes will be provided over the plan period, the Housing trajectory in the Council's evidence base puts the figure at 41,571. This figure is close to London Plan expectations if current targets are carried forward beyond the end of the London Plan horizon as the housing trajectory assumes. The Plan and the evidence base both fail even to consider what this might mean in terms of the growth of the population that will need to be supported by additional physical and social infrastructure. The best evidence of what this might be can perhaps be found in the GLA's population forecasts. These use borough housing targets to predict that if Ealing's housing stock grows at the London Plan's target rate the Borough will be housing 80,317 additional people by 2041 – more than the current population of the City of Guildford. Of London Boroughs, only Tower Hamlets (marginally) and Newham will grow faster.

An Infrastructure topic paper prepared for the Council by Ove Arup published in October 2022 as part of the regulation consultation found huge existing gaps in most of the Borough's infrastructure which it attributed to the age of Ealing's existing infrastructure as well as recent population growth. Recognising this, the Regulation 18 consultation promised that an infrastructure delivery plan (IDP) would be published in early 2023. This only appeared, and without good notice, in February 2024 along with thousands of pages of other new documents in the Regulation 19 evidence base, allowing no time at all for the public to comment or input into it.

Part 1 of the IDP reviews the provision of different infrastructure categories. It seems to have been written by individual service providers, and there was no public input. This is unfortunate as it makes for self-congratulatory and uncritical reading. For instance, while the opening of the Elizabeth line is noted, the public had no chance to say that just a year into its operation the service is already operating at above capacity so that at the smaller stations like Hanwell and West Ealing passengers are unable to board at peak times. Had they had a chance to comment, people would say that with the situation as it is now, things look like being much worse at the end of the plan period when 15,000 new homes in Southall alone will significantly increase commuter demand. With no input from the public, the plan cannot be deemed to have been positively prepared and is therefore unsound.

Another concern that would doubtless emerge from a proper public consultation is the extent to which the Part 1 baseline report down plays the significance of road infrastructure compared with other transport modes. While the majority of the population no doubt acknowledges the need to reduce our dependency on the petrol engine, many communities and our economy as a whole have grown around it and it will continue to be the dominant mode for moving goods and vehicles for years to come. The IDP must acknowledge and reflect on this, if only to manage the transition to more sustainable modes and a carbon free environment as Policy SP2: Tackling the Climate Crisis requires.

This base line report covers most other key areas of infrastructure inadequately. To take just three examples:

- Section 2.10.2 notes that 'Flooding and sewer overflows are major issues in Ealing' without quantifying the extent of the problem or the trajectory of its growth. Roadworks by Thames Water contractors are already a considerable nuisance yet there is no recognition how much worse they will get with the additional pressure on the sewer network that the construction of so many new homes will impose. **This is not only a problem where there have been new developments but also where a high proportion of family houses in a road are converted into four and five flats with no improvement to the Victorian/Edwardian sewage system and water supply.**
- Well publicised capacity constraints in the supply and distribution of electricity in West London threaten to prevent connections for new development are noted but their description is heavily fudged. This is not good enough. If these problems are not addressed and Ealing's targets are to be met, the Plan needs to be confident that they can be connected to the grid.
- Coverage of community centres is extremely narrow and ignores the closure by the Council of many existing facilities that will no longer be available to incoming residents many of whom will arrive from foreign countries with no links to the existing community. To allow developers to be responsible for new community centres on ex. Council estates have proved unpopular with their local community base who are some of the poorest people in the borough. Unlike the original pre site demolition centres, the residents are charged for the upkeep through Service Charges, are expensive to use/hire rooms and have limited opening.

These examples (many others could be cited) show that area's needs in this regard have not been objectively assessed which make the plan unsound.

