

LB Ealing Local Plan 2024 to 2039

(Regulation 22)

“Submission and Examination”

Appointed Planning Inspectors

also

Independent Examiners:

Mr. D McCreery BA (Hons) MA MRTPI

and

Ms. C Dillon BA(Hons) MRTPI

Planning Reform Action Group

April 2025 Representation

Requesting Corresponding Amendments

to

Ealing Council's Local Plan (2024-2039)

**Author:
Shelly Chahal
Southall, UK**

E: planningreformactiongroup@gmail.com

Contents

Page

Section 1	Abbreviations	3
Section 2	Executive Summary	4
Section 3	Purposes of Representation	8
Section 4	Preface & Introduction	11
Section 5	Dedications	16
Section 6	How Planning is Effected in Southall	17
Section 7	“Sample” Targeted Analysis of Ealing Council’s Draft Local Plan for Southall Town (incl. Inconsistencies)	19
Section 8	Fulfilling Duties: “Solutions”	31
	Suggested Local Supplementary Policies	36
Section 9	Concluding Comments	42
Section 10	Table of References	44

Section 1 - Abbreviations

Term	Abbreviation
Local Plan (2024 to 2039)	LP
National Planning Policy Framework	NPPF
London Borough of Ealing	LBE
Web Link	WL
Statutory Defence (s. 179(3) of the Town & Country Planning Act 1990)	SD
Town & Country Planning Act 1990	TCPA 1990
Planning Enforcement Notice	PEN
Planning Contravention Notice	PCN
Planning Inspectorate	PINS
Appendix	App.
Equality Act 2010	EA 2010
Public Sector Equality Duty (s. 149 EA 2010)	PSED
Closed Circuit Television	CCTV
Accident and Emergency	A&E
Local Planning Authority	LPA
Local Authority	LA
Crown Prosecution Service	CPS
Criminal Procedure and Investigations Act 1996	CPIA
Human Rights Act 1998	HRA 1998
European Convention on Human Rights	ECHR
Housing Act 1996	HA 1996
Care Act 2014	CA 2014
Housing (Consequential Provisions) Act 1985	HCPA 1985
Chronically Sick and Disabled Persons Act 1970	CSDPA 1970
Offences against the Person Act 1861	OAPA 1861
Criminal Justice and Courts Act 2015	CJCA 2015
Public Interest Disclosure Act 1998	PIDA 1998
Permitted Development	PD
Local Enforcement Plan	LEP

Section 2 – Executive Summary

(2.1). The principal insights gained from this representation are that Ealing Council’s draft Local Plan (2024 to 2039) **is erroneous in the following:** -

(2.1.1). **fails to embrace the needs of significant demographic groups**, whereby local supplementary policies are needed in e.g.: -

(2.1.1.1). “*Specialist Accommodation*” for the elderly as in e.g. ‘*Specialist Older Persons Housing*’

(2.1.1.2). “*Specialist Accommodation*” for wheelchair users as in e.g. ‘*Specialist Wheelchair Accessible Housing*’

(2.1.1.3). “*Specialist Accommodation*” for people (young or aged) with other disabilities (mental and physical)

(2.1.1.4). “*Specialist Accommodation*” such as ‘*Purpose Built Shared Housing*’ e.g. facilitating ‘*Supported Living*’

(2.1.1.5). adequate covered living space for multi-generational households, noting that different spatial standards are needed for different age groups, genders etc., such that meet the occupiers needs

(2.1.1.6). for “*Granny / Live-in Care-giver Annexes*”

(2.1.1.7). for “*Lifetime Homes*”

(2.1.1.8). for safe living accommodation incorporating infection control / self-isolation accommodation

(2.1.1.9). on religious grounds for worship facilities at home, given the significant level of ‘*faith following*’ which is particularly high within the local ethnic minority demographic

(2.1.1.10). for ‘*Custom and Self-Build Housing*’

(2.1.1.11). for businesses providing healthcare services such as Opticians, Audiologists, Medical Practitioners etc.

(2.1.1.12). a ‘*Local Enforcement Plan*’ (LEP)

(2.1.2). **critically, fails to implement the protections and safeguards provided by the *Statutory Defence* (through s. 179(3) of the TCPA 1990 (WL¹)) which Parliament has provided, protecting against e.g. corporate abuse of power to e.g. ordinary homeowners / householders (but not limited to) who have need for additional covered living space due to their ‘*special needs*’, whereby the planning enforcement process **unlawfully fails to comply with the rules and principles governing “*Disclosure*” and “*Fair Trials*” as required by the *Criminal Procedure and Investigations Act 1996* (CPS Guidance contained in its “*Disclosure Manual*” - WL²) causing institutionalised miscarriages of justice (including as a consequence of wrongful professional conduct) as recipients of planning enforcement notices and the earlier statutory documents are not made aware of the existence of the ‘*Statutory Defence*’; such being a critical ‘*Disclosure*’ issue, a matter that was instrumental in the death of the ‘*vulnerable*’ late Mr. Dhanoa (see App.³).****

(2.1.3). **fails to synchronise with central Government’s key aim of “*Economic Growth*” as the LPA seemingly intends on continuing the previous restrictive policy of ‘*development control*’ against the existing local housing stock, **some of which dates back 160 years (WL⁴), limiting extensions and annexes thereto, through the stated aspiration of ““4.7.33 Extensions and annexes to existing homes will also be supported where this does not affect the character of the area.” (WL⁵) i.e. the LPA’s draft Local Plan intends to ‘not****

WL¹ - s. 179(3) of the Town & Country Planning Act 1990 (TCPA 1990) (otherwise known as the “*Statutory Defence*”.
<https://www.legislation.gov.uk/ukpga/1990/8/section/179>

WL² - Crown Prosecution Service Legal Guidance entitled “*Disclosure Manual: Chapter 12 - Applying the Disclosure Test*” (Refreshed: 21 Oct. 2021).
<https://www.cps.gov.uk/legal-guidance/disclosure-manual-chapter-12-applying-disclosure-test>

App.³ - Case Study of the Lt. Mr. Dhanoa March 2022 (1 Page - Appended).

WL⁴ - “*Southall: A Brief History*”.
<https://www.southall-history.co.uk/southall-a-brief-history/50/>

WL⁵ - Para. 4.7.33 of Policy S5: “*East Southall*”, LBE’s LP 2024 to 2039.
https://www.ealing.gov.uk/download/downloads/id/19564/2h_chapter_4_southall_town_plan_and_development_sites_high_res.pdf

affect the character of the area’, which in terms of any building and development work is an oxymoron as by its very nature building additional covered space **will affect the “character of the area”**.

(2.2). For the *Local Plan* to accord with the tests of being: -

- (2.2.1) positively prepared,
- (2.2.2) justified,
- (2.2.3) consistent with national policy
- and
- (2.2.4) legally sound,

the LPA should be compliant with requisite laws and form local supplementary policies that will direct local application (of the laws) which exist to serve the best public safety and justice interests.

(2.3). Please note that in relation to pertinent sections of the “*Equality Act 2010*” (EA 2010) including the *Public Sector Equality Duty* (PSED), central Government “**Guidance**” requires decision-makers to “**recommend new or revised policy to a minister**” (as stated): -

“The general duty requires decision-makers to have due regard to the need to eliminate conduct prohibited by the act, advance equality of opportunity, and foster good relations in relation to activities such as:

- **recommending new or revised public policy to a minister**
- **publishing a consultation document**
- **designing and providing a public service ...”**

(“PSED: Guidance for Local Authorities” (WL⁶)).

<https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities>

WL⁶ - PSED : Guidance for Local Authorities

<https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities>

(2.4). It is therefore respectfully requested that particularly in relation to the failure to implement the *Statutory Defence* (SD) (**WL1**), the Planning Inspectors (Independent Examiners) who are reviewing Ealing Council's draft Local Plan, refer this matter to the concerned Minister of State please. (The matter of the LPA's failure to implement the SD is fully explained further in this representation).

Section 3 – Purposes of Representation

(3.1). To respectfully request the Planning Inspectors who are examining Ealing Council's 15 year (2024 to 2039) Local Plan (LP) to consider this representation in satisfaction of the requirements of **Para. 61** (but not limited to) of the *National Planning Policy Framework* (NPPF) whereby the housing needs of significant demographic groups must be met including “**with an appropriate mix of housing types for the local community**” (Para. 61, Section 5, NPPF (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes> (WL⁷)) for the benefit of quality of life, health and wellbeing, and the productivity of society in the future.

(3.2). This duty ‘**to meet the needs of the people**’ includes: -

(3.2.1). acknowledging, understanding and incorporating the cultural living traditions of ethnic minority communities who live in large proportion in the London Borough of Ealing (LBE) whereby Ealing Council's own research states that the borough is “**the most ethnically diverse borough in England and Wales; only 24.3% identify as White British.**” (https://www.ealing.gov.uk/download/downloads/id/18981/health_of_the_borough.pdf (WL⁸)).

