

Regulation 19 Local Plan

A Focus on Development Management Policies

6th March 2024



EALING COUNCIL



£ **CREATING**
GOOD JOBS

 **TACKLING**
THE CLIMATE CRISIS

 **FIGHTING**
INEQUALITY

The Local Plan

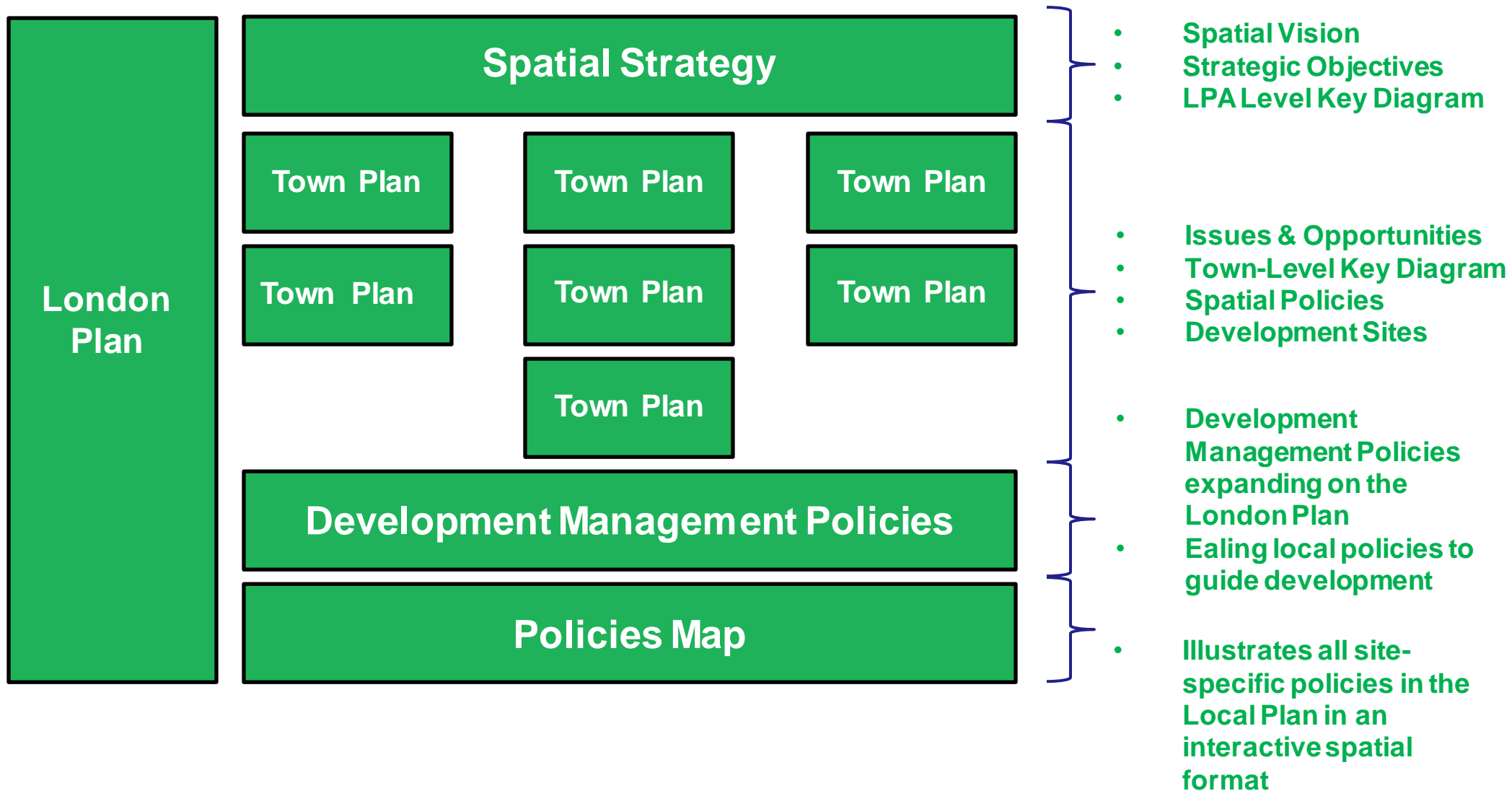
- ❑ A key document for the council that helps us **shape growth** and development in the borough
- ❑ Sets out the vision, strategic priorities and **planning policy framework** for development, in line with our Council Plan priorities
- ❑ Creates **certainty** for communities, businesses and investors across our seven towns
- ❑ Must be prepared in line with requirements set by national and regional government and sits alongside the **London Plan**
- ❑ Covers the period **2024 -2039**
- ❑ Reviewed every **5 years**



