PINS LDF Frontloading Visit

London Borough of Ealing

19 January 2010

Inspector’s Note

Preamble

The purpose of the frontloading visit was to consider what has been done so far in the preparation of the Core Strategy (CS) and to identify those matters and questions that seem potentially problematic at this stage in terms of the soundness of the CS. The purpose of the visit was not to test material or confirm the adequacy of the CS or endorse any part of it as sound. This note sets out specific advice for the Council based on the particular circumstances and questions raised and it should not be taken as pre-judging the outcome of the examination of the submitted CS in any way. It does not seek to replicate published guidance or advice and it should be read in conjunction with Planning Policy Statement (PPS) 12, the advice published by the Planning Inspectorate (PINS) on the LDF examination process and procedures and the Planning Advisory Service’s (PAS) Plan Making Manual. I would draw particular attention to the recent PINS publication, Local Development Frameworks: Examining Development Plan Documents: Learning from Experience (September 2009) which addresses a number of issues that are relevant to the Council’s questions.

Current Position and Overall Timetable leading up to Submission

1. The Council commenced work on the CS following adoption of the Local Development Scheme in 2005. Consultation on Issues and Options for Spatial Planning took place in early 2006. Various factors delayed the programme of work thereafter and led to a shift in approach (see paragraph 17 below). The latest version of the CS, corresponding with the preferred options, is the 2006 Development Strategy for Ealing, Initial Proposals September 2009, which was subject to formal consultation in September-October 2009. Current intentions are to publish the CS in the autumn of this year, around the same time as draft versions of the Site Allocations and Development Management Policies Development Plan Documents (DPDs).

Key Issues

Overall Format and Content of the CS and Relationship to other proposed DPDs

2. The draft CS seeks to provide a clear spatial vision for the Borough in the most concise style possible and the Council accepts that it is different from many other core strategies so far as it does not follow a thematic order. In my view the way in which the CS is structured is for the Council to decide, provided that it contains the key information that will guide future DPDs and that it clearly explains the strategy. The current document is strong in some of these respects, especially about what development is needed and where it will take place. Its presentation and concise style enhance its readability and aid
understanding. Nonetheless the Council is fully aware that more detail will be required by submission stage both within the CS and in the evidence base on certain issues (see below), especially so that phasing and delivery mechanisms (the ‘when’ and ‘how’ questions) are properly considered.

3. The Council’s intention is that the submission CS will remain short and focused on the overall spatial strategy, leaving site-specific and development management policies to be set out in separate DPDs. The development management policies DPD would follow the same thematic order as the London Plan in order to emphasise the links with it and avoid repetition of the higher-level policies. The Council is satisfied that there are no `strategic’ sites (in terms of Planning Policy Statement (PPS) 12) that ought to be included in the CS. Nonetheless the references to sites (for example Southall Gas Works, Southern Gateway) in the CS are appropriate and help to identify sites that will be brought forward through the site-specific DPD. Overall, I have found nothing to suggest weaknesses in this broad approach to the format, content and inter-linkages of these DPDs.

Gaps in the CS’s Coverage

4. The Council is fully aware that there is a significant gap in coverage of affordable housing and that the CS will need to set out how it will implement national and regional policy for the provision of affordable housing, taking into account the requirements of PPS3. It is particularly important that the viability of local targets and thresholds is fully considered in the evidence base. Work is on-going on this issue, aligned with the Council’s housing strategy, and a preliminary draft policy has been prepared. As well as details of the percentage target provision and relevant site size threshold(s) the CS should set out the overall number of affordable dwellings that will be sought over the plan period.

5. The Council is also aware that there is a gap in policy on sustainable construction and renewable/low carbon energy although the CS should not simply repeat national or London Plan policies. I understand that considerable work is on-going on developing and testing local policies on these matters and that the submission CS will address them. It is worth noting that there is a need for evidence of viability and achievability (including technical work) of any local targets. PAS has a recently published item (Show me the Evidence: Climate Change Policies and the Evidence Base for Core Strategies) that may be of assistance.

http://www.pas.gov.uk/pas/core/page.do?pageId=370622

6. Additional detail should be provided in the CS about how the identified need for gypsy and traveller accommodation in the Borough will be met, and the criteria that will be used to determine planning applications should be made clear.

7. Inevitably since the CS is still at the preferred options stage there are significant gaps so far as delivery is concerned i.e. the detail of when and how proposals will come forward. This is considered further below.
Crossrail and other Public Transport Improvements

8. The delivery of Crossrail and other public transport improvements are fundamental elements of the spatial strategy. This could lead to significant threats to the strategy since their delivery in whole or part and the timescale for implementation are by no means certain and almost wholly outside the Council’s control. The position on Crossrail may be much clearer by the time the CS is nearing publication stage. But in the meantime, I advise that the CS should deal explicitly with the threats, reasonable alternatives and contingency measures, setting out the implications if Crossrail were to be scaled back, significantly delayed or abandoned. For example, what would be the implications for the location, scale and phasing of development? Not all of this information needs to be in the CS itself but it should underpin it.

9. Similar issues arise in regard to other transport proposals in the document. There also needs to be much greater clarity about the realism of some of these proposals. While aspirational elements can have their place in the longer time frame of a CS, there should be some basis for them, they should be clearly distinguished from committed and funded projects, and delivery of early or fundamental parts of the CS should not depend upon them. The inclusion of schemes that are widely regarded as pipe dreams is not helpful. Map 7 of the current document should be revised with these points in mind.

Infrastructure and Delivery in General

10. The Council is aware that the submitted CS will need to be underpinned by more detailed work on the infrastructure that is required and on how and when it will be delivered. It is encouraging that the Council’s work is forming part of the PAS’s pilot study of Infrastructure Delivery Plans. The possibility that the currently proposed levels of growth may not be fully supportable, given infrastructure delivery issues, needs to be addressed so that preparation of the CS goes forward on a realistic basis.