(3.2.2). including also **to meet the needs of people who share “protected” personal characteristics, most significantly those considered “vulnerable” by national Statute** (<https://www.gov.uk/government/publications/vulnerabilities-applying-all-our-health/vulnerabilities-applying-all-our-health> (WL⁹)) and who by virtue of their vulnerabilities have need for particular specialist safe living accommodation, keeping in mind the known realities concerning: -

(3.2.2.1). an ageing population

(3.2.2.2). a societal increase in disabilities

(3.2.2.3). a shortage of older people's ‘*fit-for-purpose*’ accommodation

WL⁷ - HM UK Government “*National Planning Policy Framework*”. (Section 5, Para. 61)
<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes>

WL⁸ - “*Health of the Borough Report - 2024*” (Point 3, Pg. 9).
https://www.ealing.gov.uk/download/downloads/id/18981/health_of_the_borough.pdf

WL⁹ - “*Guidance: Vulnerabilities: applying All Our Health - The meaning of vulnerability and other terms*” (29 March 2022). “*Vulnerability: Being vulnerable is defined as in need of special care, support, or protection because of age, disability, risk of abuse or neglect.*”
<https://www.gov.uk/government/publications/vulnerabilities-applying-all-our-health/vulnerabilities-applying-all-our-health>

(3.2.2.4). the corresponding need for supported living accommodation

(3.2.2.5). supporting and satisfying the needs associated with the living traditions of people from ethnic minority communities including those from an Asian background, people who also pay taxes in England and who comprise 30% of the resident population of Ealing Borough (<https://www.varbes.com/demographics/ealing-demographics> (WL¹⁰)) and who culturally subscribe e.g. to the tradition of multi-generational living to provide support (as per need) to their loved ones, thereby avoiding burdening the public purse with corresponding ‘*Social Care*’ costs, as so many of those duties are fulfilled by relatives, family and household members.

(3.2.2.6). the need to ensure that Planning works in a way to ensure that women, widows, other “*vulnerable*’ people and single occupants of homes, are enabled to plan and develop their homes in a way that makes them feel safe and actually be safe in their homes incl. from external factors.

(3.3). The Imperative need to implement the Provisions s. 179(3) of the TCPA 1990 (otherwise known as the ‘*Statutory Defence*’ (WL1)) to prevent Miscarriages of Justice happening including through unsafe and unlawful convictions and wrongful professional conduct of the practitioners

(3.3.1). To request that if Ealing Council intends to continue progressing its ‘*development control*’ function (which it has aggressively and harmfully effected including against ‘*vulnerable*’ people), despite this practice being contrary to the new Labour Government’s stated primary aim of “*Economic Growth*” **and despite there not being any statutory requirement to control development**, as no country in the world could ever experience “*economic growth*” if it was ‘*controlling development*’, then the safeguarding and protection provisions that Parliament has provided through the SD be implemented so that the past unlawful practices cease and people are not wrongfully and unlawfully harmed.

(3.3.2). Please note that the provisions and protections of a SD do not alone concern whether or not a person is financially able to afford the costs of complying with a Planning Enforcement Notice (PEN) as decided in the Appeal Court judgement of *R. v Beard* [1997] 1 PLR 64, but more critically it is scandalous that one arm of the Government is effecting

WL¹⁰ - “*Demographics of Ealing*” (see section entitled “*Ethnicity in Ealing*”).
<https://www.varbes.com/demographics/ealing-demographics>

policies such that require residents to cause physical / mental harm to one another, thereby exposing those residents to, amongst other crimes, contravene the ‘*Offences against the Person Act 1861*’, only to satisfy the local authority’s plan for e.g. beautification, conservation, ‘*development control*’, a schema that serves to provide material gains (incl. financial) to a few select ‘*players*’ in the Planning industry (who trade / work in that sphere and practice), a state of affairs that causes actual harm to the mass resident base.

(3.4). **For these reasons (but not limited to), it is submitted that any LP that is neglectful of such duties fails to satisfy the requirements of being (i) positively prepared, (ii) justified, (iii) consistent with national policy or (iv) legally sound.** Hence Mr. McCreery and Ms. Dillon are respectfully requested to correct please.

Section 4 - Preface & Introduction

(4.1). My name is Shelly Chahal and I am the voluntary convenor of the ***Planning Reform Action Group (PRAG)***, through which I make this submission in the best public justice interests.

(4.2). I have been a resident of the borough for a number of decades. Having suffered harmful adverse effect of Ealing Council's practice and procedures vis-à-vis Planning, I realised that our local authority's Local Plan was not '*fit-for-purpose*' and so became a campaigner for imperative Planning Reforms, sharing our new Government's stated agenda in the same.

(4.3). As with many campaigners it is through enduring the subject '*lived experience*', in fact suffering as a '*victim*', that I began campaigning in this cause to shine a light on the imperative neglected duty for the local [*planning*] authority "***to meet the needs of the people of the borough***", through the formation of requisite local policies so to do.

(4.4). Regrettably the *Planning* system as it has been effected in Ealing borough has been failing, especially persons who share "*protected*" characteristics and those the state recognises as '*vulnerable*' where residents among these demographic groups have been denied the adequate, safe living accommodation at their homes such that they need to meet their '*special needs*'.

(4.5). In the course of my campaigning duties for these crucial *Planning* reforms, I have engaged with *Planning* authorities such as key officers at the *Planning Inspectorate* (PINS), central Government departments and more widely across related sectors. I have tried to engage with the *Planning* authorities at Ealing Council but to no effect.

(4.6). Sadly, at every juncture other than central Government, I've encountered resistance, neglect and disdain, though thankfully, **the new Labour Government has recognised that *Planning* needs to be reformed including so that our country may possibly and mercifully once again experience "*economic growth*",** which has in recent decades been denied to generations, failing millions of innocent people though serving vested interests.

(4.7). It was due to having had the misfortune to witness and for a long time suffer the utter devastation that is caused by an inadequate *Planning* system, **such that fails to function to '*meet the needs of the people*'**, (which is an imperative statutory duty of local

government and a role of the LP (<https://www.gov.uk/guidance/plan-making> (WL¹¹)), that I began my voluntary campaigning work. Due to the related injustices suffered by so many people, **including the causal tragedy of the premature death of another ‘Planning victim’ the Lt. Mr. Dhanoa**, (see appended case study **App.3**) I felt it a duty of my life to implore those who have the responsibility and power to correct, so to do.

(4.8). Hence, all in all, forming this representation has been a painstaking exercise, not of itself due to the art of writing, for as a consequence of the inadequacies in the *Planning* system, acting ‘*pro bono*’ I must have written in excess of over one million words, preparing research papers, submissions to authorities, providing pro-bono advice to ‘*vulnerable*’ sufferers and victims, but particularly in order to prepare this submission, I have had to dredge over so many people’s misfortunes through reading countless ‘*Planning Statements*’, ‘*Officer Reports*’, ‘*Refusal Notices*’, ‘*PINS Dismissal Decision Notices*’, all of which has been an utterly soul destroying exercise.

(4.9). Of course realising how people working in the *Planning* industry, who wield and enjoy huge power, receive gainful status, command high financial rewards have forced, through their decisions, the rest of us (many of whom the ‘*State*’ considers ‘*vulnerable*’ by virtue of shared personal characteristics that are supposed to be “*protected*”, apparently from ‘*harm*’, apparently safeguarded by s. 149 of the *Equality Act 2010* (EA 2010, more commonly known as the *Public Sector Equality Duty* PSED), characteristics that concern mental and / or physical disabilities, age, gender, religious belief, marital status, race etc., though practicably and truly these aspects are never effectively considered when deciding applications for planning permission in terms of:

(4.9.1). how floor plans of homes might **need** to be laid out,

(4.9.2). how much covered space different households **need** to meet their different needs,

(4.9.3). how much additional covered space might be **needed** where there are multi-generations living together especially where there are different genders and where different marital statuses exist,

WL¹¹ - HM UK Government “*Guidance: Plan-making*”. <https://www.gov.uk/guidance/plan-making>

(4.9.4). meeting needs where families want to stay together, as many households value supporting one another which should be welcomed given the national crisis of a shortage of homes, crisis in affordability of accommodation, crisis in the social care sector not to mention other crises.

