

**Publication Stage Representation Form
LB Ealing Council New Local Plan
Consultation dates: 28 February to 6pm 10 April 2024**

Please email back to: localplan@ealing.gov.uk or post to: Strategic Planning Team, Perceval House, 14-16 Uxbridge Road, London, W5 2HL

More information on the New Local Plan and consultation documents can be found here:

https://www.ealing.gov.uk/info/201164/local_plan/3125/new_local_plan

Refer to our privacy notice (also attached) for how we process your data:
https://www.ealing.gov.uk/info/201164/local_plan/3125/new_local_plan/4

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 and attached all the papers together.

Part A

1. Personal Details (*Mandatory fields if you wish to be part of the next stage of the new local plan, please provide at least one contact information).

If an agent is appointed, please complete only the Title, Name and Organisation (if applicable)

Title*:
First Name*:
Last Name*:

Job Title: Chair

Address Line 1:

Line 2:

Line 3:

Line 4:

Post Code:

Telephone Number:

E-mail Address*: chair@ealingcivicsociety.org

Name of Organisation: Ealing Civic Society

Ealing Civic Society is a membership organisation, established in 1967, whose members care about their local environment, its character and history. Our strapline is 'working to preserve and improve our borough' and we cover the whole of Ealing borough, but are particularly focused on Central Ealing, the original Borough of Ealing. We are members of the national organisation for Civic Societies, Civic Voice. We are not connected with any political party or the Council, but have always sought to work with the Council on matters of concern including but not limited to planning policy and development management. As a key local group concerned with the built environment and how the borough develops, the Society has attempted to engage with the new Local Plan development process, but has unfortunately not been formally involved by the Council in the development of the Plan at a formative stage. We submitted an extensive response to elements of the draft plan at Regulation 18 stage (copy attached to this email) but in common with other interested groups, find it necessary to make further submissions at Regulation 19 stage as many of our concerns have not been addressed in the latest Plan draft.

The following NPPF references on Local Plan content and the process for its preparation provide context for our responses:

NPPF Para 16 (c) states that plans should '*be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, ...*' There has been no effective engagement with the Society or other community groups at the development stage with regard to the proposals in the Local Plan.

NPPF Para 132 which states that '*Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers*'. The Society has over many years emphasised the importance of good design in place making and the creation of acceptable environments and runs an annual awards scheme for projects contributing to this. Yet there was no work with ourselves or local communities on design considerations and the draft Plan lacks any design policies, guidance and codes.

NPPF Para 137 which states that '*Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests.*' We note here the absence of reference to any design considerations in any of the Chapter 4 site appraisals.

Our concerns regarding Ealing Town Centre closely follow those expressed by other local groups – SEC, Ealing Matters, CERA and Central Ealing Neighbourhood Forum. It should be clear to the Inspectorate from the extent of these concerns that the Local Plan proposals do not have the support of the local community's representative groups, who have not been properly engaged with the process.

ECS thus considers that the plan produced is ***neither legal nor sound***.

In this response, we concentrate on those aspects of the plan of most relevance to the objectives of Ealing Civic Society – the preservation and improvement of our borough – covering such aspects as conservation and heritage, design, tall buildings, development sites and masterplanning, and infrastructure planning including open space considerations.



Part B (Please use a separate sheet for each representation).

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

Paragraph:

Policy: Relates to a missing policy area. Note that these comments should be read in the context of Chapter 3 policies SP2.2 B (iii), SP2.2 D, SP2.2 F (i) and (vi), SP3.1 C, SP3.3 D, SP4.1 A, SP4.1 D–F.

Policies Map:

4. Do you consider the Local Plan is: (please tick)

4.(1) Legally compliant No

4.(2) Sound No

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 set out your comments below.

Conservation and Heritage

This representation concerns the need for the plan to contain policies for the conservation and enhancement of the historic environment.

The Central Ealing area is particularly rich in heritage, with a number of listed buildings, Conservation Areas and architecturally interesting Victorian and Edwardian residential development. These contribute to its particular character, but in the absence of policies to protect them, are at risk. Ealing Civic Society raised concerns at regulation 18 regarding the lack of reference to and support for conservation and heritage in the draft plan. We remain extremely concerned that this deficit has not been addressed in the Regulation 19 submission. This gives the strong impression that heritage and Conservation Areas will be of minor importance when decisions on development are taken in the future. Developers and other applicants for planning permission will not know how or where to find the necessary policy guidance; in the absence of specific information, they could assume and argue that the Council has no such policies.

