

PLANNING FOR SCHOOLS DPD EXAMINATION HEARINGS

AGENDA – DAY 1 (AM)

Wednesday 11 November 2015 at 10.00am
Nelson Room, Ealing Town Hall

MATTER 1 – LEGAL COMPLIANCE AND DUTY TO COOPERATE

MATTER 2 – GENERAL MATTERS

MATTER 3 – NEED, STRATEGY & ALTERNATIVES

Please note:

- All participants are encouraged to familiarise themselves with the hearing statements (and any additional evidence) produced by the Council and other parties in respect of the matters addressed at this session. These are available on the examination website.
- Most references to questions refer to those posed by the Inspector in his Schedule of Matters, Issues and Questions (already circulated).
- In order to make efficient use of time whilst allowing each participant the opportunity to put their case, the hearing will be run as a 'rolling programme', with no set timings for agenda items. The matters to be discussed will be dealt with in Agenda order unless any participants have time constraints, in which case the programme will be adjusted by agreement at the commencement of the hearing.
- This session will not consider detailed site-specific representations.
- The hearing will run until around 13:00 with a mid-morning break.

1. Inspector's Opening
2. Questions/procedural or programming matters
3. Council's Opening Statement

4. Matter 1 – Legal Compliance and Duty to Cooperate

- i. Overall, has the DPD been prepared in accordance with relevant legal requirements for plan preparation as set out in the Act¹ and the Regulations²?
- ii. Has the 'Duty to Cooperate' imposed by Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) been met? What has been the nature of the cooperation and on what issues?
- iii. Is the extent and nature of cross-boundary school movements with adjoining Boroughs understood? Is there significant displacement of pupils to adjoining Boroughs and vice-versa?
- iv. Is the Plan consistent with national planning policies – notably the National Planning Policy Framework (NPPF)? Does it reflect the Framework's presumption in favour of sustainable development?
- v. Has the DPD been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the Regulations?
- vi. Is the DPD based on a sound process of sustainability appraisal including testing of reasonable alternatives, and does it represent the most appropriate spatial strategy for additional school provision in the circumstances?
- vii. Does the sustainability appraisal adequately appraise the impacts of the DPD on health and biodiversity? (notably in relation to de-designation of Metropolitan Open Land?)

5. Matter 2 – General Matters

- viii. Are the Council proposing any main modifications in addition to those already consulted on?
- ix. What has been the level and broad content of response to those main modifications consulted on prior to these hearings?
- x. Overall, does the DPD deal adequately with uncertainty? Is there an adequately developed monitoring framework, including justified, measurable indicators and targets? Are the triggers for review sufficiently clear in terms of when contingency action would need to be taken?

¹ Planning & Compulsory Purchase Act 2004 – part 2 Local Development

² The Town & Country Planning (Local Planning) (England) Regulations 2012

- xi. Are Policies 1-3 justified and effective? In particular do Policy 1 and paragraph 4.22, as amended by proposed modifications³, provide sufficient clarity on Metropolitan Open Land not covered by the footprint of the proposed school buildings?
- xii. Is the DPD consistent with the Development Sites DPD?
- xiii. Can detailed design issues with new schools be adequately managed through the policies of the adopted development plan?

6. Matter 3 – Need, Strategy and Alternatives – Introduction

- xiv. Is the evidence on projected pupil numbers and school places up-to-date? Are there wider demographic trends which point to reducing pupil numbers?
- xv. Are the proposed secondary schools being delivered where there is the highest density in primary school provision?
- xvi. Are there any important developments/changes since submission, for instance in terms of policy and/or funding for school provision or planning consents for education provision in the Borough?
- xvii. Does the Council have a programme for reviewing the key evidence base?

7. Close

³ Examination Document ED18 – MM1-MM3

PLANNING FOR SCHOOLS DPD EXAMINATION HEARINGS

AGENDA – DAY 1 (PM)

Wednesday 11 November 2015 at 2.00pm
Nelson Room, Ealing Town Hall

MATTER 3 – NEED, STRATEGY & ALTERNATIVES

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- This session will not consider detailed site-specific representations.
- The hearing will run until around 17:00 with a mid-afternoon break.

1. Inspector's Opening
2. Questions/procedural or programming matters

3. Matter 3 – Need, Strategy and Alternatives

Delivery

- i) Is school provision in the Borough based on identifiable catchment areas?
- ii) How has the nature of planning and delivering school pupil places evolved with the changes from Local Education Authority directly planning and delivering to the diversity in how educational facilities are now provided, including Free Schools?
- iii) Notwithstanding site specific details, is there sufficient certainty that the provision identified will be delivered (funded) within the timeframes at paragraph 3.11 and, in any event, no later than the plan period of the DPD?
- iv) Does Free School provision allow for wider community access to hall and sports pitch facilities? Can this be secured through the planning system or is it a separate operational matter for the governing body?
- v) Could a criterion be reasonably added to Policy 2 – requiring indoor sports facilities within new schools to be located and designed for wider community use? Is this design/social inclusion issue addressed by another development plan policy?

Strategy

- vi) Would the DPD deliver additional education places in those parts of the Borough where the demographic evidence suggests they are most needed? Should additional school provision be focussed in other parts of the Borough as suggested by some representors?
- vii) Does the plan make adequate provision for demand for additional primary and secondary school places in Acton to match the large planned residential developments?
- viii) Does the DPD make appropriate provision / or need to make provision for primary school needs in the Norwood Green part of the Borough?
- ix) Are there the very exceptional circumstances in the Borough which require the use of Metropolitan Open Land for school provision? Can it be demonstrated that any loss of MOL in the DPD is no more than the minimum required to enable the new schools to function according to school provision standards?