Part 2 of the IDP sets out what is called an Infrastructure Delivery Schedule that culminates in a long list of projects which carry into Chapters 3 and 4 of the Regulation 19 Plan. These projects appear to have been identified by the individual service providers with no public input of any kind. There is no evidence how these projects fit with the systematic needs assessments that London Plan Policies D1B and S1 require. There is no discussion of levels and shortfalls in existing provision, let alone the demands that will be placed on the borough when 80,000 more people live here. Most are uncosted, have no secure funding and their delivery phasing of most is described as TBC (does this mean to be confirmed?). There is very little prospect of them being delivered which means the Plan will not be effective and so must be deemed unsound.

Perhaps the most serious omission in the plan is the absence of a clear funding strategy to meet the considerable infrastructure spending demands to support the construction of 40,000 new homes over the plan period. Policy SP4.1 refers to the Brough's parallel consultation on the introduction of CIL which is intended to be a means for funding the social infrastructure to support the developments that the Plan requires. The documentation supporting the

consultation appeared without any prior public notice or comment. It comprises a 4 page announcement stating the levy developers will be charged. This is supplemented by BNP Paribas's 200 page Local Plan Viability Assessment'. The purpose of this latter is not entirely clear but it seems to offer no revenue forecasts, and no explanation how the Levy will be applied or reported on. Unfortunately, it seems that the CIL proposals are not to be examined with the rest of the Plan which will make it impossible to explore these matters.

To date there has been no publication of the receipts and spending of S106 monies from developments since at least 2014. There is nothing in the CIL document to confirm there will be annual statutory reports showing the receipts and spending of these monies.

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The Plan needs to be informed by an assessment of the Borough's physical and social infrastructure needs as London Plan Policies D1 and S1 require.

Working with local people as NPPF Para 15 requires, the Plan then needs to make provision for infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, and energy (including heat) as NPPF Para 20(b) requires.

In accordance with NPPF Para 34 the Plan should set out the contributions expected from development. Along with setting out the levels and types of affordable housing provision required this should include that needed for education, health, transport, flood and water management, green and digital infrastructure and it should form part of this plan, and not a separate document.

Policy DAA of the Plan also needs to respond to London Plan Policy D2B by making clear that development must be contingent on the provision of required new infrastructure, including public transport services, and that if necessary it must be phased accordingly.

To encourage the use of buses, the preferred mode for the poor and the elderly a review of access to hospitals should be carried out.

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No, I do not wish to participate in hearing session(s)

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Yes, I wish to participate in hearing session(s)

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8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I would like to elaborate on the problems that will arise in Ealing without an adequate infrastructure plan to support the delivery of over 40,000 new homes

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Line 4	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Post Code	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Telephone Number	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

E-mail Address
(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Resident Association

3. To which part of the Local Plan does this representation relate?

Paragraph	Policy	Policies Map
Acton – 07AC Dean Court	Policy G4 Policy ECP Policy WLC: Whole Life Cycle Carbon Approach –	