London Plan Policy HC1B: Heritage, Conservation and Growth requires that:

‘Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by:

- *setting out a clear vision that recognises and embeds the role of heritage in place-making*



- *utilising the heritage significance of a site or area in the planning and design process*
- *integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place*
- *delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.'*

NPPF Chapter 16: Conserving and enhancing the historic environment requires at Para 190 that:

'Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

This strategy should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring:*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.'*

The Council recently undertook and consulted on a comprehensive review of its Conservation Areas. Although the Council has formally implemented one element of this work (a revised Generic Management plan applicable to all Conservation Areas in the borough) none of the individual updated character assessments or management plans produced by the consultant who carried out this work for each Conservation Area has so far been promulgated. The consultant was only employed to undertake the comprehensive work after many reminders by conservation and heritage groups in the borough that the existing guidance relating to Conservation Areas was long out of date and urgently needed to be revised. Recent administrations have given the strong impression that conservation of heritage gets in the way of redevelopment projects in the borough and should be discouraged. Instead, they have actively promoted developers to carry out new developments with the single intention of increasing the housing stock in the borough without any consideration of other factors.

Beyond depicting each town's CAs in their individual 'Existing Context' maps, (Ealing's CAs are also listed but without comment) and the occasional passing reference to the borough's rich heritage without explaining the relevance of this heritage for any individual policy, the Plan fails totally to meet the requirements of both the NPPF and the London Plan. It is therefore inconsistent with national policy and thus **unsound**.

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.

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.



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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A full strategy and specific policies for heritage must be included in the plan in line with the NPPF and London Plan requirements. The lack of adequate policies in the current Local Plan has facilitated the inadequately controlled development described above, and must be addressed in the new plan to prevent further harm.

Alongside the work in the evidence base by Allies and Morrison, the recent Conservation Area review can serve as the necessary evidence base.

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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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.

As a key local group concerned with the built environment and how the borough develops, the Society has attempted to engage with the new Local Plan development process, but has unfortunately not been formally involved by the Council in the development of the Plan at a formative stage. We submitted an extensive response to elements of the draft plan at Regulation 18 stage but in common with other interested groups, find it necessary to make further submissions at Regulation 19 stage as many of our concerns have not been addressed in the latest Plan draft. We would welcome the opportunity to assist the inspector by input at the Inquiry.



Part B (Please use a separate sheet for each representation).

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

Paragraph:

Policy: DAA Design and Amenity

Policies Map:

4. Do you consider the Local Plan is: (please tick)

4.(1) Legally compliant No

4.(2) Sound No

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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Design

The NPPF Chapter 12 sets out requirements regarding the importance of good design, with paragraph 132 stating ‘Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies **should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics** (our emphasis). Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.’

London Plan Policy D1A requires that ‘Boroughs should undertake area assessments to define the characteristics, qualities and value of different places within the plan area to develop an understanding of different areas’ capacity for growth’.

Together, these requirements can be summarised as the need for the plan to work with communities to understand local aspirations and to reflect them to achieve well designed and beautiful places.

Policy DAA in the Regulation 19 Plan has not been developed with local communities, does not respond to local aspirations and shows no understanding of Ealing’s defining characteristics. We understand that a ‘design panel’ was established to contribute to the development of the Plan, but this was comprised only of professionals selected by the Borough, their recommendations were not subjected to community review and feedback and thus cannot be said to address the requirements for community involvement. The



proposed policy text is vague and sets no design expectations to guide developers on what may be acceptable.

The policy is thus **not legally compliant** and does not respond to the NPPF and London Plan requirements so is **not sound**.

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.

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.

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Policies are needed that provide a strong design framework within which planning decisions may be made that reflect local aspirations. Without these, the current situation will continue, where time and again developments have been approved, often against significant local objection, that are not in keeping with local character, adversely impact the local area or allow the destruction of heritage assets and architecture. Local communities and amenity groups must be involved in developing these policies and identifying what characterises, and what would be acceptable design in, local areas. The role of heritage assets and architecture must be clearly defined.

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

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

As a key local group concerned with the built environment and how the borough develops, the Society has attempted to engage with the new Local Plan development process, but has unfortunately not been formally involved by the Council in the development of the Plan at a



formative stage. We submitted an extensive response to elements of the draft plan at Regulation 18 stage but in common with other interested groups, find it necessary to make further submissions at Regulation 19 stage as many of our concerns have not been addressed in the latest Plan draft. We would welcome the opportunity to assist the inspector by input at the Inquiry.

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Part B (Please use a separate sheet for each representation).