11. There are acknowledged difficulties in obtaining sign-in of providers – see Learning from Experience, paragraph 24. But at examination stage it will be expected that there is clear evidence of close working between the Council and service providers to support the level of detail that underpins the CS and that the Council has made reasonable efforts to secure the necessary commitments from service providers. Also, specificity about infrastructure needs and delivery mechanisms should be greater for the earlier phases of the plan period. Statements of Common Ground between the Council and service providers are very helpful at examination stage and they illustrate the extent of the Council’s efforts to resolve the issues.

12. The CS should provide clear guidance about how the key proposals/policies will be delivered through the planning system. For example, it should be clear whether certain proposals will be brought forward through the site allocations DPD or are already committed (in saved policies or with planning permission). Any major commitments upon which the CS relies should be re-evaluated (in terms of deliverability, viability etc).
13. The deliverability of the proposal for the Southall Gas Works site is a particular issue given LB Hillingdon’s opposition to it. Following the Mayor’s consideration of the current planning applications and the Secretary of State’s consideration (if necessary) as to whether to call-in the applications the Council will be in a better position to review matters. The general advice about the need to assess the risks to a proposal, its wider effects on the strategy as a whole, and contingencies should it be abandoned, delayed or not fully implemented applies to this case. By submission stage the Council will no doubt ensure that the supporting evidence deals with these issues and provides full justification for any proposal in the CS.

14. As the Council is aware, the CS should acknowledge the need for cross-boundary working where appropriate and this could be highlighted in the monitoring framework.

Housing, Employment and Retail - Quantitative Needs

15. It appears that the current draft of the CS is underpinned by detailed work to support the very precise figures that are set out (although whether they should be detailed down to single units is questionable). I understand that refreshing of the evidence base on employment and retail requirements is proposed and this seems appropriate. It is worth noting that in the case of retail provision for example, given the difficulty of forecasting needs for 15 years and the current economic uncertainties, it might be appropriate for the CS to commit to an update of the retail studies within say, five years, after which a partial review of retail provision could be undertaken if required.

16. It would be useful to include broad summary tables in the CS so that the numbers of new dwellings and employment floorspace that are expected to be provided throughout the plan period are made clear. A summary breakdown of this information for the broad spatial ‘units’ of the CS would also be helpful. The detailed information underpinning these tables would be best set out in the evidence base.

Evidence Base in General

17. There can be no fixed rule about the ‘age’ of evidence that supports the CS. Evidence that has been prepared some years ago may still be up-to-date and relevant; on the other hand significant changes in circumstances may require evidence that is not particularly dated to be refreshed. I have found no reason for concern about the Council’s proposals to review/refresh evidence on particular topics nor should this lead in itself to unsoundness – in principle it can be expected to underpin the submission CS and to inform on-going monitoring. As always, a proportionate approach should be sought, and the Council can be confident in its own judgement on this matter.

18. The Council has drawn attention to its case on demographic and household projections and wishes to ensure that it is fully understood. There seems to have been progress in reaching agreement with GLA on this matter and this together with a topic paper explaining the CS’s position will be helpful by examination stage.
Sustainability Appraisal (SA) and Community Engagement Audit Trails

19. A shift in the approach of the CS took place following a PAS diagnostic review exercise and a report by independent consultants. The Council is concerned about how best to present an audit trail to show changes in the evolution of the document. As I understand it, the changes that took place arose primarily from re-casting of the CS into its current spatially-driven rather than thematic approach and to this extent are essentially changes of format. The Council has acknowledged that this shift in approach has made it difficult to follow the SA process as it applied throughout the stages of the CS. In these circumstances it may be helpful firstly to include a clear statement about the way in which the CS has evolved and the reasons for this and secondly, to include a key/supporting narrative in the SA report that helps to cross-reference to the earlier reports on the precursor drafts of the CS. Where particular uncertainties or questions might arise about the basis for certain elements of the submission CS, more attention needs to be given to checking and explaining the process that led to their inclusion in the CS.

Waste Management

20. The Council asked whether LB Richmond’s CS provides a guide to how to deal with the issue of waste management in the CS. Given that the West London joint waste DPD will provide the relevant guidance, the CS does not need to include more than a strategic policy and figures. The Richmond CS generally reflects this approach.

Supplementary Planning Documents (SPDs), Relationship to Draft CS

21. The weight that may be attached to the CS at this stage and the support it provides for developing SPD to address particular issues is a concern of the Council. The PAS advice on the question of weight may be helpful http://www.pas.gov.uk/pas/core/page.do?pageId=110238#contents-18

I see no reason in principle why the Council should not move forward with SPD preparation alongside development of the CS, especially where this would form part of the evidence base and positively assist in early delivery of key proposals, but it is difficult to be definitive about the weight that would be carried by these draft documents in determination of any planning application. In general terms the weight that would be attached to the draft CS and any supporting draft SPD would depend on the stage reached by the CS, the extent to which they accord with other parts of the development plan and other material considerations (including draft proposals for revision of higher-level policy).

Approach to the Metropolitan Green Belt (MGB)

22. Initial Proposal 5.1 is not entirely clear about whether inappropriate development (in this case schools/education facilities) is proposed in the MGB and this needs to be addressed. If the Council were to seek to bring forward inappropriate development in the MGB in the Site Allocations DPD on the basis of need identified in the CS then the CS should establish the very special circumstances. The same policy
presumption applies to Metropolitan Open Land (MOL) and the Council will no doubt ensure that a similarly consistent approach to MOL is contained in the CS.

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Inspector