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

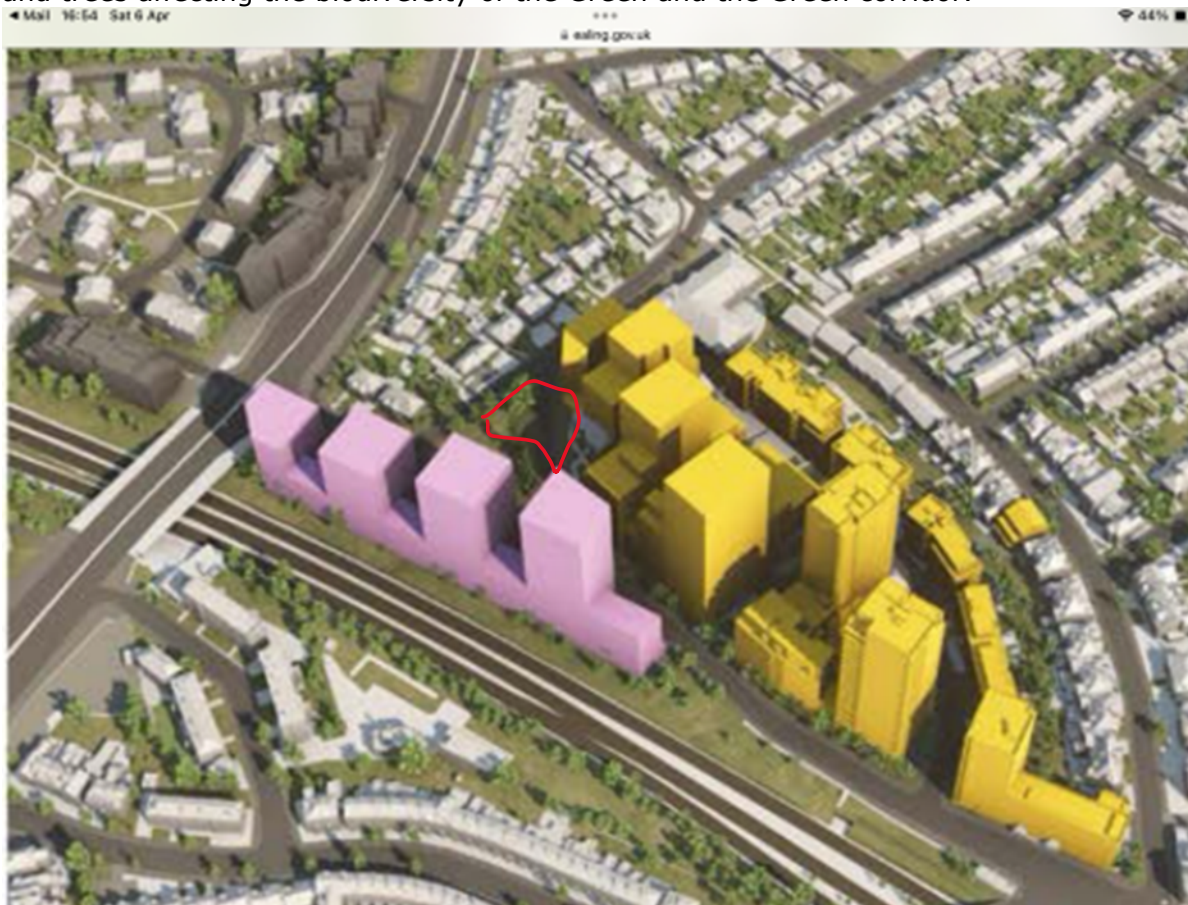
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The description of the current use in the Agenda document p.142 is misleading "Two residential buildings and associated parking and gardens" where there are some 40 homes.

Fails to comply with the duty to co-operate This should be a retrofit with a complementary increase of homes.

Friars Place Green (FPG) 0.1ha has been identified as Public Open Space (POS) for Dean Court. Friars Park development 1,257 homes c.3,000 persons, also cites FPG as their nearest open space. Friars Park has a shortage of POS of 4sqm per person. The FP developers are looking to increase the build. When selecting development sites POS should be on site where there is a shortage as in Acton. Southall and Ealing.

The Friars Park overshadows FPG blocking the light south and the west. Tall buildings from the north and east will also shadow FPG. This will be detrimental to the grass and trees affecting the biodiversity of the Green and the Green corridor.



Friars Place Green – marked in red

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The c.40 homes should not be demolished but retrofitted and consideration should be given to increasing the number of homes through permitted development of adding 2 storeys and building on the large car park.

Ealing Council must take POS seriously ensuring in areas where there is a shortage of POS/amenity space it must be provided on site.

Ealing Council should provide a table showing POS by Ward.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

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Model Representation Form for Local Plans

LPA Logo	Local Plan Publication Stage Representation Form	Ref: (For official use only)
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Name of the Local Plan to which this representation relates:

Ealing

Please return to [name of LPA] BY [time/ date/year]

NB - LPA to include data protection / privacy notice, see para 4 of Explanatory Note

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
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Job Title (where relevant)	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Organisation (where relevant)	Creffield Area Resident Association	<input style="width: 95%;" type="text"/>
Address Line 1	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
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E-mail Address
(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Residents Association

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	Policy G4: Open Space – London Plan – Ealing LPA – local variation	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

London Plan

Public Open Space -Policy G4 Open space

A Development Plans should:

1) undertake a needs assessment of all open space to inform policy.