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

Paragraph:

Policy:D9 Tall buildings

Policies Map:

4. Do you consider the Local Plan is: (please tick)

4.(1) Legally compliant

4.(2) Sound No

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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Tall Buildings

Ealing Matters/SEC have provided a comprehensive response on policy D9, concluding that this is **not sound**. We concur. Without repeating the detail in that response, we conclude that the policy as drafted is arbitrary and not based on any rational and agreed evidence base. As we commented at the Regulation 18 stage, the plan includes metrics defining what is considered a tall building in a number of defined areas. The implication is that any building of lesser height is not 'tall' and thus acceptable. These area boundaries and associated heights appear to have been plucked out of the air, with no criteria offered against which the proposals have been assessed and no justification provided for the heights, which are often entirely inconsistent with the surrounding area. Evidence as may be found (the Allies and Morrison report) is not being adopted, with excessive and unjustified thresholds for what constitutes a tall building being applied to, in particular, the Central Ealing area, where the proposed policy states that only buildings of over 21 storeys would be considered tall. The Town Centre is largely covered by two Conservation Areas, has a number of nationally and locally listed buildings and buildings of heritage significance, and is characterised by typically low-rise family-friendly Victorian and Edwardian housing; it is thus particularly sensitive to inappropriate development. Rather than being respected and enhanced, this character would be utterly destroyed if the tall buildings policy D9 were to be adopted. No recognition whatsoever has been given to the Borough's heritage assets or to the provisions of Neighbourhood Plan policies regarding building heights that take into account local heritage, Conservation Areas and prevailing architectural character and height.



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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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Comprehensive redrafting of the policy is required, incorporating the detailed points made by Ealing Matters/SEC. In particular, this should address the need for site appraisals to be more thorough and where, in 'exceptional circumstances', a site is deemed appropriate for a tall building a proper justification is required. The findings of the Allies and Morrison report regarding acceptable building heights must replace those greater heights arbitrarily included in the current plan.

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)

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addressed in the latest Plan draft. We would welcome the opportunity to assist the inspector by input at the Inquiry.



Part B (Please use a separate sheet for each representation).

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

Paragraph: Chapter 4, Ealing Development Sites

Policy:

Policies Map:

4. Do you consider the Local Plan is: (please tick)

4.(1) Legally compliant

4.(2) Sound No

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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Development Sites and Masterplanning

An overriding concern regarding the Plan is the absence of overall master plans for effective development of areas where significant redevelopment is envisaged, in particular the flagship Ealing Town Centre, West Ealing and parts of Acton. Rather, development sites are arbitrarily identified without any reference to one another and with no basis for their selection and definition. Much stronger guidance regarding the need for and content of master plans and the process for their adoption must be explicit in the Plan. We refer you to representations submitted by Steve Bower, one of the Society's Executive Committee members, on this topic.

Many sites are identified as suitable for residential development but without any indication of the quantum of development proposed for them individually or overall.

The 'evidence base' commissioned by the Council and prepared by Allies and Morrison could provide this context but is flawed in that it has again been produced in a vacuum without local input or the opportunity to comment. Furthermore, it is not clearly set out where, how and why the report's findings have informed the Plan or, alternatively, have not been adopted.

We comment below on Central Ealing sites that have particular significance in terms of the potential impact of redevelopment on the surrounding heritage assets and Conservation Areas. Similar concerns may arise for some sites in other areas.

EA01 Broadway Connection and Arcadia Shopping Centre. This site, which has had a long and highly controversial planning history, has doubled in extent since the Regulation 18 plan was consulted on without any explanation or pre-announcement to the communities who have been long involved with it. Planning consent was granted earlier in 2024 on the eastern half of the site in the face of criticism from local groups, Historic England, GLA



officers and the Metropolitan Police, but their comments are not acknowledged and reflected in the site proposals.

Previous proposals for the entire site were the subject of a 3 week public inquiry after which the Secretary of State overturned LBE's planning consent, agreeing with the Inspector that that the bulk, massing and certain aspects of the design of the scheme would be inappropriate in its surroundings and would fail to preserve or enhance the character and appearance of the Town Centre conservation area and the setting of the Haven Green conservation area, as well as harming the setting of the Grade II* listed Church of Christ the Saviour.

The entire site also is covered by an existing SPD that was consulted on and approved in 2012 after the Secretary of State's decision. This set out principles for its development including on pedestrian movement, sight lines and visual impact and built form and height. The current document ignores the contents of the SPD and its principles.

Further concerns are that this is not one of the sites considered by Allies and Morrison and British Land, which owns the eastern half of the site, also owns the EAL2 site considered below. The combined impact on the Town Centre if these two significant sites were to be developed as suggested would be immense and has not been considered. This underlines the importance of producing a master plan for the Town Centre in conjunction with all Ealing's stakeholders, and especially its local communities.

EA02 Ealing Broadway Shopping Centre and Crystal House. This major Town Centre asset was developed and opened by the late Queen less than 40 years ago and has been the subject of recent improvements and refurbishment without a damaging increase in height. It includes a locally well-liked, award-winning shopping centre that was locally listed in Ealing's 2004 UDP. It is also a very busy centre that continues to meet the needs of the Ealing community. Further or upward development would be unacceptable. Again, there has been absolutely no local engagement with any proposals for its redevelopment despite the fact that if it were to proceed, demolition and redevelopment of the site would have a transformative effect on the Town Centre. Allies and Morrison's considerations of the possible height and massing of a new development are buried deep in the evidence base in the Appendix to their Tall Buildings Study as Cluster A. This study has never been discussed locally. It must be brought into the open and the public must be given a fair opportunity to comment on it.