(4.10). Altogether, such neglect causes the residents of this borough to live blighted lives, bringing upon harmful conditions, forcing us to live unsafely in our homes, causing and creating inadequate conditions in our homes such that do not meet our needs, causing us ill health, altogether degenerating our lives, circumstances that were mercilessly exposed during the COVID-19 **pandemic when our homes did not have the necessary adequate isolation facilities because consents for required covered living space through extensions to our homes have analytically been denied, e.g. to appease objectors, whom our respected Prime Minister, Mr. Starmer KC correctly describes as “blockers”.**

(4.11). Hence, the ‘*lived experience*’ of so many us who are the helpless victims of the *Planning* system in Ealing borough where our different needs are not met and instead we are expected to “**do as we’re told**”, live as the Council’s ‘*Design and Appearance*’ policies require, **suffering damage and harm that in some cases brings about fatality caused by accidents in the home, which had the household’s needs been met, would have been prevented.**

(4.12). Critically also, as our Councillors, past and present (who are supposed to reflect the make-up of the borough and they do) have developed their properties in ways that **suit themselves and their families, ‘meeting their collective needs’**, then as they are supposed to represent us mere mortal voters, surely conversely, **it is only fair, reasonable, transparent, accountable etc.** that as those who elect our apparent ‘*Councillors*’ (who are ‘*Members*’ of the Council) **we too should be allowed to add covered living space to our homes’ footprint ‘to meet our NEEDS’, so that our homes are also fit for safe living,** just as our Councillors enjoy and have been permitted to build and live-in, though similar developments at the homes of regular folk have been required to be demolished, which makes for a sham of the system.

(4.13). I am compelled to convey that based on witness account, supported by CCTV evidence, the arbitrary nature of Ealing’s *Planning* regime has provided for **corrupt**

practices to co-exist as part and parcel of how *Planning* is administered in the Borough and this has openly been aired on the Saturday morning call-in shows that are broadcast from the studios of the local ethnic radio station that is c. once a month attended by ‘*Members*’ of the Council.

(4.14). This is all unfair, unjust, harmful, causing unsafe living accommodation for so many people / households, causing avoidable accidents in the home where those injured land in A&E departments, **proving fatal for some aged, frail, disabled people. The solution quite simply demands greater habitable space to be allowed, to “*meet the needs of the household*”.**

(4.15). Yet being fully aware of the ‘*needs*’ of the population base of the borough (and ‘*Wednesbury*’ reasonably being expected to know), Ealing Council’s planning authority is actively encouraging a pernicious situation to continue by prioritising ‘*design*’, ‘*character*’, ‘*beautification*’ +++ features over actual, practical assistance that satisfies ‘*need*’.

(4.16). More widely the way the *Planning* regime is administered in Ealing is **not in the public interest and fails to accord with central Government’s key priority of creating “*Economic Growth*”**. As central Government has identified that such a restrictive *Planning* system is behind the lack of ‘*Economic Growth*’ in our country, because if “**No**” is the default position and it takes more than e.g. ten years to gain a consent for developments that **evidentially are required for safe living, then of course stagnation will be the status quo**, which is what we’ve had in our country for decades. **Yet the *Planning* industry is booming, because refusals pay and locally, Ealing’s LP has been designed to further the interests of the ‘*players*’ in the system, harming the interests of the needful residents and householders.**

(4.17). All of the harm and damage effected by this neglect has come about because the *Planning* system has been deployed in such a way that the default position is to say “**NO**” and **REFUSE** planning permission for developments that people ‘**NEED**’, **as why else would anyone want to go through the arduous planning application process if the subject development was not *needed*?** The prejudiced, restrictive, arbitrary local *Planning* regime is enabled so to be due to the lack of appropriate local supplementary planning policies which are indispensably required, as the population base in Ealing is not one demographic; the seven towns of Ealing borough comprise a widely diverse base: ethnically diverse, gender-based diverse, age-base diverse, ability-base

diverse, health-base diverse, religious-base diverse and so on. The general local policies that are cited when Ealing’s Local planning Authority (LPA) refuses planning permission and / or progresses planning enforcement action through wrongful, unjust and unlawful private prosecution of such (as the Council has failed to implement the provisions and safeguards of the *Statutory Defence* as provided by s. 179(3) of the TCPA 1990) such that Parliament requires, make for conditions that fail to support and deliver on meeting the varying needs of the different demographic groups that live and work in this borough and given that this new LP will be the Council’s directing strategy for more than half a generation henceforth (up to 2039), given also that local people have already suffered for decades, it is respectfully requested that these harmful directives be corrected through the “Examination” process please.

(4.18). I confirm that *Wednesbury reasonably*, I have made every reasonable effort to establish that the suggestions made herein are not adequately contained in Ealing Council’s Local Plan (2024 to 2039), though I have found the LP documents very difficult to navigate and decipher, which I suggest would be the case for most of the local population.

(4.19). I also confirm that I shall willingly give face-to-face evidence, under oath if and as required.

(4.20). This representation will be publically available and widely shared, in the best public justice interest.

(4.21). I would very much appreciate a corresponding response please.

Shelly Chahal

Southall, (One of Seven Towns of the London Borough of Ealing)

5th April 2025

Section 5 - Dedications

(5.1). This representation is dedicated to all people who through a strict, inflexible, ‘*Design and Appearance*’, ‘*Conservation*’, ‘*Beautification*’ directed LP have been forced to live in homes that fail to adequately meet their needs, where unsafe living conditions have been created such that have harmed their lives.

(5.2). It is imperative that tribute is paid to wheel-chair user, the Lt. Mr. Dhanoa who frantically and desperately tried to be excused for having an outbuilding at his home, similar to that which existed at both neighbouring properties, which was being used by his live-in carers who did not want to live in the main house for privacy and independence reasons, all of which was apparently so highly objectionable to Ealing’s planning department that they set about persecuting Mr. Dhanoa, to the point that his foreign-based son had to remove him from England, taking him to Canada, where he died c. six months later. The apparently objectionable outbuilding remains, but Mr. Dhanoa is no more, though he was never informed of the existence of the SD, protections and safeguards of which he would have qualified. Wrongfully, Ealing Council’s private prosecutions processes failed to comply with ‘*Full Disclosure*’ rules, thereby denying Mr Dhanoa the public justice he was entitled to, yet despite this tragedy such failures, miscarriages, wrongful professional conducts continue.

(5.3). I hope that through this process Mr. Dhanoa’s ultimate sacrifice serves to prevent the same fate being delivered upon other ‘*vulnerable*’ residents of this borough stopping such victimisation going forward.

Section 6 - How Planning is Effected in Southall

(6.1). Due to a lack of properly defined local policies such that should exist in order to address the particular needs of the local demography, the outcomes of Planning decisions make for a great deal of inconsistency, which ultimately breaches the interests of public justice as residents are being prosecuted (by private prosecution procedures) for breaching PEN's which often require demolition of development that has either been permitted to exist in the close vicinity (i.e. has not been enforced against within 4 / 10 years) or worse still, there are cases where planning permission has been granted for developments similar to that which is being criminally prosecuted just a few doors distance from the subject apparent '*criminal*' property.

(6.2). Furthermore, elected Councillors have built developments at their homes that are principally similar (e.g. an outbuilding) to developments that have been built by their fellow residents (in the same Ward of their residency, in the street neighbouring theirs or even sometimes in the same street of their home) where the plot sizes and design of houses are in sync. Despite such anomalies, the '*Members*' of Ealing Council require such '*similar*' developments (in the vicinity of their residences) to be demolished (through the development control function of planning enforcement), though they retain their own similar developments.

(6.3). This is a recipe for wrongful practices, some of which have been publicly aired on the local ethnic community radio station, where people have claimed corruption is rife in the Planning system in Southall. What is known to happen is that architects and plan-making draughtsmen who have '*connections*' or who are favoured, are able to gain planning consents for developments that are denied to those who do not enjoy such advantages. Worse still, the planning enforcement procedures are effected against people who are disapproved of by Ealing's Councillors and / or planning officers, for developments that are being '*ALLOWED*' by consent in the same subject streets.

(6.4). In one case, following a Planning Inspector's '*Dismissal*' of appeal, her son was employed as a planning officer by Ealing Council, seemingly '*quid-pro-quo*', appointed to decide the fate of the further planning application that the parent Planning Inspector envisaged in the appeal case, only for another "*Refusal*" to be issued to further authenticate the Council's decision-making, though at the same planning permission was granted for similar development (to that refused by the LPA and Planning Inspector) a few doors away: (No. 25 / No. 32, noting that no "*protected*" characteristics arose at the semi-detached property at No. 32, though evidentially the proposal at detached No. 25 was disabilities

“needs-based”, a property that sits on a significantly larger plot c.f. semi-detached No. 32). On the same street of these two properties (UB2, Norwood Green Ward), many other properties have been granted planning permission for similar developments (incl. on appeal at No. 74), but refused to the homeowner with ‘*Special Needs*’, despite Ealing Council’s own demographic research concerning ageing, disabilities, housing need etc. that will be discussed in the following sections.