Assessments should identify areas of public open space deficiency, using the categorisation set out in Table 8.1 as a benchmark for the different types required. Assessments should take into account the quality, quantity and accessibility of open space

2) include appropriate designations and policies for the protection of open space to meet needs and address deficiencies

- 3) promote the creation of new areas of publicly-accessible open space particularly green space, ensuring that future open space needs are planned for, especially in areas with the potential for substantial change
- 4) ensure that open space, particularly green space, included as part of development remains publicly accessible

Areas of deficiency in access to public open space Areas lacking in sufficient publicly accessible open space, as defined by a set of standards in Policy G4 Open space

Policy S4 Play and informal recreation

A Boroughs should:

- 1) prepare Development Plans that are informed by a needs assessment of children and young person's play and informal recreation facilities.

Assessments should include an audit of existing play and informal recreation opportunities and the quantity, quality and accessibility of provision. Boroughs should consider the need for cross-borough collaboration where appropriate

- 2) produce strategies on play and informal recreation facilities and opportunities, supported by Development Plan policies, to address identified needs.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Ealing should carry out the needs assessments, designations, audits and strategies and comply with Policy G4 as set out in the London Plan

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

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Model Representation Form for Local Plans

LPA Logo	Local Plan Publication Stage Representation Form	Ref: (For official use only)
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Name of the Local Plan to which this representation relates:

Please return to [name of LPA] BY [time/ date/year]

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First Name	<input style="width: 95%; height: 20px;" type="text" value="XXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
Last Name	<input style="width: 95%; height: 20px;" type="text" value="XXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
Job Title (where relevant)	<input style="width: 95%; height: 20px;" type="text"/>	<input style="width: 95%; height: 20px;" type="text"/>
Organisation (where relevant)	<input style="width: 95%; height: 20px;" type="text" value="Creffield Area Resident Association"/>	<input style="width: 95%; height: 20px;" type="text"/>
Address Line 1	<input style="width: 95%; height: 20px;" type="text" value="XXXXXXXXXXXXXXXXXXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
Line 2	<input style="width: 95%; height: 20px;" type="text" value="XXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
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Telephone Number	<input style="width: 95%; height: 20px;" type="text" value="XXXXXXXXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>
E-mail Address	<input style="width: 95%; height: 20px;" type="text" value="XXXXXXXXXXXXXXXXXXXX"/>	<input style="width: 95%; height: 20px;" type="text"/>

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Resident Association

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	Policy DAA : Design and Amenity – Ealing LPA – local policy	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	No
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Note that this representation concerns standards for the provision of amenity and play space in new development.

London Plan Policy S4A Play and informal recreation requires Boroughs to ‘prepare Development Plans that are informed by a needs assessment of children and young person’s play and informal recreation facilities. Assessments should include an audit of existing play and informal recreation opportunities and the quantity, quality and accessibility of provision.’ Para 5.4.6 of the supporting text describes the London Plan’s approach to off-site provision.

London Plan Policy D6 sets out minimum housing space standards. This includes at AF9, minimum standards for amenity space but indicates that borough development plan documents may have higher standards.

London Plan Policy Table 3.2(iv) and (v) Qualitative design aspects to be addressed in housing developments sets out how private and communal amenity spaces should be addressed

London Plan Policy H16 on Large-scale purpose-built shared living with its supporting text sets out considerations for amenity space that should apply in shared living developments.