- x) What have been the determinative factors in selecting the 8 proposed sites? Is this reflected in the Sustainability Appraisal criteria?
- xi) Are the allocations based on a robust assessment of their deliverability?
- xii) Have the sites been assessed in terms of their accessibility?
- xiii) What are the strategic transport implications of the proposed sites? How would pupils in Ealing Borough be expected to travel to school? Are school travel plans encouraged and enforced in Ealing through the planning process?
- xiv) Do any of the sites require the use of Compulsory Purchase Orders to ensure delivery?
- xv) If a replacement site for one of the 8 on the short list was needed to be found, are there sufficient measures for contingencies?
- xvi) Are alternative proposals that have been put forward in representations appropriate and deliverable? Have they been subject to sustainability appraisal and public consultation?

4. Close

PLANNING FOR SCHOOLS DPD EXAMINATION HEARINGS

AGENDA – DAY 2

Thursday 12 November 2015 at 10.00am
Nelson Room, Ealing Town Hall

**MATTER 4 – SITE S-EAL4:
FORMER BARCLAYS SPORTS GROUND**

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- The morning hearing session will run until around 13:00 with a mid-morning break. The afternoon hearing session will commence at 14:00 and run until 17:00 with a mid-afternoon break.

1. Inspector's Opening
2. Questions/procedural or programming matters
3. Council's Opening Statement

4. Matter 4 – Site S-EAL4: Former Barclays Sports Ground

[Reference - Council's Further Modifications ED18 & ED34; Statement of Common Ground between LBE & Parkview ED47]

Context

- i. Does the location of S-EAL4 correlate with the Council's evidence on the geographical need for additional school provision in the Borough?
- ii. How has deliverability of the site as part of the DPD process taken account of the viability of Site S-EAL4 to be developed as a stand-alone school site?
- iii. Could development of this site be stalled because of land owner aspirations for additional uses on the wider site?

Site Conditions

- iv. Is the site appropriate and deliverable, having regard to the following:
 - (a) accessibility, including highway impacts on Hanger Lane and the local road network.
 - (b) flood risk
 - (c) air pollution (from North Circular Road)
 - (d) Relationship to the Ealing Cricket Ground Conservation Area

Metropolitan Open Land / Community Open Space Status

- v. Is the wider site allocated / intended to be used as a district park or community open space?
- vi. In terms of Metropolitan Open Land is the identification and safeguarding of this site for a school consistent with Policy 7.17 of the London Plan and Policy 5.2 of the Ealing Core Strategy?
- vii. Do the exceptional circumstances exist to justify the de-designation of MOL in this part of the Borough?
- viii. What would be the full extent of MOL de-designation to facilitate the proposed school? Is the revised plan at ED18 sufficiently clear?
- ix. Is the wording at Policy 1 and paragraphs 4.22 and 7.1, and map presentation of S-EAL4, sufficiently clear on the approach to the wider site as part of the DPD? Should the DPD indicate that wider land within the solid red line should have public access?

Covenants

- x. Does the evidence of stipulations on use of land at the Hanger Hill Estate on apply to site S-EAL4?
- xi. Are these stipulations extant and enforceable? What would be the practicalities of these stipulations on the effectiveness of the DPD?

Alternative Options

- xii. Are the mechanisms for delivery of this site (and any risk of non-delivery) adequately reflected in the Plan at paragraphs 5.9 and 5.11 (a)?
- xiii. Why have alternative sites at Gurnell Leisure Centre, vacant land at Park Royal Industrial Estate, Twyford Abbey, Trailfinders Sports Ground, North Acton Playing Fields, Fox's Reservoir, Fox Wood, 4 contiguous golf courses west of Osterley, unused land at Wyevale Garden Centre north of Gillette Corner and industrial land north-east of Hanger Lane gyratory been discounted? Are these reasonable alternatives to S-EAL4?

5. Close

PLANNING FOR SCHOOLS DPD EXAMINATION HEARINGS

AGENDA – DAY 3 (AM)

Friday 13 November 2015 at 10.00am
Nelson Room, Ealing Town Hall

MATTER 5 – SITE S-ACT7 LAND R/O TWYFORD HIGH SCHOOL

MATTER 6 – SITE S-HAN1 EVERSHEDES SPORTS GROUND

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4. Matter 5 – Site S-ACT7: Land r/o Twyford High School

[Reference Council's further modification ED18 – revised site plan]

- i. Is the site surplus to requirements as a sports facility? Is there a timetable for WASPS vacating the site?
- ii. Does the allocation of this site set a precedent for development on the remainder of S-ACT7?
- iii. Is this site the subject of a restrictive covenant that would inhibit its use for school provision? Does any applicable covenant / stipulation apply to undeveloped land only or does it affect the change of use of the existing pavilion building? Is the covenant extant and enforceable? What would be the practicality of this covenant on the effectiveness of the DPD? What is the alternative to S-ACT7 for temporary/contingency provision in this part of the Borough?

5. Matter 6 – Site S-HAN1: Eversheds Sports Ground – Hanwell

- i. Would the allocation result in a loss of playing fields? If so, is that justifiable in light of the most up-to-date assessment of sports pitch provision in the Borough?
- ii. Does the allocation of this site set a precedent for development on the remainder of the sports ground?
- iii. The DPD seeks OFE at S-HAN1, could a more flexible approach be incorporated into the DPD that would allow for up to 4FTE?
- iv. Is there a “chronic” need for additional school provision in South Ealing?
- v. What are the “unintended consequences” of a permanent school facility at this location?

6. Close