(6.5). Another example in the same Norwood Green Ward; Lt. Mr. Dhanoa, who used a wheel-chair, was being forced by the planning officer to demolish an outbuilding at his home, when a very similar development existed at both neighbouring properties. He felt so harassed by Ealing Council’s relentless pursuit that his doctor son who was settled in Canada removed him from England, taking him to Canada, where he became bedbound the day after arrival, dying out there in Canada c. 6 months later, yet the development remains standing.

(6.6). All of this LP based practice is a recipe for wrongful and unlawful effect, especially when people who need developments due to disabilities, ageing, other vulnerabilities are involved and where people are being criminalised for developments that they need, facing jail. Hence implementing a sound, lawful LP is crucially also about ensuring that public justice is delivered in accordance with the host of laws that seemingly the LPA is enabled to neglect by the existence of an unfit-for-purpose LP.

Section 7 – “Sample” Targeted Analysis of Ealing Council’s Draft Local Plan for Southall Town (incl. Inconsistencies)

(7.1). ‘**Conservation**’ vis-à-vis “**Development**” (another word for “**Growth**”).

(7.1.1). The present strategic direction in local Planning seems to be progressing towards ‘**Conservation**’ as opposed to proactively encouraging development (which is another word for “**growth**”), given the approach as specified at **Para. 4.7.33** of **Policy S5: “East Southall”** (WL5): -

“S5: “East Southall”

4.7.33 Where appropriate, include provision for inter-generation living so that it can be planned from the outset of the design process and will consider the cultural and faith requirements of different communities. Extensions and annexes to existing homes will also be supported where this does not affect the character of the area.” (WL5)

https://www.ealing.gov.uk/download/downloads/id/19564/2h_chapter_4_southall_town_plan_and_development_sites_high_res.pdf

(7.1.2). Hence the strategic direction appears to be ‘**more of the same**’ or worse still ‘**regression**’, as the local authority (LA) states “**Extensions and annexes to existing homes will also be supported where this does not affect the character of the area.**” (WL5). Yet developing existing homes by adding extensions and annexes will by the very nature of such development, affect the character of the area, so is the default position going to be a continuation of “**No**” with REFUSALs of planning permission?

(7.2). **Example: Tradition of Multi-generational living particularly amongst Asian Heritage Communities**

(7.2.1). As an example, the cultural tradition of multi-generational living is an historic, cultural value set particularly shared by people of South-asian heritage but notwithstanding that **at least 30.3% of Ealing’s residents share this ethnicity** (<https://www.ons.gov.uk/visualisations/censusareachanges/E09000009/> (WL¹²), seemingly no supplementary planning policy has been formed to allow and enable families to live together inter-generationally, where they can care and support each other, continue to be one another’s crucial resource base at home, which is a clear neglect as so many Councillors share this ethnicity.

WL¹² - Data and Analysis from Census 2021, Section entitled “*Ethnic Groups in Ealing*”.
<https://www.ons.gov.uk/visualisations/censusareachanges/E09000009/>

(7.2.2). According to the 2021 census, **56.8% of residents in Ealing borough identified as non-white ethnicity** (<https://www.ons.gov.uk/visualisations/censusareachanges/E09000009/> (WL12)). Hence, surely, as night follows day, when public authorities are fully aware that different ethnicities have different cultural beliefs, standards, values, for the LP to be legally sound, it would require particular policies to ensure that the needs of residents from all communities (incl. those who share minority ethnic heritage who pay taxes just as people from the endogenous population do), are met. Yet no such corresponding policies appear to have been formed.

(7.3). Inconsistencies in LBE’s “**Extensions and Annexes Policy**” whereby seemingly such will only be allowed if developments accord with the apparent “**character of the area**” (WL5).

(7.3.1). It is submitted that the Council’s stated policy (“**S5**” (WL5)) in relation to: -

providing “**Extensions and annexes to existing homes will also be supported where this does not affect the character of the area**” (WL5).

apparently exercised to satisfy the statutory duty to “**include provision for inter-generation living**”

(https://www.ealing.gov.uk/download/downloads/id/19564/2h_chapter_4_southall_town_plan_and_development_sites_high_res.pdf WL5) is **nonsensical as it is clearly an oxymoron**; by its very definition, inter-generations will require additional covered living space in order to satisfy their individual and combined needs, but if extensions and annexes to existing homes are only permitted if they “**do not affect the character of the area**” (WL5), then those “**needs-based**” applications for planning permission will be refused, as has been happening, i.e. ‘**conserving**’ the apparent “**character of the area**”, denying and refusing “**needs-based development**”.

(7.3.2). This cannot be right or legally sound.

(7.3.3). “*Ealing Local Plan Health Study Final Technical Report July 2022*” (WL¹³)

(7.3.3.1). Ealing Council’s strategy is explained as follows: -

“Set standards which ensure well insulated and energy efficient housing with good internal and external space standards, and the ability to adapt spaces to accommodate changing household requirements (e.g. family size and age of residents);” (Pg. 42 *Ealing LP Health Study Final Technical Report July 2022* (WL13)).

https://www.ealing.gov.uk/download/downloads/id/18130/local_plan_health_study.pdf

Yet if applications for planning permission for extensions and annexes (to satisfy the duty to “*...adapt spaces to accommodate changing household requirements*” (WL13)) are only going to be allowed if they “*do not affect the character of the area*” (WL5), then again those “*needs-based*” applications for planning permission will be refused, again failing to ‘*meet residents’ needs*’.

(7.3.3.2). “*Overcrowding: The proportion of households with overcrowding (⁸⁷) in LBE is similar to the London average (23% and 22% respectively). However, pockets of significantly higher household overcrowding (35%) are found in parts of Southall and Acton (see Figure 11).*” (Pg. 39, *Ealing LP Health Study Final Technical Report July 2022* (WL13)).

(87 Household overcrowding occurs when households have one or more too few rooms for the level of occupancy.)

https://www.ealing.gov.uk/download/downloads/id/18130/local_plan_health_study.pdf

(7.3.3.2.1). This state of affairs has continued since the results of the 2011 census wherein it was established: -

“The 2011 Census estimated that 23.6% of the households living in the borough are short of at least one room, much higher than the Outer London average of 16.7%.” (App. ¹⁴)

WL¹³ - “*Ealing Local Plan Health Study Final Technical Report July 2022*”. https://www.ealing.gov.uk/download/downloads/id/18130/local_plan_health_study.pdf

App.¹⁴ - “*Equalities in Ealing Summary Needs Assessment April 2017*” (12 Pages Appended).

(7.3.3.2.2). Yet despite this harmful finding, in the intervening **more than one decade**, the situation has only worsened by at least 50% (from **23.6%** to **higher household overcrowding (35%)**) exacerbated by Ealing’s continuation of the planning policy to restrict granting planning permission for extensions and annexes to existing homes to save the “**character of the area**” (WL5), whereby for decades, residents needs have not been met and families have been forced to split, with adult children moving away to other towns, no longer being the resource and support that their elderly parents need which could have reduced public social care costs, as families could have cared for their own relatives.

(7.3.3.2.3). To address “**overcrowding**” ‘**long term illness**’ or ‘**disability based living accommodation**’, Ealing’s LP should have a particular policy for extensions and annexes for Southall and Acton (particularly also Norwood Green Ward) not least also to alleviate any “**overcrowding**”, altogether to meet the needs of disabled and chronically sick people by allowing planning permission for “**needs-based**” developments: -

“Health outcomes and risk factors: High health and disability deprivation relative to other neighbourhood areas, particularly in Norwood Green ward which has the highest percentage of people reporting long term illness or disability in the borough.” (Pg. 97 Ealing LP Health Study Final Technical Report July 2022 (WL13)).

“Housing and communities: Consider the growing population of Southall and planned new housing and development across the neighbourhood area in the planning and delivery of health infrastructure and health services. Prioritise the development of affordable, tenure secure, well insulated and energy efficient housing with good internal and external space standards, and the ability to adapt spaces to accommodate changing household requirements (e.g. family size and age of residents) particularly in Southall Green and Southall Broadway wards. This will contribute to lower levels of overcrowding and fuel poverty currently observed throughout Southall. Focus on providing and/or improving ‘free at the point of use’ health assets such as parks and open spaces.” (Pg. 99 Ealing LP Health Study Final Technical Report July 2022 (WL13)).

https://www.ealing.gov.uk/download/downloads/id/18130/local_plan_health_study.pdf

(7.3.3.2.4). “**Overcrowding**” and Self-isolation facilities at People’s Homes

(7.3.3.2.4.1). The excerpt below from the academic publishers *Taylor & Francis* explains the story of how homes have been becoming smaller since e.g. at least 2005: -

“Housing outcomes Dwelling size

A comparison of fifteen European countries showed that the UK had the smallest dwelling sizes, with the UK average size being 32% below the highest average size for all dwellings, in Luxemburg, and 45% below the highest average size for new dwellings, in Denmark (Evans and Hartwich, Citation 2005). Both this research and the RIBA reported that homes were getting smaller, with the average size of new dwellings being 11% lower than that for existing dwellings (RIBA, Citation 2010).”