Table 7D.2 of Ealing's current Development Management Plan document (adopted in December 2013) sets out the space provision requirements for new developments. These will still be in force, presumably until the new plan is adopted:

Table 7D.2 Space provision requirements

Provision Type	Area Requirement
Private Garden Space (House)	5 sq. m. per 1-2 person unit, plus 1 sq. m. for each additional occupant*
Private Garden Space (Flat)	5 sq. m. per 1-2 person unit, plus 1 sq. m. for each additional occupant**
Amenity Space	50 sq. m per 1,000 sq. m of floorspace
Public Open Space	19.5 sq. m. per person***
Children's Play Space	10 sq. m. per child****
Allotments	1.7 sq. m per person
Active Recreation (Outdoor)	7.3 sq. m. per person*****

Unlike in Ealing's current Plan, the Regulation 19 Plan fails entirely to consider standards for, or the design of, amenity and play space in new developments and it should. With so many new homes proposed, many of them in large residential blocks, it is essential that due provision is made for residents to be provided with outside space to enjoy and play in.

The majority of Ealing is outside the A460 and is considered a to be outer London, and one traditionally noted for its green character and its family friendliness, these standards should not be the minimum indicated in the London Plan. The Acton Wards are considered to be inner city. The Plan document is missing any data showing how much Public Open Space there is in the borough

Many recently consented schemes in the borough fail even to meet the London Plan's minimum standards. Instead, small existing areas of outside space are held as being available to thousands of new residents, many of whom have to cross main roads to access them.

The Regulation 19 Plan is not consistent with important higher level policies and the reasons for this have not been justified. To this extent the Plan is unsound.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The needs assessment of children and young person's play and informal recreation facilities required by London Plan Policy S4A is required and should be used to inform our plan with regard to the provision of play space in new developments.

The Plan also needs to provide minimum standards for both private and communal amenity space in new developments and these should exceed the minimum standards in the London Plan.

A table should be included showing the amount of POS per ward. Towns where the most developments are planned Acton, Ealing and Southall already have the least POS per 1,000. Acton has a POS of 0.64 with the South Acton Ward having only 0.36, some of the lowest in London. This information should be fully available for the whole borough to ensure that where there are low levels of POS, prescribed POS should be available on site.

Should any departures from these standards is to be countenanced which without the POS easily available is impossible to know the circumstances need to be described and the justification explained. Requirements concerning the proximity and access to off-site provision should be set out.

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is a fundamental planning tenet that provision of open space and facilities for recreation underpin our quality of life. The COVID pandemic has demonstrated its importance to individual health and wellbeing, and the promotion of sustainable communities. This point needs to be made.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Model Representation Form for Local Plans

LPA Logo	Local Plan Publication Stage Representation Form	Ref: (For official use only)
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Name of the Local Plan to which this representation relates:

Ealing

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Part A

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E-mail Address
(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Resident Association

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

**Policy D9:
Tall
Buildings
London Plan
– Ealing LPA
– local
variation**

Policies
Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

4 (3) Complies with the
Duty to co-operate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We have four concerns – which we call matters - with this policy. These arise from the fact that Policy D9 is not clearly written (or otherwise presented) and unambiguous which means it fails to meet the test in NPPF Para 16.(d) and is therefore unsound. Matter 4, in addition, is not justified as it is not based on proportionate evidence.

Table DMP1 of the plan provides thresholds for what the Borough considers to be tall buildings across 59 different zones in the Borough. The thresholds range from 6 storeys in many parts of the Borough to 21 storeys in Ealing Town Centre. The justificatory text (para 5.14) explains that the policy ‘builds upon comprehensive evidence developed in line with the London Plan’.

Although this is not specified, this evidence is understood to relate to a series of reports by Allies and Morrison which culminated in a final report dated December 2023, posted in the evidence base on the New Plan website with all the other Regulation 19 documents. It is worth noting that the Allies and Morrison reports appear to be the only evidence speaking to this part of the Plan.