EA03 Sandringham Mews. This is a sensitive site at the heart of the Town Centre. Consent has recently been granted to construct buildings from 3-8 storeys over the southern half, despite objections to the maximum height. Consideration of even greater heights is excessive and inclusion of the wider site into Cluster A creates additional issues that need to be examined in connection with the rest of that Cluster. As mentioned above, this should be part of a properly prepared SPD.

EA05 Perceval House. Despite the approval of a 26-storey tower on this site, against significant local objection, no precedent has been set that suggests this site would be suitable for the proposed maximum of 21 storeys. This would still have an excessive and detrimental visual impact on important heritage assets. If a new scheme is to emerge it needs to take greater heed of the Central Ealing Neighbourhood Plan as well as Historic England advice, the design principles of the NPPF, and the London Plan.

EA07 CP House. Consent to redevelop this site for a 12 storey office development was granted in 2022 in the face of objections that the height and bulk would impact detrimentally on the Ealing Green Conservation Area and Walpole Park. This consent has



not yet been implemented. We note, and would support, the proposed reduction in the maximum height to 10 storeys, which would reduce the impact on Walpole Park and the Ealing Green CA.

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.

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The missing engagement with Ealing’s communities to hear and properly respond to concerns should be undertaken before this part of the plan is adopted. Engagement should include open discussion of the Allies and Morrison tall buildings findings and their application to the development sites and also the requirements of a Central Ealing master plan.

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

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As a key local group concerned with the built environment and how the borough develops, the Society has attempted to engage with the new Local Plan development process, but has unfortunately not been formally involved by the Council in the development of the Plan at a



formative stage. We submitted an extensive response to elements of the draft plan at Regulation 18 stage but in common with other interested groups, find it necessary to make further submissions at Regulation 19 stage as many of our concerns have not been addressed in the latest Plan draft. We would welcome the opportunity to assist the inspector by input at the Inquiry.



Part B (Please use a separate sheet for each representation).

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

Paragraph: Tables SS1, A1, E1, G1, H1, N1, P1 and S1

Policy: DAA – Design and Amenity

Policies Map:

4. Do you consider the Local Plan is: (please tick)

4.(1) Legally compliant No

4.(2) Sound No

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Infrastructure Planning

The NPPF and London Plan include a number of policies that set out requirements that Local Plan policies should provide a broad ‘context framework’ for development, including necessary infrastructure, development contributions, social infrastructure and consideration of development phasing where necessary infrastructure may not be available. We would again refer the Inspector to the detailed commentary on this aspect in the submission by Ealing Matters/SEC, in particular their analysis of the newly introduced infrastructure delivery plan (IDP) included in the evidence base for the Regulation 19 consultation. We would highlight the many existing problems with much of the infrastructure in Central Ealing, including an inadequate and failing sewage system, water supply problems, electricity supply and distribution problems leading to a lack of capacity for new developments and ongoing regular gas leaks. The disruption to the major (and other) road network caused by frequent, lengthy and poorly managed repair works is not acknowledged, nor is there acknowledgement that the much hyped Elizabeth Line, used as justification for proposed massive expansion in housing provision in Central and West Ealing and elsewhere served by the line, is already at capacity during some peak hours. Reductions in library facilities and opening hours and the recent closure of Ealing Town Hall and other community facilities compound the lack of social infrastructure for a growing population. None of this has been addressed with the input of the community affected. With specific reference to green space, we note and welcome the removal of some of the earlier proposals for redesignation or dedesignation of a number of areas of Green Belt and Metropolitan Open Land (MOL) but remain concerned that some such areas remain within sites considered suitable for development. We continue to oppose any reduction in green



space in the light of the unsustainable targets for population growth; more not less such space will be required going forward.

The Plan's response to this appears to be an 'infrastructure delivery schedule', but this is merely a list of possible projects, most uncosted and unfunded and unrelated to any needs analysis. For all these reasons, the kind of infrastructure planning envisaged by both the NPPF and the London Plan is entirely absent from the Plan. No attempt is made to identify and define the type and scale of the infrastructure support Ealing's ambitious and unsupported housebuilding targets will require. In this regard, the Plan is inconsistent with national policy and therefore **unsound**.

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The Infrastructure Delivery Plan and Schedule should be comprehensively redrafted to properly reflect Ealing's current deficiencies and identify the type and scale of the infrastructure required to support Ealing's ambitious housebuilding targets. 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.

Policy DAA of the Plan 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.

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