“Housing space and occupancy standards: developing evidence for policy from a health and wellbeing perspective in the UK context” (24th January 2022) (WL¹⁵)

<https://www.tandfonline.com/doi/full/10.1080/09613218.2021.2024756#d1e666>

(7.3.3.2.4.2). No mention is made anywhere in the “**Ealing Local Plan Health Study Final Technical Report July 2022**” (WL13) for the need to ensure adequate spare room facilities at people’s homes such that are required for self-isolation purposes to control infections, which is especially necessary given that dwelling sizes have decreased. This is a key lesson that should have been learned from the pandemic, especially as the 2011 census identified that “**...23.6% of the households living in the borough are short of at least one room**” (App.14).

(7.3.3.2.4.3). It is reported (on 24th March) that Prof. Lawrence Young, “**... a virus expert has warned that the UK will almost certainly see another pandemic at some point in the future. Prof. Young said he believed the world had seen the value of monitoring, testing, tracing and isolating**”.

(<https://www.bbc.co.uk/news/articles/cx2xr8n14g5o> (WL¹⁶)).

WL¹⁵ - “Housing space and occupancy standards: developing evidence for policy from a health and wellbeing perspective in the UK context” (24th January 2022).

<https://www.tandfonline.com/doi/full/10.1080/09613218.2021.2024756#d1e666>

WL¹⁶ - BBC (online) news Article entitled: “Another pandemic inevitable, virologist warns”.

<https://www.bbc.co.uk/news/articles/cx2xr8n14g5o>

(7.3.3.2.4.4). On 25th March 2025 the UK Government's **Health Security Agency** (UKHSA) issued a '**Press Release**' highlighting **24 pathogens of greatest risk to public health**, (<https://www.gov.uk/government/news/ukhsa-highlights-pathogens-of-greatest-risk-to-public-health> (WL¹⁷)), whereby for the LA to properly discharge its critical duty to save human life, every LP should have a planning policy that provides for adequate **Self-isolation facilities at people's Homes**.

(7.4). Development that is Favoured and Allowed by Ealing Council despite Scarcity of Community and Public Infrastructure Provisions: 'High Tower' Blocks

(7.4.1). The only exception to the **backdoor 'conservation'** policy is the policy to build high tower blocks, a provision that is not wanted by the existing population base e.g. in Southall, as no new infrastructure provisions have been developed to serve the additional residents that the new tower blocks introduce.

(7.4.2). The inhabitants of the new tower block developments will share the prevalent facilities of schools, hospitals, primary healthcare provisions etc. with the existing population, amenities that are already stretched. Yet the LPA is happy for such imposition on the existing resident base (e.g. in Southall) because Council finances will be augmented through greater council tax revenues with no ill effect to the authority, political or otherwise though the combined resident population will suffer as they will be competing against one another for the community infrastructural provisions; even walking has become hazardous in Southall due to the sheer number of pedestrians whereby people have to walk in the streets.

(7.4.3). Excerpt from the "**Ealing Local Plan Health Study Final Technical Report July 2022**" (WL13)

"GP capacity assessment: The majority of GPs and GP surgeries in LBE are over capacity. This is particularly the case in Hanwell, Southall, and Northolt where 100%, 90% and 83% of GP practices are over capacity, respectively ⁽⁷⁰⁾. These neighbourhood areas should be prioritised for new GPs and GP surgery provision, either via the introduction of new GP practices or via the expansion, or provision of additional capacity at, existing practices." (Pg. 34 *Ealing LP Health Study Final Technical Report July 2022*) (WL13).

WL¹⁷ - UK Health Security Agency Press Release: "**UKHSA highlights pathogens of greatest risk to public health**".
<https://www.gov.uk/government/news/ukhsa-highlights-pathogens-of-greatest-risk-to-public-health>

https://www.ealing.gov.uk/download/downloads/id/18130/local_plan_health_study.pdf

So despite that 90% of Southall’s Primacy Care provisions i.e. GP Practices being “**over capacity**”, Ealing’s LPA continues to grant planning permission for tower-block developments, but denying extensions and annexe developments at the existing housing stock, some of which dates back **160 years to “1864-5”** ((WL4) “**Southall: A Brief History**”): -

“In 1864-5 Featherstone Terrace consisting of 39 houses was erected, and Harewood Terrace, Norwood, 27 houses. Then houses were built in all directions...”

“**Southall: A Brief History**” (Posted On March 12, 2011 by Admin WL4)

<https://www.southall-history.co.uk/southall-a-brief-history/50/>

Note: Harewood Terrace is in the ward of Norwood Green.

(7.5). ‘**Needs-based**’ Developments not Prioritised

(7.5.1). The assertions made in this section are not presented lightly; as a campaigner I have heard from so many harmed people, **many of whom have no voice, but all of whom have had their needs ignored**, as it’s the neighbours and objector’s needs that always matter, **those whom our Prime Minister has rightly called out as “the blockers”**. This harmful effect has pitted residents against one another, creating a factious and polarised society against the required duty to: -

“(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to -

(a) tackle prejudice, and

(b) promote understanding.”

(s. 149(5) of the EA 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149> (WL¹⁸))

all of which serves to provide opportunity for gain only to those in powerful positions, where ‘vulnerable’ people lose, noting that all residents will lose, as everyone ages, everyone will at

WL¹⁸ - Excerpt (s. 149(5)) from the Equality Act 2010.

<https://www.legislation.gov.uk/ukpga/2010/15/section/149>

some time have need for greater covered living space due to their changed circumstances, by virtue of e.g. ageing and / or disability.

(7.5.2). Ealing’s ‘**development control**’ function is exercised against homeowners and households only, people who need additional living space due to their changing circumstances, after all that’s the reason homeowners progress through Ealing’s punishing planning process.

(7.5.3). It cannot be fair for the **Planning** industry to tell homeowners: -

(7.5.3.1). that they can only have ground floor accommodation **as per a layout dictated by their neighbours / planning officers / planning inspectors**,

and

(7.5.3.2). that a wheel-chair bound homeowner (and other disabled homeowners) must demolish development similar to that which exists at both neighbouring properties (see subject case study of the Lt. Mr. Dhanoa **App.3**),

and

(7.5.3.3). that an autistic child cannot have the required climbing frame in their garden because they live in a conservation area, despite the climbing frame helping to improve the child’s condition, so blighting his life into adulthood,

and

(7.5.3.4). **that an elderly lady must be criminally prosecuted because she or her care-giver don’t want to sleep in a hallway in their home as this a walkway area** which is what the Planning system has decided (on PINS appeal) must happen, whereby it is required that the additional covered space the homeowner evidentially needs **MUST NOT BE ALLOWED** because e.g. it would be “*out of scale and proportion*” to the host property, despite numerous evidential medical reports explaining the applicant’s “*needs*”,

(7.5.3.5). all despite the collective provisions of sub-sections (4) and (6) of the PSED (s. 149 of the EA 2010), which require: -

“(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.”

“(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.”

(s. 149(4) of the EA 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149> (WL¹⁹)

and

(7.5.3.6). that healthcare businesses must be enforced against because e.g. planning officers don't like the colour of their shop fronts

and

(7.5.3.7). that hospitality businesses should face potential closure because the colour of their replaced windows is considered objectionable.

(7.6). Ealing Council's Failure to Implement s. 179(3) of the TCPA 1990 (otherwise known as the “*Statutory Defence*” (SD) (WL1).

<https://www.legislation.gov.uk/ukpga/1990/8/section/179>

(7.6.1). All of the above are real examples of suffering in the last ten years and there are many more, all of which have been progressed **without the victims being informed of the existence of the *Statutory Defence* (s. 179(3) of the TCPA 1990) and without this being implemented, despite the Council's *Corporate Enforcement Policy* acknowledging the corresponding protections and safeguards: -**

WL¹⁹ - Excerpt (s. 149(4)) from the Equality Act 2010.

<https://www.legislation.gov.uk/ukpga/2010/15/section/149>

“Prosecution 5.16

The Council will exercise discretion when considering whether to initiate a prosecution. The decision to prosecute will take into account the criteria set down in the Code for Crown Prosecutors, issued by the Crown Prosecution Service. In particular, the Council will consider whether there is a reasonable prospect of a conviction, bearing in mind any statutory defence available to the defendant, and any other factors which may preclude a successful conviction. Where the circumstances warrant it, prosecution without prior warning may occur.”