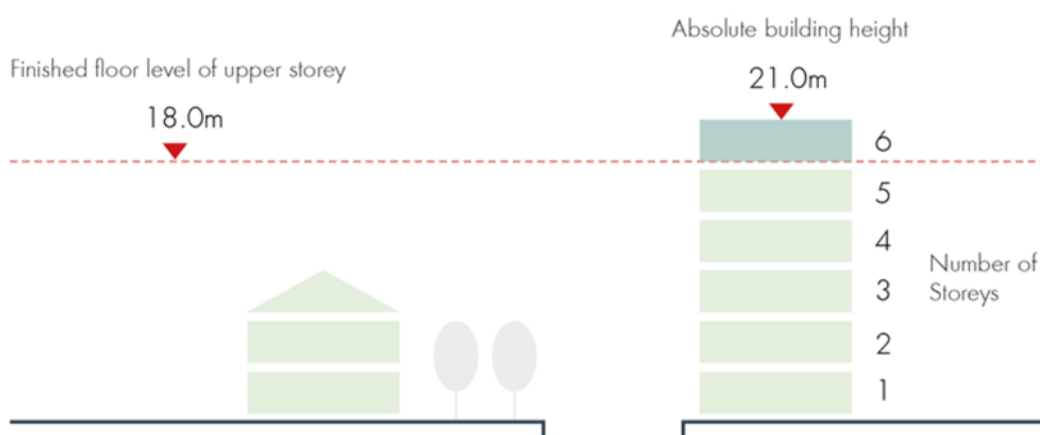
1. Figure DMP1 on page 45 of Chapter 5 of the plan is of such small a scale that it is unclear in which area some streets lie. This matters because there are significant differences in the thresholds for tall building in some adjoining areas. In its present form, the Policy D9F says that ‘tall buildings above defined thresholds are exceptional and should be located upon specified Development Sites defined in the Development Plan’. There is no definition in the policy of the word ‘exceptional’ as it is applied here, but Roget offers synonyms such as ‘rare’, ‘uncommon’ or ‘unprecedented’. This is not how the policy is being applied in Acton where 50% of development sites are identified as being suitable for tall buildings, or Ealing 60% (94% in the Metropolitan Town Centre) or Southall (40%).
2. When read in conjunction with Policy D9, Table DMP1 appears to show that 6 storeys buildings across the Borough are never considered to be tall, but that in many places 7 storey buildings would be. This would constitute a misreading of what Allies and Morrison say.

Table DMP1 is based on the Table on pages 9-11 of the Allies and Morrison February 2024 Tall Buildings Strategy which carries a footnote indicating that the definition of ‘tall’ in most neighbourhoods is the same as the London Plan minimum which is that tall buildings may not be less than 6 storeys. Allies and Morrison helpfully illustrate what this means in this diagram on page 5 of their report:

3. When read in conjunction with Policy D9, Table DMP1 appears to show that 6 storeys buildings across the Borough are never considered to be tall, but that in many places 7 storey buildings would be. This would constitute a misreading of what Allies and Morrison say.

Having a different definition of tall according to the (57) zone is very confusing for the non-professional. It would be more ‘user’ friendly to keep to storeys rather than use a descriptive.

Table DMP1 is based on the Table on pages 9-11 of the Allies and Morrison February 2024 Tall Buildings Strategy which carries a footnote indicating that the definition of ‘tall’ in most neighbourhoods is the same as the London Plan minimum which is that tall buildings may not be less than 6 storeys. Allies and Morrison helpfully illustrate what this means in this diagram on page 5 of their report:



Clearly Allies and Morrison envisaged that in most parts of the Borough 6 storeys would constitute a tall building. Policy D9 needs to be clear about this.