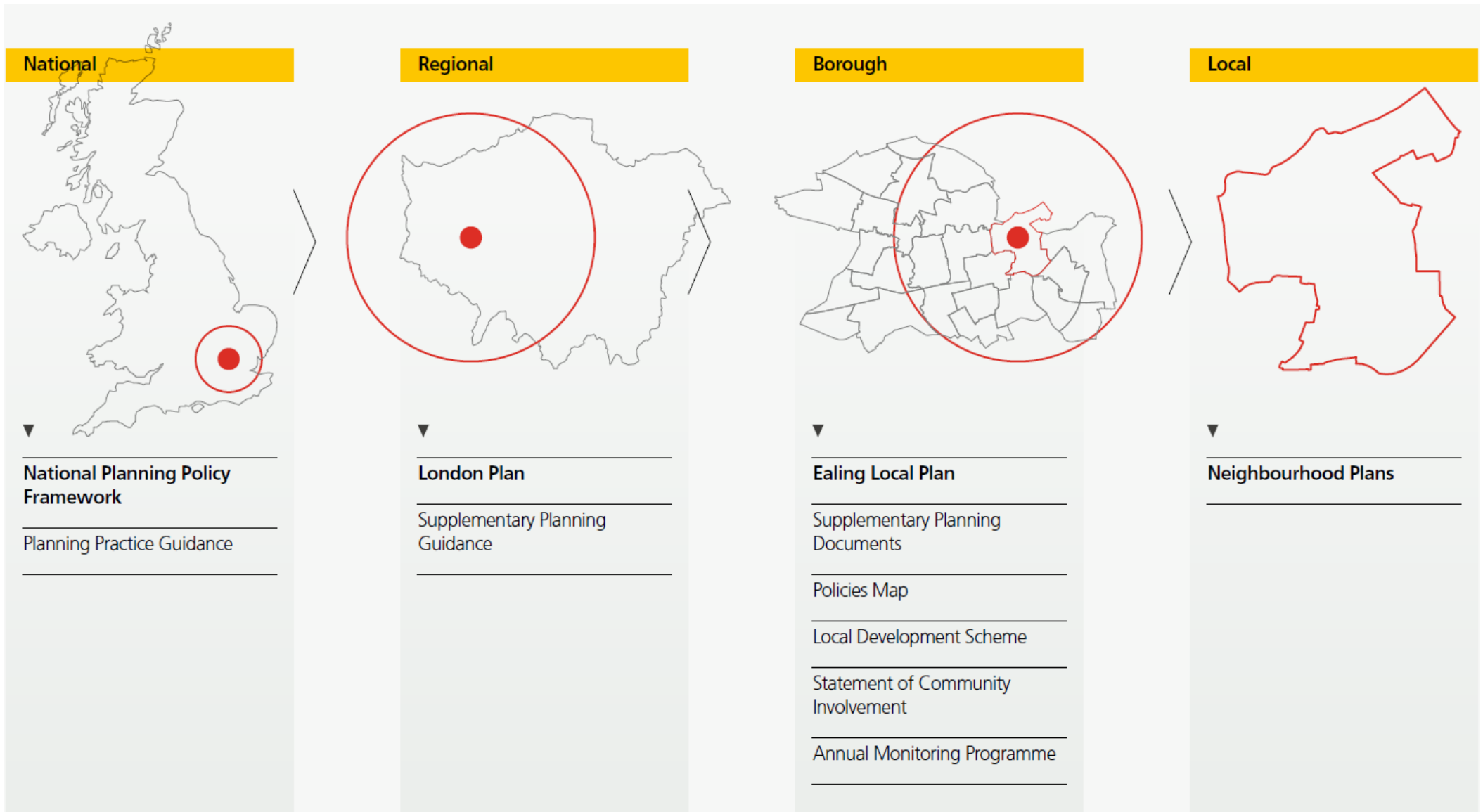
The Local Plan - highlights

- ❑ Focus on **place making** and regenerating town centres
- ❑ Seven **towns** approach to spread growth and investment across the borough
- ❑ Promote **active travel**
- ❑ 50% **affordable housing** requirement, 70% of which for low-cost rent
- ❑ Raise **fast track threshold** for affordable housing from 35% to 40%
- ❑ Introduce **small site** affordable housing contributions
- ❑ Protect employment space and promote opportunities for **jobs**
- ❑ Affordable **workspace** policy
- ❑ Robust approach to **tall buildings**, where they are acceptable and what height
- ❑ New suite of ambitious **climate action policies**, including on whole life carbon
- ❑ Clear **design** principles and infrastructure requirements for site allocations
- ❑ New **Community Infrastructure Levy** (developer tax) to secure funding for the infrastructure required to support growth