(Section entitled “5.16 Prosecution” (Pg. 10) and Section entitled “K. Planning Enforcement Policy” (Pg.’s 71-77), part of Ealing Council’s *Corporate Enforcement Policy* (WL²⁰))
https://www.ealing.gov.uk/download/downloads/id/552/corporate_enforcement_policy.pdf

(7.6.2). In England, prosecutors that subscribe (or are reasonably required to subscribe) to the *Crown Prosecution Service* (CPS) civil prosecution practice rules (*Criminal Procedure and Investigations Act 1996* (CPIA)) **MUST** consider the principle of full disclosure which essentially requires prosecutors to disclose any evidence that could support a potential defence, including information about relevant statutory defences, **to ensure a fair trial**; this has been upheld and interpreted through various case law precedents in the UK courts, including decisions from the Court of Appeal.

(7.6.3). Prosecutors have a statutory duty to disclose to the accused any material that might reasonably be considered capable of undermining the prosecution case or assisting the accused's case, as outlined in *CPIA*.

(7.6.4). ‘Duty of disclosure’ Principle

Hence the *CPIA* places a legal duty on prosecutors to disclose all material evidence to the defence, including information that could support a potential defence, which would encompass relevant statutory defences, rules that have been reinforced by case law precedents including Court of Appeal decisions.

(7.6.5). Early Disclosure is a requirement under Common Law

(7.6.5.1). Accordingly, when a planning enforcement case is opened and the first statutory enquiry is made (through what is known as a ‘COMM’ form) awareness about the provisions,

WL²⁰ - Section entitled “5.16 Prosecution” (Pg. 10) and Section entitled “K. Planning Enforcement Policy” (Pg.’s 71-77), part of Ealing Council’s *Corporate Enforcement Policy*.
https://www.ealing.gov.uk/download/downloads/id/552/corporate_enforcement_policy.pdf

protections and safeguards such that the SD provides should be explained thereon, if the LPA is interested in progressing ‘*Fairly*’. Yet this does not happen (see sample ‘*COMM*’ form appended hereto **App.**²¹). Ealing’s LPA makes no attempt to enquire whether the person that ultimately could suffer criminal prosecution in the judicial courts is entitled to claim the lawful protections provided by the SD, though the recipient is required by law to complete the ‘*COMM*’ form else face a significant financial penalty.

(7.6.5.2). The ‘*COMM*’ form is the first statutory document that the LPA is required to send in the case of an alleged breach of planning rules. The recipient **MUST** complete this by law and if any false or misleading responses are given, then the responder is liable for a fine of up to £5,000.

(7.6.5.3). Equally, therefore, the LPA has a duty under the principle of ‘*Full Disclosure*’ (as early as possible i.e. at first stage point) to reveal and enquire as to whether the recipient of the PEN might qualify for the protections and safeguards, such that are provided by the SD.

(7.6.5.4). Yet this does not happen in Ealing breaching the fair justice and fair trials principles.

(7.6.5.5). Accordingly, Ealing Council’s LP cannot be considered as legally sound as evidentially (by the statutory documents it serves e.g. the ‘*COMM*’ form (**App.21**)) and its practices to date (directed by its LP) fail to set out policies and procedures that comply with respective laws.

(7.6.6). ‘*Fair Trial*’ Principle

The overarching principle of a fair trial underpins this on-going ‘*disclosure*’ requirement, meaning the defence must be made aware of all relevant information to properly prepare their case, including potential statutory defences.

(7.6.7). This holistic neglect of duty cannot make for a legally sound LP. Hence a local enforcement plan is essential if public justice is to be served properly and seen to be served

App.²¹ - Sample ‘*COMM*’ form with personal Data redacted (6 Pages - Appended).

transparently, accountably. No doubt our Prime Minister, a high ranking human rights lawyer would agree.

(7.6.8). The following reference material supports the above pre-required principles such that are required to prevent ‘**Miscarriages of Justice**’: -

(7.6.8.1). “*Review of the efficiency and effectiveness of disclosure in the criminal justice system*” published by the Attorney General’s Office (Nov. 2018) (WL²²).

https://assets.publishing.service.gov.uk/media/5bed4ba340f0b667a46ce0d2/Attorney_General_s_Disclosure_Review.pdf

(7.6.8.2). Crown Prosecution Service Legal Guidance entitled “**Disclosure Manual: Chapter 12 - Applying the Disclosure Test**” (Refreshed: 21 Oct. 2021) (WL2).

<https://www.cps.gov.uk/legal-guidance/disclosure-manual-chapter-12-applying-disclosure-test>

(7.6.8.3). Independent Review entitled “**Disclosure in the Digital Age Independent Review of Disclosure and Fraud Offences**” by Jonathan Fisher KC (March 2025).

https://assets.publishing.service.gov.uk/media/67e279cb4fed20c7f559f559/2025.03.13.Independent.Review.Part.One.Report.Disclosure.Print.20pt.LF_0.1.pdf (WL²³).

<https://www.justiceinspectorates.gov.uk/hmcpsi/wp-content/uploads/sites/3/2018/07/FOI-request-220318-Attachment-5.pdf>

(7.6.8.4). House of Commons Justice Committee publication entitled “*Disclosure of evidence in criminal cases*” (11th Report of Session 2017–19) (WL²⁴).

<https://publications.parliament.uk/pa/cm201719/cmselect/cmjust/859/859.pdf>

WL²² - “*Review of the efficiency and effectiveness of disclosure in the criminal justice system*” published by the Attorney General’s Office (Nov. 2018).

https://assets.publishing.service.gov.uk/media/5bed4ba340f0b667a46ce0d2/Attorney_General_s_Disclosure_Review.pdf

WL²³ - Independent Review entitled “*Disclosure in the Digital Age Independent Review of Disclosure and Fraud Offences*” by Jonathan Fisher KC (March 2025).

https://assets.publishing.service.gov.uk/media/67e279cb4fed20c7f559f559/2025.03.13.Independent.Review.Part.One.Report.Disclosure.Print.20pt.LF_0.1.pdf

WL²⁴ - House of Commons Justice Committee publication entitled “*Disclosure of evidence in criminal cases*” (11th Report of Session 2017–19).

<https://publications.parliament.uk/pa/cm201719/cmselect/cmjust/859/859.pdf>

Section 8 - Fulfilling Duties: Solutions

(8.1). In furtherance of ensuring a justified and legally sound LP, that is consistent with national policies and which supports central Government’s target for “***economic growth***” **through a galvanised ‘Get Britain Building’ programme**, it is respectfully suggested that local supplementary policies are required so that the particular and ‘***special needs***’ of the various significant local demographic groups are properly and adequately met.

(8.2). In furtherance also of meeting this public safety and justice interest and in order to ensure the proper and effective discharge of statutory duties such that are conferred upon the local authority through relevant sections of legislation and guidance material, incl. (but not limited to) that listed below, Ealing Council’s LP should include appropriate local supplementary policies which detail how the legally required provisions will be achieved so that the residents of the borough can be enabled to: -

(8.2.1). live as independently and safely as possible

and

(8.2.2). can have access to effective transparency and accountability in order to practically scrutinise local decision-making to ensure that everyone has fair and equal opportunity in the Planning system to facilitate safe living, benefitting from all statutory provisions.

(8.3). **The LP should be formed in such a way that it is seen to be compliant with requisite statutory duties imposed by respective legislation (some of which is listed below), including being compatible with relevant guidance material for safe housing for people with ‘special needs’, disability “needs” / homes for generations etc.,**

such as, (***but not limited to***): -

(8.3.1). **s. 179(3) of the Town & Country Planning Act 1990 (TCPA 1990) (otherwise known as the “Statutory Defence” (SD) (WL1))**

<https://www.legislation.gov.uk/ukpga/1990/8/section/179>

(8.3.2). **s. 5 Homelessness Reduction Act 2017 (WL²⁵)**

<https://www.legislation.gov.uk/ukpga/2017/13/contents>

(8.3.3). **The Care Act 2014 (CA2014) (WL²⁶)**

(incl. s. 8 “How to meet needs” (‘No Recourse to Public Funds’)

<https://www.legislation.gov.uk/ukpga/2014/23/contents>

<https://proceduresonline.com/trixcms2/media/18784/assessing-and-supporting-people-with-no-recourse-to-public-funds-nrpf-march-2023.pdf>

(8.3.4). **Part 6 of the “Housing Act 1996” (HA 1996) (WL²⁷)**

<https://www.legislation.gov.uk/ukpga/1996/52/part/VI>

(8.3.5). **The “Housing (Consequential Provisions) Act 1985” (HCPA 1985) (WL²⁸)**

<https://www.legislation.gov.uk/ukpga/1985/71/contents>

(8.3.6). **The “Chronically Sick and Disabled Persons Act 1970” (CSDPA 1970) (WL²⁹)**

(incl. “Duties of housing authorities” and “Provision of welfare services”).