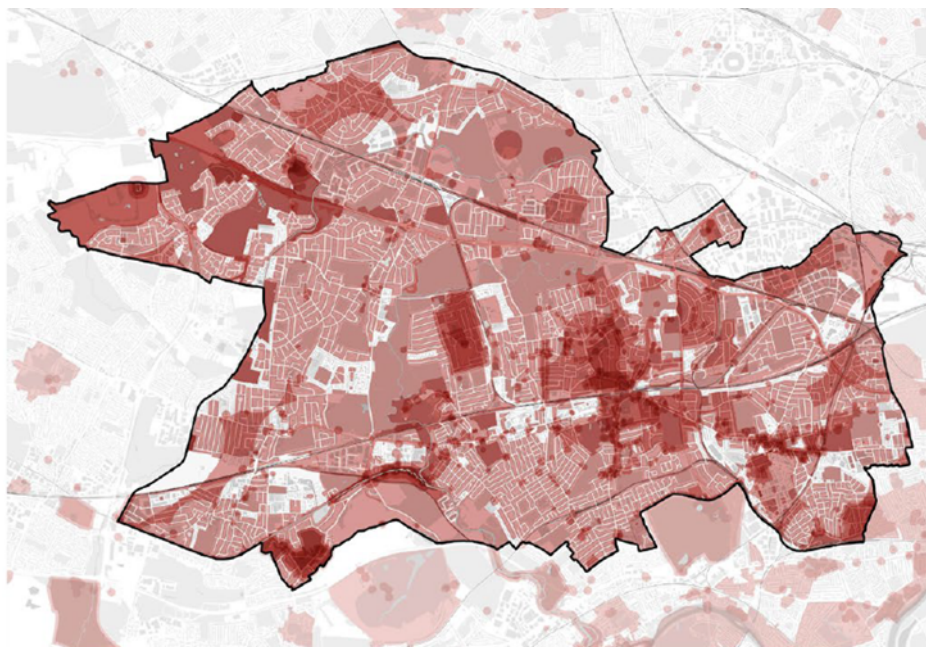
- Details in Table DMP1 of policy D9 depart significantly and with no justification from the tables in the Allies and Morrison report on which the policy is understood to be based. While in most parts of the Borough the thresholds are the same in both documents, in three areas they differ greatly and for no apparent reason. These three areas are identified on the table below:

Neighbourhood	Map Area	Allies & Morrison Tall Building Strategy		Policy D9 Table DMP1:
		Prevailing height (storeys)	Proposed Tall Building Threshold (storeys)	
West Acton	A2	2.3	6	14
Horn Lane	A4	2.9	6	14
Ealing Town Centre	E14	4.4	9	21

Allies and Morrison’s strategy report explains the methodology for their classification. This is based on the prevailing heights in each sub area as well as on considerations of sensitivity (especially heritage), suitability and appropriate locations. Page 9 of their report says the prevailing heights of the two areas in Acton are 2.3 storeys and 2.9 storeys respectively while in Ealing Town Centre it is 4.4 storeys.

Ealing Town Centre, (in which there is just one 21 storey building) is also notable for being largely protected by several conservation areas.

Allies and Morrisons summarise their findings in this map on page 15 of their 2022 tall buildings strategy. The map shows Ealing Town centre and the two areas in Acton to be amongst the most sensitive areas in the Borough for tall buildings.



Composite heat map indicating areas which are potentially sensitive for tall buildings, with the darkest areas considered most sensitive.

Disappointingly, neither the Plan itself or any of the background papers supporting it discuss Allies and Morrison's findings or their implications.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modification 1:

To resolve Matter 1, the boundaries of tall building threshold areas need to be depicted at a proper scale on the Interactive Policies Map as requested by the Mayor at Reg18.

Modification 2:

To resolve Matter 2, site appraisals need to be much more carefully done. Where, in 'exceptional circumstances', a site is deemed appropriate for a tall building a proper justification is required.

Modification 3:

To resolve Matter 3, and to avoid any dangers of it being misinterpreted, Policy D9F should be amended to read 'tall buildings *of, or* above defined thresholds are exceptional and should be located upon specified Development Sites defined in the Development Plan'.

Modification 4:

To resolve Matter 4, Table DMP1 needs to be replaced with the Tables from pages 9 to 11 of the December 2023 Allies and Morrison Tall Building strategy.