The Local Plan - structure and format



The Planning Framework



Stages in the preparation of the Local Plan

0 Shaping
Ealing
Consultation

1 Evidence
Gathering

2 Preparation
of Reg.18
Local Plan

3 Reg.18
Local Plan
Consultation

4 Modifications
to the
Local Plan

5 Publication of
Reg.19
Local Plan

6 Submission for
Independent
Examination
(Reg.22-25)

7 Adoption by
Full Council
(Reg. 26)

**Target Submission of
Local Plan for Examination
by Summer 2024 with
Adoption in 2025**

Setting the priorities

Three Strategic Objectives

Nine Priorities

Tackling the Climate Crisis



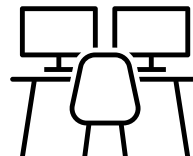
- Inclusive Economy
- Climate Action
- Thriving Communities

Fighting Inequality



- Tackling Crime and Inequality
- A Fairer Start
- Healthy Lives

Creating Good Jobs and Growth



- Good Growth
- Decent Living Incomes
- Genuinely Affordable Homes

The Vision



- Ealing will enhance the unique characteristics and cultural identities of each of Ealing's seven towns will be respected and enhanced, through the application of locally sensitive **Good Growth** principles.



- The vision is to become the engine of West London's new economy, with growth managed to provide equitable access to jobs that provide **decent living incomes** that can support **genuinely affordable homes** for all. We want growth in Ealing to be **inclusive** where people can both contribute to and benefit from growth. Ealing will grow and diversify its business space, and further strengthen the role of its industrial areas.



- By promoting 20-minute neighbourhoods across the borough, where most daily needs can be met within a short walk or cycle, Ealing will become a cleaner, greener and more sustainable borough. Firm action will be taken on **climate change** to protect the borough's future, whilst taking a range of measures to foster civic pride and belonging, promote **thriving communities** and spread the benefits of access to modern infrastructure.



- The future being shaped is a borough in which all children and young people get a **fairer start** in life, and everyone can enjoy long, **healthy lives**. A focus on fighting **crime and inequality** will enable more people to fulfil their dreams and aspirations.

Key Diagram

KEY

EXISTING FEATURES

- Ealing Boundary
- Town Boundary
- River/ Canal
- Open Space

TRANSPORT

- High Speed 2
- West London Orbital
- West London Orbital Station
- Elizabeth Line
- Elizabeth Line Station
- Central Line
- District Line
- Piccadilly Line
- Roads