<https://www.legislation.gov.uk/ukpga/1970/44/section/3#commentary-c752793>

<https://lordslibrary.parliament.uk/fiftieth-anniversary-of-the-chronically-sick-and-disabled-persons-act-1970/>

WL²⁵ - s. 5 Homelessness Reduction Act 2017 <https://www.legislation.gov.uk/ukpga/2017/13/contents>

WL²⁶ - The Care Act 2014 (CA2014) <https://www.legislation.gov.uk/ukpga/2014/23/contents>

WL²⁷ - Part 6 of the “Housing Act 1996” (HA 1996) <https://www.legislation.gov.uk/ukpga/1996/52/part/VI>

WL²⁸ - The “Housing (Consequential Provisions) Act 1985” (HCPA 1985)
<https://www.legislation.gov.uk/ukpga/1985/71/contents>

WL²⁹ - The “Chronically Sick and Disabled Persons Act 1970” (CSDPA 1970)
<https://www.legislation.gov.uk/ukpga/1970/44/section/3#commentary-c752793>

(8.3.7). **Relevant sections of the “Equality Act 2010” (EA 2010) including the PSED**

Incl.: -

“The general duty requires decision-makers to have due regard to the need to eliminate conduct prohibited by the act, advance equality of opportunity, and foster good relations in relation to activities such as:

- ***recommending new or revised public policy to a minister***
- *publishing a consultation document*
- *designing and providing a public service ...”*

(“PSED: Guidance for Local Authorities” (WL6))

<https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities>

<https://www.legislation.gov.uk/ukpga/2010/15/section/149>

(8.3.8). **“Human Rights Act 1998” (HRA 1998) (WL³⁰)**

(incl. Articles 3, 6, 8, 9 and 14 of the ECHR)

<https://www.legislation.gov.uk/ukpga/1998/42/contents>

(8.3.9). **“Offences against the Person Act 1861” (OAPA 1861) (WL³¹)**

<https://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents>

(8.3.10). **“Criminal Justice and Courts Act 2015” (CJCA 2015) (WL³²)**

<https://www.legislation.gov.uk/ukpga/2015/2/contents>

(8.3.11). **“Public Interest Disclosure Act 1998” (PIDA 1998) (WL³³)**

<https://www.legislation.gov.uk/ukpga/1998/23/contents>

WL³⁰ - Human Rights Act 1998 <https://www.legislation.gov.uk/ukpga/1998/42/contents>

WL³¹ - Offences against the Person Act 1861 <https://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents>

WL³² - Criminal Justice and Courts Act 2015 <https://www.legislation.gov.uk/ukpga/2015/2/contents>

WL³³ - Public Interest Disclosure Act 1998 <https://www.legislation.gov.uk/ukpga/1998/23/contents>

plus, compliance with: -

(8.3.12). Adoption of the Town & Country Planning Association Guide entitled “*Securing Healthy Homes at the local level*” ((WL³⁴) June 2024)

<https://www.housinglin.org.uk/assets/Resources/Housing/OtherOrganisation/Healthy-Homes-technical-guide-for-local-implementation.pdf>

(8.3.13). Compliance with the Equality & Human Rights Commission’s Guidance on Housing for Disabled People entitled “*Housing and disabled people A toolkit for local authorities in England: Planning for accessible homes*” ((WL³⁵) Oct. 2018)

<https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-local-authorities-toolkit-england-planning-accessible-homes.pdf>

(8.3.14). Compliance with the Building Property Federation manifesto entitled “***Building for Generations***” ((WL³⁶) July 2024).

<https://bpf.org.uk/media/7680/bpf-manifesto-for-housing.pdf>

mindful of contemporary research (on a rolling basis): -

(8.3.15). Department for Work & Pensions (DWP) “***Family Resources Survey 2022-2023***” (WL³⁷): -

WL³⁴ - Town & Country Planning Association Guide entitled “*Securing Healthy Homes at the local level*” (June 2024).
<https://www.housinglin.org.uk/assets/Resources/Housing/OtherOrganisation/Healthy-Homes-technical-guide-for-local-implementation.pdf>

WL³⁵ - Equality & Human Rights Commission’s Guidance on Housing for Disabled People entitled “*Housing and disabled people A toolkit for local authorities in England: Planning for accessible homes*” (Oct. 2018).
<https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-local-authorities-toolkit-england-planning-accessible-homes.pdf>

WL³⁶ - Building Property Federation manifesto entitled “*Building for Generations*” (July 2024).
<https://bpf.org.uk/media/7680/bpf-manifesto-for-housing.pdf>

WL³⁷ - Department for Work & Pensions (DWP) “*Family Resources Survey 2022-2023*”.
<https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2022-to-2023/family-resources-survey-financial-year-2022-to-2023>

<https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2022-to-2023/family-resources-survey-financial-year-2022-to-2023>

The latest estimates from the DWP *Family Resources Survey* indicate that 16.1 million people in the UK had a disability in the 2022/23 financial year. This represents 24% of the total population and a 6% rise in the proportion of the population reporting a disability since 2002/03 (see Section 5 of above-linked **WL37**).

thereby enabling the local Planning function to work having incorporated all statutory provisions.

(8.4). Relevance relating to Criminal Charges of ‘*Harm against the person*’ caused by LPA’s decision-making

(8.4.1). in cases where the LPA takes decisions that create unsafe living conditions for the occupants of homes the subject of a planning application and / or through planning enforcement proceedings, there is potential for criminal charges being brought under parts of the above-mentioned legislation (but not limited to).

(8.4.2). In such instances criminal charges could be brought by or on behalf of the ‘*harmed*’ party (especially if they have “*special needs*” by virtue of their ‘*personal circumstances*’) against anyone who might be living with the ‘*harmed*’ party or anyone who has significant “*control*” of the property (where the unsafe conditions have been created).

(8.4.3). Such criminal charges could involve allegations of “***neglect of duty***”, “***actual / grievous bodily / mental harm***” (caused by the same) and even “***abuse***”, in circumstances where there are appointed ‘*care-givers*’. Noting the increase in private prosecutions, pursuance could involve a CPS led prosecution or private / public prosecutors acting, which altogether could make for complex legal proceedings caused by the LPA’s decision-making **which chooses to ignore “*needs-based development*” creating unsafe homes for the particular ‘*special needs*’ of residents.**

(8.4.4). In turn, such action could engulf the LPA.

(8.4.5). Thus in the interests of public justice it could not be ‘*Wednesbury*’ reasonable, fair or just for a Government agency to require any human-being to act in a way that harms another human-being, only to satisfy arbitrary ‘*development control*’ functions formed to preserve environmental protections.

(8.4.6). Regrettably, to date, due to an inappropriate LP this is how the Planning system has played out locally in Ealing which is entirely unfair, unjust, unlawful and hence should be corrected.

(8.5). Suggested Local Supplementary Policies

(8.5.1). Local Supplementary Policies for: -

(8.5.1.1). “***Specialist Accommodation***” comprising Safe Living Accommodation for the Elderly (e.g. ‘***Specialist Older Persons Housing***’)

and / or

(8.5.1.2). ‘***Specialist Wheelchair Accessible Housing***’ comprising Safe Living Accommodation for People (Young or Aged) with Disabilities (Mental and Physical) and / or for people with chronic / complex / systemic medical conditions

(8.5.1.3). ‘***Purpose Built Shared Housing***’ comprising Safe Supported Living Accommodation for People with mixed “***Personal Circumstances***”

(8.5.1.4). Form a positive local policy e.g. by extending PD Rights and join-up the provisions of the TCPA1990 with the protections of the EA2010 and the CA2014 (to avoid causing physical / mental harm) where home extensions are needed on medical or disability grounds, by extending PD rights so that where people need adapted living, such developments will **automatically be permitted on the evidence of a GP’s letter alone (or other medical / professional practitioner’s letter)** and prohibit Planning Enforcement Notices being issued to such ‘***vulnerable***’ persons.

(8.5.1.5). In the ward of Norwood Green many residents are older and there is a lack of ‘***specialist accommodation***’ for people who have need for ‘***special needs housing***’ e.g. due to “***High health and disability deprivation relative to other neighbourhood areas,***

particularly in Norwood Green ward which has the highest percentage of people reporting long term illness or disability in the borough.” ((WL13) Pg. 97 ^{Ealing LP Health Study Final Technical Report July 2022}).

(8.5.1.6). Additionally, some of Norwood Green’s housing stock dates back **160 years** (to “1864-5”) (WL4), **so clearly the housing that was built 160 years ago will need suitable extensions and annexes**, additional covered living space which adequately meets the vastly changed needs of 2025 residents who inhabit Southall’s older housing stock and not least going forward fourteen years to 2039.

(8.5.1.7). Reference **App.³⁸**: “**Action Briefing Note**” to the *Ealing Community Advisory Board* (under Chairmanship of **then Hon. Mr. James Murray MP**) (Nov. 2020, Rev. March 2022), which details the troublesome issue..