(Continue on a separate sheet /expand box if necessary)

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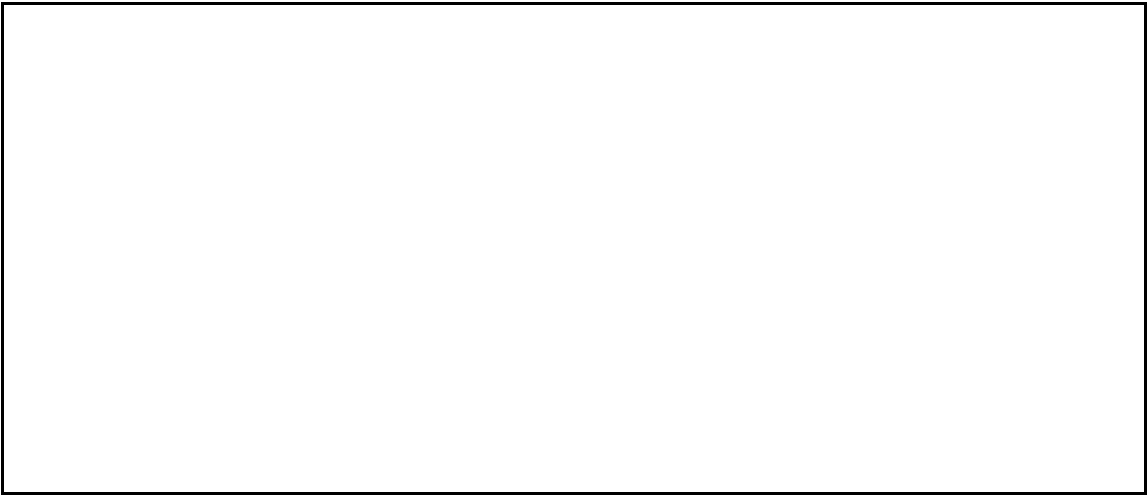
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1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
First Name	<input style="width: 95%;" type="text" value="XXXX"/>	<input style="width: 95%;" type="text"/>
Last Name	<input style="width: 95%;" type="text" value="XXXX"/>	<input style="width: 95%;" type="text"/>
Job Title (where relevant)	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Organisation (where relevant)	<input style="width: 95%;" type="text" value="Creffield Area Resident Association"/>	<input style="width: 95%;" type="text"/>
Address Line 1	<input style="width: 95%;" type="text" value="XXXXXXXXXXXX"/>	<input style="width: 95%;" type="text"/>
Line 2	<input style="width: 95%;" type="text" value="XXXX"/>	<input style="width: 95%;" type="text"/>
Line 3	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Line 4	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Post Code	<input style="width: 95%;" type="text" value="XXXXXX"/>	<input style="width: 95%;" type="text"/>
Telephone Number	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
E-mail Address	<input style="width: 95%;" type="text" value="XXXXXXXXXXXX"/>	<input style="width: 95%;" type="text"/>

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Creffield Area Resident Association

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	Policy ENA: Enabling Development – Ealing LPA – local policy	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Proposed Policy ENA lacks reasoned justification, and therefore does not comply with section 8(2) of the Town and Country Planning (Local Planning) (England) Regulations 2012. It is therefore not legally compliant and unsound.

Historic England summarises enabling development as '*development that would not be in compliance with local and/or national planning policies, and not normally be given planning permission, except for the fact that it would secure the future conservation of a heritage asset.*' The NPPF uses the term only in connection with conserving the historic environment, saying that '*Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*'

Application of the concept of enabling development to permit development on MOL sites thus appears a novel idea. Its use to develop Metropolitan Open Land in general would depart considerably from the principles that apply in the context of protecting historic assets. Enabling development policies do not appear to feature in the NPPG or and in the NPPF's terminology they seem to constitute neither a strategic policy (para 20ff), nor a non-strategic one (para 28ff).

MOL falls under the aegis of the London Plan which safeguards it to the same extent as the Green Belt which means that inappropriate development on it is only permissible in 'very exceptional circumstances'. If it is endorsed, the policy would remove this higher level protection and allow the Council to override London Plan policies and grant itself planning permission for developments not otherwise acceptable. This risks unacceptably politicising the planning system. It would be particularly unfortunate in a Borough like Ealing whose very strong single party administration allows, in practice, for little oversight or scrutiny.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be deleted.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

There is a very important point of principle at stake here that needs to be thoroughly aired

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.