PLANNING

- Town Centre
- Opportunity Area
- Industrial Land

PROPOSED TRANSPORT AND ACTIVE TRAVEL LINKS

- Active travel Route
- Green Link

EXISTING AND PROPOSED TOWN CENTRES

- Town Centres

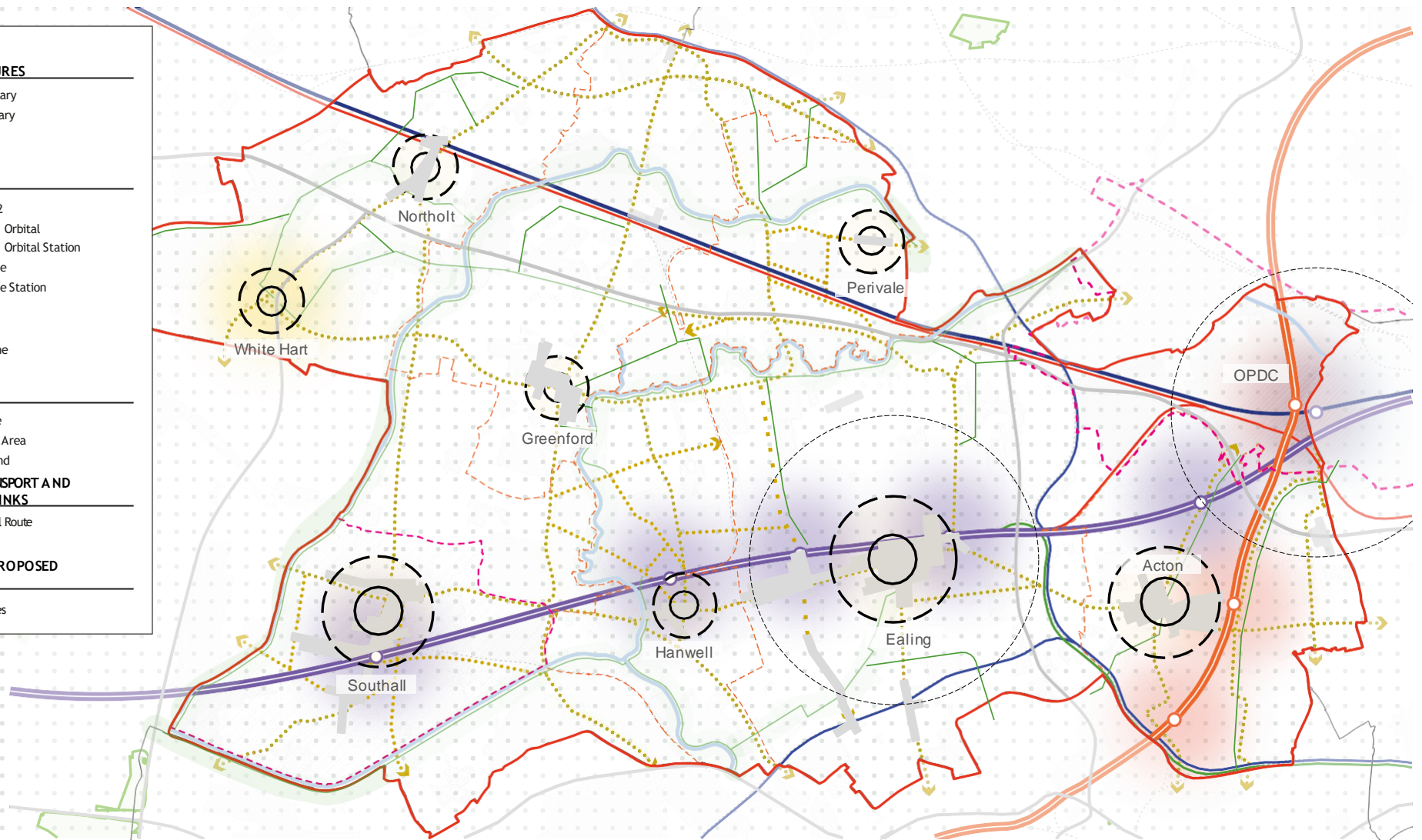




Image: Acton Gardens,
Acton Town.

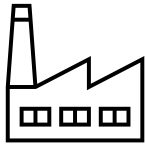
CHAPTER FIVE: DEVELOPMENT MANAGEMENT POLICIES



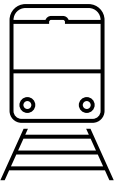
Development Management Policies



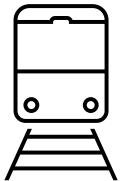
- Either **local variations** to existing London Plan Policies or **new local policies**



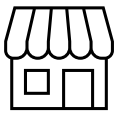
- Design and Amenity
- Tall Buildings
- Affordable Housing
- Large Scale Purpose Built Shared Living
- Small Sites Contribution



- Affordable Workspace
- Land for Industry, Logistics and Services to Support London's Economic Function
- Locally Significant Industrial Sites



- Open Space
- Urban Greening
- Biodiversity and Access to Nature
- Sports and Recreation Facilities



- Operational Energy Performance
- Embodied Carbon
- Whole Life Cycle Carbon Approach



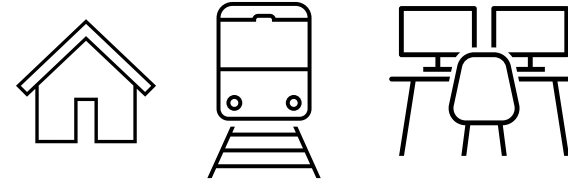
- Reducing Waste and Supporting the Circular Economy
- Funding The Local Plan
- Enabling Development



Chapter 5 - Key changes between Reg 18 and Reg 19

- Strengthening the policy on **affordable housing** (Policy HOU)
- Clarifying the application of a policy (E3) on **affordable workspace** with additional supporting text
- Adding a new policy to consider the impact of any development proposals upon the **visual openness of green and open spaces** (Policy G4)
- Clarifying that Ealing will apply the **urban greening factor** as set out in the London Plan with a target of 0.4 for residential development and 0.3 for commercial development (Policy G5)
- Adding a new policy to promote local **biodiversity** improvement (Policy G6)
- Adding a new policy to promote **sports and recreation facilities** (policy S5)
- Adding a **new suite of policies on climate action** including on operational energy performance (Policy OEP), embodied carbon (Policy ECP), the whole life cycle carbon approach (Policy WLC) and on reducing waste and supporting the circular economy (Policy SI 7)

Policy DAA: Design & amenity



New development must achieve a high quality of environment in itself and also in its effect upon its neighbours and surroundings. This should take a sequential approach of first achieving a high level of amenity through design, and then mitigating any adverse impacts.

In particular, development should ensure:

- (i) protection of sensitive uses within or outside the development;
- (ii) high quality design;
- (iii) good levels of daylights and sunlight;
- (iv) good levels of privacy; and,
- (v) positive visual impact.

Policy D9 - Tall Buildings



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

E. The definition of a tall building in different parts of Ealing is set out in Table DMP1.

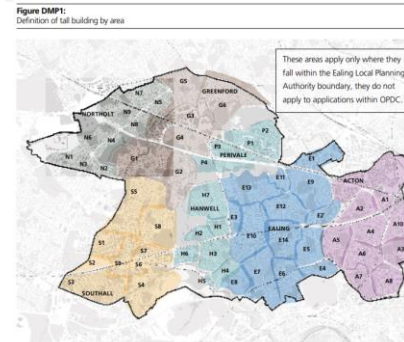
F. Tall buildings above defined thresholds are exceptional and should be located upon specified Development Sites defined in the Development Plan.

G. The tall buildings threshold height is simply that and not a presumption that any height up to this is automatically acceptable.

H. Tall buildings on designated industrial sites will be subject to agreed masterplans and based upon local impacts and sensitivity.

Table DMP1:
Definition of Tall Buildings

Town	Area	Tall Building (m)	Storeys	Town	Area	Tall Building (m)	Storeys	Town	Area	Tall Building (m)	Storeys
Acton	A1	31.5	9	Greenford	G1	21	6	Southall	S1	21	6
	A2	49	14		G2	21	6		S2	21	6
	A3	24.5	7		G3	21	6		S3	21	6
	A4	49	14		G4	21	6		S4	21	6
	A5	24.5	7		G5	21	6		S5	21	6
	A6	28	8		G6	21	6		S6	24.5	7
	A7	28	8	Perivale	P1	21	6		S7	21	6
	A8	21	6		P2	21	6		S8	21	6
	A10	21	6		P3	21	6		S9	21	6
	Ealing	E1	24.5		7	P4	21	6	Hanwell	H1	21
E2		21	6	Northolt	N1	21	6	H2		21	6
E3		21	6		N2	21	6	H3		21	6
E4		21	6		N3	21	6	H4		21	6
E5		21	6		N4	21	6	H5		21	6
E6		21	6		N5	21	6	H6		31.5	9
E7		21	6		N6	21	6	H7		21	6
E8		21	6		N7	21	6				
E9		21	6		N8	21	6				
E10		24.5	7		N9	21	6				
E11		21	6								
E12		21	6								
E13		21	6								
E14		73.5	21								



Policy HOU: Affordable Housing



A. Affordable housing contributions must address identified needs in Ealing and will be based upon:

- i. A strategic target of 50% as set out by the London Plan.
- ii. A split of 70% low cost rented at social levels to 30% intermediate provision.
- iii. An appropriate mix of tenures and unit sizes.

B. Development should meet identified local needs for tenure and mix.

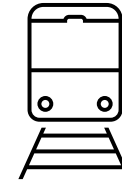
C. The Fast Track route set out in Plan Policy H5 B 1) of the London Plan, in Ealing will only apply to schemes providing at least 40% affordable housing and a tenure split of 70% social rent and 30% intermediate. This requirement also applies to Build to Rent developments.

D. Provision should normally be made on site, and units secured in perpetuity for affordable use.

E. Affordable housing contributions from large scale purpose built shared living should be in the form of conventional housing units on site and should meet a minimum 40% contribution.

F. For purpose-built student accommodation to follow the Fast Track Route set out in Policy H15 4) a) of the London Plan at least 40% of the accommodation must be secured as affordable student accommodation.

Policy SSC: Small Sites Contribution



Ealing will seek affordable housing contributions from all housing developments. On small sites this will be as follows:

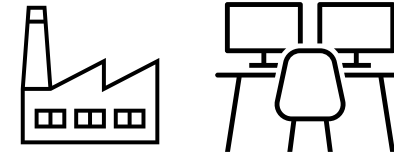
(i) On sites of 5 - 9 dwellings, a financial contribution equivalent to 20% affordable provision;

and,

(ii) On sites of 1 - 4 dwellings, a financial contribution equivalent to 10% affordable provision.



Policy E3: Affordable Workspace



E. Affordable workspace in Ealing will be provided on the basis of a levy on development of 10% of gross floor area in mixed use schemes, and 5% of net floorspace in office and industrial schemes. Where that levy would result in affordable provision of at least 1000sqm of mixed-use space, 2000sqm of office space, or 3000sqm of industrial space, then provision should be onsite. Where the total space provided by development is less than these thresholds then provision should be by means of offsite contributions.

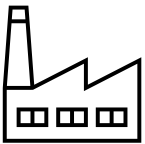
F. Where affordable workspace is to be provided onsite then development should be supported by a business plan that demonstrates the viability and suitability of the space for its intended occupants, the optimisation of the site for this use and of the development overall, and appropriate management of the space for the duration of its use as affordable space.

G. Affordable workspace will be provided at 80% discount for a period of 15 years. Where an offsite contribution is calculated it should be on the basis of the level of provision (5% or 10% of total development size) multiplied by the value of an 80% reduction in rent for 15 years.

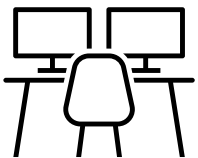
Policy E4: Land for Industry, Logistics and Services etc

H. To deliver and maintain a sufficient supply of land for industry, logistics and economic services over the plan period:

- i. Industrial intensification and reuse will be the primary consideration on industrial land and on the site of any existing employment use in Ealing. There is no identified capacity for release of industrial space in Ealing over the plan period.
- ii. Industrial sites will be managed according to the following hierarchy of designations:

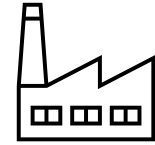


- a) Strategic Industrial Location (SIL) – will accommodate only conforming uses
- b) Locally Significant Industrial Sites (LSIS) – receives the same level of protection as SIL, but may be acceptable for mixed intensification subject to an agreed masterplan
- c) Non-designated sites in industrial use – will follow a sequential approach to test reprovision of pure industrial uses, then a mix of uses from most industrial provision to least, before any release is permitted.



I. Where housing is delivered as part of policy compliant mixed-intensification then the affordable housing capacity of the site will be calculated based on its constrained value, i.e., based upon a scheme that first offers the maximum practicable industrial provision.

Policy E6: Locally Significant Industrial Sites



B. Industrial needs remain the primary consideration on designated LSIS within Ealing and individual applications on these sites will continue to be determined according to the same principles as SIL.

C. Conforming uses with high employment density and economic value will be prioritised on LSIS.

D. Mixed intensification may be suitable on LSIS in cases where a masterplan is agreed with Ealing according to the following principles:

- i. It extends to the full boundary of the LSIS.
- ii. It meets objectively assessed industrial needs.
- iii. It achieves a high quality of built environment and delivers any necessary supporting infrastructure, affordable housing, and affordable workspace contributions.

Policy G4: Open Space



C. Development proposals on green and open space should:

- i. Be led by the purposes of nature conservation, recreation and climate change mitigation. The size of development within green and open spaces and its impact upon visual openness must be kept to a minimum.
- ii. Preserve and enhance the visual openness of green and open spaces particularly with regard to views to, from, within, and across these areas.

Policy G5: Urban Greening



D. Ealing will apply the Urban Greening Factor as set out in the London Plan with a target of 0.4 for residential development and 0.3 for commercial development.

Policy G6: Biodiversity and access to nature



F. Development proposals should achieve a biodiversity net gain of at least 20% or the advised national minimum amount, whichever is greater, as follows:

- i. Biodiversity net gain will be calculated using up-to-date national calculation methodology and should normally be provided on-site.
- ii. Offsite provision may be considered where this can provide greater gains and impact.
- iii. Any offsite provision should fall within the London Borough of Ealing boundary, and as close to the site as possible, and be guided by any potential improvement opportunities which have been identified in individual Town Plans.
- iv. Provision must be consistent with the Local Nature Recovery Strategy.

Policy S5: Sports and recreation facilities



E. Development should ensure sufficient quality of sports provision in line with Ealing's Sports Facilities Strategy. Loss of existing sports facilities will not be supported, unless it forms part of the strategy to improve the quality or range of overall provision.

F. Affordable community access to new sporting provision should be secured wherever possible, particularly in the case of education uses.



Policy OEP: Operational Energy Performance



New dwellings or 500 sqm or more of non-residential GIA should be designed and built to be Net Zero Carbon in operation. Including:

- i. Predictive energy modelling to demonstrate compliance with the Space Heating Demand and Energy Use Intensity targets in Tables DMP2 and DMP3.
- ii. Achieving an 'Energy Balance', or where this is not technically feasible, paying for any shortfall through the council's offset fund.
- iii. Minimising the 'Performance Gap' through an assured performance method of assessment.

Other Climate Action Policies



Policy ECP - Embodied Carbon:

Major developments should not exceed the embodied carbon limits set out in Table DMP4.

Policy WLC – Whole Life Cycle Carbon Approach:

- A.** Major developments should undertake a Whole Life Carbon assessment in accordance with the requirements set out in the London Plan (2021)
- B.** Major developments involving demolition should undertake carbon optioneering to determine the best approach to building form and reuse.

Policy SI 7 – Reducing Waste and Supporting the Circular Economy:

D. Major development proposals should be supported by a circular economy statement, which demonstrates how the proposal achieves circular economy outcomes in accordance with part C of London Plan (2021) Policy SI 7.

Policy ENA: Enabling Development



A. Enabling development must be:

(i) Demonstrably led by the objectives of the designation in question.

(ii) Proportionate to the costs of the objective that is enabled.

B. Meeting housing or any other development target is not in itself enabling development.



Supporting Text:

5.65 Enabling development is any development that would otherwise conflict with important plan objectives, such as the designation of a given site, but which is permitted in order to enable benefits to that objective or designation that outweigh any material planning harm.

5.66 Enabling development does not constitute a blanket departure from other policies and it is particularly important that the level of development constitutes the absolute minimum necessary to meet the objective being enabled.

Policy FLP: Funding the Local Plan



The council will:

(i) Follow the approach set out in the London Plan (2021) in respect of negotiations on planning obligations to reflect strategic and local priorities for the provision of infrastructure.

(ii) Establish local priorities with reference to the council's Infrastructure Delivery Plan and associated schedule which identifies and promotes improvements in physical, social, and green infrastructure.

(iii) Create a clear framework for future negotiations on planning obligations, including developer contributions that will include a new Community Infrastructure Levy (CIL) for Ealing LPA. More detail will be provided in a separate Supplementary Planning Document on Planning Obligations and Legal Agreements.



Community infrastructure Levy – Draft Charging schedule

- ❑ At the same time as the publication of the Regulation 19 Local Plan, we will be consulting on a new **CIL Draft charging schedule**
- ❑ The primary use of CIL is to gain **financial contributions** from certain types of development to help fund new or improved strategic infrastructure required to support the growth identified in the Local Plan
- ❑ It is a **non-negotiable charge on development** and creates greater certainty the new development will contribute to delivering the infrastructure needed to support growth in a more consistent way than the current reliance on S106 agreements, which are subject to site by site negotiation
- ❑ S106 will still be used for **site specific mitigation** and non-infrastructure requirements such as affordable housing and skills funding
- ❑ Ealing has not previously adopted a CIL charging schedule and is the **only Local Planning Authority in London without one**

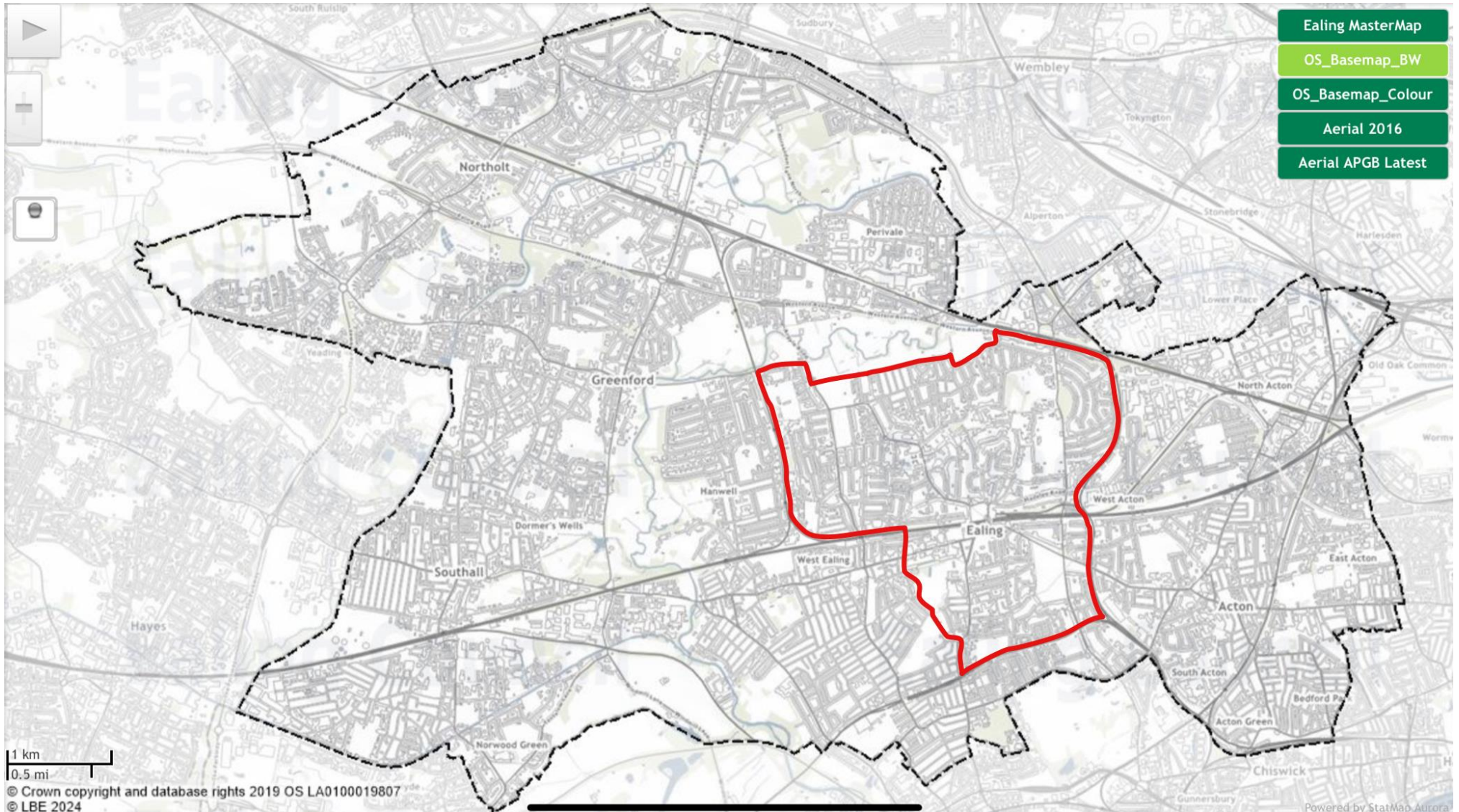
Ealing LPA: Draft Charging Schedule

- ❑ The setting of the draft charging schedule is based on the **infrastructure requirements** to deliver the Local Plan, drawing on the Infrastructure Delivery Plan, taking into account the impact on viability of the charge
- ❑ The schedule is subject to **consultation and independent examination** and the charges must be supported by viability evidence
- ❑ The charging schedule rates have been set in a way that seeks to strike a **balance between the additional investment needed to support development and the potential effect on the viability of development** as required by the Regulations. We have also compared with other LPA schedules
- ❑ Once the charging schedule is adopted it is assumed to be the **primary mechanism** to raise funds for strategic infrastructure
- ❑ Affordable Housing (including payments in-lieu) and non-infrastructure contributions (e.g. employment and training, carbon offset) will continue to be **secured via s106**

Ealing LPA CIL: Draft Charging Schedule (per sqm)

Use	Area	Rate
Residential	Ealing (see map)	£300
	Rest of Borough	£250
Student housing	Borough-wide	£350
Large-scale purpose built shared living (LSPBSL), and other HMOs	Borough-wide	£350
Office	Ealing MTC	£75
	Rest of Borough	Nil
Affordable workspace	Borough-wide	Nil
Retail, Food and Beverage uses	Borough-wide	Nil
Industry	Borough-wide	£100
Hotel	Borough-wide	£50
(Excludes serviced apartments that form a primary place of residence, these will constitute LSPBSL)		
Data Centres	Borough-wide	£150
Publicly funded or not for profit development for *medical, health and emergency services *educational uses *community, sport and leisure uses (Defined as development for an organisation that does not earn profits for its owners but conducts business for the benefit of the general public and in which all monies earned or donated are used for these objectives)	Borough-wide	Nil
All forms of development not otherwise identified	Borough-wide	£25

Ealing LPA CIL: Residential area map



How to have your say on CIL?

- ❑ The CIL Draft Charging Schedule consultation runs alongside the Regulation 19 Local Plan consultation period runs from Wednesday 28 February until 10 April 2024
- ❑ All representations must be made by 6pm on Wednesday 10 April 2024
- ❑ More information is available here:

[Community Infrastructure Levy \(CIL\) | Community Infrastructure Levy \(CIL\) | Ealing Council](#)

How to have your say on Regulation 19?



- ❑ The Local Plan Reg 19 consultation period runs from Wednesday **28 February until 10 April** 2024
- ❑ All representations must be made by 6pm on Wednesday 10 April 2024
- ❑ We have created a **toolkit** to help you understand and respond to the regulation 19 draft new local plan, see: [Reg 19 toolkit | Ealing Council](#)
- ❑ These are the ways in which you can provide feedback:
 - ❑ complete this representation form via **survey monkey**
 - ❑ download the original representation **form**, complete and send via **email** or send via **mail**
 - ❑ write to us at localplan@ealing.gov.uk
 - ❑ send us a **letter** to: Strategic planning team, Perceval House, 14-16 Uxbridge Road, London W5 2HL
 - ❑ you can also find **hard copies** of the representation form in all libraries across the borough

Next Steps?



- ❑ Following the Reg 19 publication window, after careful consideration of the responses, the plan will be submitted to the Secretary of State for **examination**
- ❑ The council can at this stage suggest **modifications** to the plan based on responses received, these are then considered by the inspector as part of the examination (i.e. they do not amend the submission version of the plan)
- ❑ If significant amendments were identified as needed, further **consultation** would be required before submission
- ❑ The Planning Inspector assesses the plan for **legal compliance** and against the **tests of soundness** set out in the NPPF. The EIP will be structured around the issues that the inspector identifies
- ❑ Expect to **submit** the Local Plan to SoS for examination in **Summer 24**
- ❑ Public **hearing dates** are dependent upon the Planning Inspector, expected **Autumn/Winter 24**
- ❑ **Adoption expected Summer 25** (subject to EiP and Inspector's Report)

Any questions?