(8.5.1.8). Note Ealing Council’s 2004 planning application form (**App.³⁹**) which before the EA2010 was in effect, enquired as to whether the development being applied for was needed on disability grounds, an enquiry that has been eradicated, despite the ageing population and increase in people with disabilities.

(8.5.2). Local Supplementary Policy for Multi-Generational Households

Form a positive local policy e.g. by extending PD Rights to allow additional covered living space according to the needs of the household, as explained by the applicant in their application statement, assessing against the different needs of genders, age, marital status and any other ‘*personal circumstances*’ / relevant factors connected with those residing at the premises, all matters that are best known to the applicant, granting permission as a primary consideration, above all other environmental and planning considerations.

(8.5.3). Local Supplementary Policy for “Granny / Live-in Care-giver Annexes”

Form a positive local policy e.g. by extending PD Rights to allow the required development within the curtilage of the home, which will serve to foster good relations between

App.³⁸ - *Action Briefing Note*” to the *Ealing Community Advisory Board* (under Chairmanship of then Hon. Mr. James Murray MP) (Nov. 2020, Rev. March 2022) – 2 Pages.

App.³⁹ – Ealing Council’s 2004 Planning Application Form which then enquired as to whether the subject development was needed on Disability Grounds (4 Pages).

generations and will enable families to care and support one another, thereby reducing costs of ‘social care’ to the public purse.

This is **allowed by many councils**: -

East Northamptonshire Council

<https://northnorthants.moderngov.co.uk/documents/s1692/Appendix%20A%20-%20Residential%20Annexes%20SPD%20-%20Final%20Version.pdf>

Peak District National Park

<https://www.peakdistrict.gov.uk/planning/policies-and-guides/supplementary-planning-documents/residential-annexes-supplementary-planning-document>

South Gloucestershire Council

<https://beta.southglos.gov.uk/wp-content/uploads/2801-SPD-Annexes-And-Outbuildings-1.pdf>

Eastleigh Borough Council

<https://www.eastleigh.gov.uk/media/2440/annexes-for-dependent-relatives-supplementary-planning-advice.pdf>

(8.5.4). Local Supplementary Policy for *Lifetime Homes* Policy

Form a positive local policy that concurs with the concept developed by the *Joseph Rowntree Foundation* and *Habinteg's 'Centre for Accessible Environments'* (WL⁴⁰), which will make for stable households and stable lives: -

<https://cae.org.uk/our-services/housing-services/lifetime-homes/>

London Borough of Islington has formed such a policy: -

<https://democracy.islington.gov.uk/Data/Executive/200903191930/Agenda/SPG2002version.pdf>

WL⁴⁰ - “The concept of *Lifetime Homes*” <https://cae.org.uk/our-services/housing-services/lifetime-homes/>

(8.5.5). Local Supplementary Policy for Safe Living Accommodation incorporating “Infection Control / Self-isolation” Accommodation

Form a positive local policy e.g. by extending PD Rights **to allow additional covered living space for this provision to save life, just as ‘Bunkers’ were needed in war time.**

(8.5.6). Local Supplementary Policy on Religious Grounds for Worship Facilities at Home

Form a positive local policy extending PD Rights so that if a household needs additional covered space at their home for the purposes of ‘worship’ / ‘faith’ facilities, then planning permission should be granted as a primary consideration, above all other environmental and planning considerations.

(8.5.7). Local Supplementary Policy for Custom and Self-Build Housing

In compliance with the ***Self-Build and Custom Housebuilding Act 2015*** (amended by the *Housing and Planning Act 2016*) the LPA must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area.

(8.5.8). Local Supplementary Policy for Businesses providing Healthcare Services such as Opticians, Audiologists, Medical Practitioners etc.

Form a positive local policy whereby planning permission is permitted according to what healthcare businesses “**need**”, given the additional residents that are being attracted to the borough by the ‘Tower’ developments, whereby these service providers will need additional covered space, new shop fronts e.g. for accessibility reasons and so planning permission should be granted through ‘*permitted development*’ rights with a ban on enforcement proceedings against such ‘key’ service providers.

(8.5.9). Local Enforcement Plan (LEP)

(8.5.9.1). Para. 60 of the NPPF (WL7) states: “**Effective enforcement is important to maintain public confidence in the planning system.**”

(8.5.9.2). HM Government Guidance entitled “*Enforcement and post-permission matters - Responding to suspected breaches of planning control*” (WL⁴¹) also states: -

<https://www.gov.uk/guidance/ensuring-effective-enforcement>

“Why are local enforcement plans important?”

The preparation and adoption of a local enforcement plan is important because it:

- *allows engagement in the process of defining objectives and priorities which are tailored to local circumstances;*
- *sets out the priorities for enforcement action, which will inform decisions about when to take enforcement action;*
- *provides greater transparency and accountability about how the local planning authority will decide if it is expedient to exercise its discretionary powers;*
- *provides greater certainty for all parties engaged in the development process.”*

Paragraph: 006 Reference ID: 17b-006-20140306 (WL41)

(8.5.9.3). The LPA has a legal duty to properly and effectively implement the SD as Parliament has provided to protect and safeguard the interests of the public against powerful public authorities.

(8.5.9.4). As has already been shown, for planning enforcement to be effective and lawful, respective procedures must comply with CPIA principles. Hence the LEP should comprehensively detail the subject law, setting out the protections and safeguards that Parliament has provided (through s. 179(3) of the TCPA 1990 (WL1) aka the ‘SD’), whereby in compliance particularly with the principle of ‘**Full Disclosure at the Earliest Stage**’, the first statutory document that is issued (the ‘**COMM**’ form - App.21) **MUST**, in the interests of public justice, inform about the SD, enquiring of the recipient as to whether they legitimately and truthfully have just cause such that enables them to claim the protections provided by the SD, thereby ultimately enabling them to truthfully enter a “*Not Guilty*” plea. In compliance with CPIA obligations, the LPA must give an enduring undertaking to consider at any time, a

WL⁴¹ - HM Government Guidance entitled “*Enforcement and post-permission matters - Responding to suspected breaches of planning control*”.
<https://www.gov.uk/guidance/ensuring-effective-enforcement>

‘No Further Action’ conclusion in the event of a change in the recipient’s circumstances such that would engage the protections and safeguards provided by the SD.

(8.5.9.5). Planning enforcement should be prohibited where any person resident at the premises is in the ‘*vulnerable*’ category, or is aged, or suffers disability (mental or physical) or suffers chronic / complex / systemic medical conditions or where the development the subject of the perceived breach is needed for safe living accommodation.

(8.5.9.6). Planning enforcement should be prohibited where businesses are delivering medical / healthcare services.

(8.5.9.7). Altogether, To prevent a misuse of the ‘*development Control*’ function, effected through the planning enforcement procedures the LEP should inform how Ealing Council’s enforcement. practices and procedures satisfy the requirements of the CPS Prosecutorial Code, as being a public body that exercises rights as a private prosecutor, the Council has a duty to be seen to be fair, accountable, transparent, well-grounded and ethical, when acting as ‘*public prosecutor*’, which it must be seen to be.

(8.5.9.8). Many local authorities have Local Enforcement Plans.

Section 9 – Concluding Comments

(9.1). Regrettably, as has been shown the LPA’s planning function is not holistic and notably fails to fulfil the fundamental requirement to meet the needs (including changing needs) of the highly diverse demography that resides in the borough of Ealing, principally by virtue of the fact that this borough has a high resident base that shares “*protected*” characteristics and particularly also that the majority of the resident population are of ethnic heritage which impacts upon Planning matters as due to cultural traditions the living arrangements of ethnic minority communities many a time differ to those of the endogenous population, **although the host community (i.e. original white English) has in instances adopted many ethnic living traditions as such can lend to living better lives, with lower financial impact on the exchequer, markedly exemplified through the tradition of multi-generational living.**

(9.2). From long, Ealing Council has consistently formed its LP principally around satisfying ‘*Design, Appearance, Character*’ (etc.) elements, effecting policies such as 7.4 and 7B of its *Development Management Plan*, whereby Planning consents can easily be “**Refused**” on apparent objectionable grounds such as “*Outlook*”, “*Overshadowing*”, “*Overlooking*”, “*Privacy*”, “*Design & Appearance*”, “*Character of the Local Area*”, a policy set to continue in the draft LP (WL5). Sadly, **constructively, the needs of the applicant / household have intentionally been prevented from having material bearing in decision-making. In some instances, ‘vulnerable’ people have been left technically homeless in their homes all justified by inappropriate local policies where aspects such as “Outlook”, “Overshadowing” are considered more important than creating safe living accommodation, causing households to live in unsafe homes that are not fit-for-purpose.**

(9.3). Such policies make for a farcical local *Planning* function that is thus deployed in a way that applies no material regard for the “*needs*” of inhabitants of homes, which makes for unsafe homes. In all ‘*Wednesbury*’ reasonableness, people need homes with: -

- (9.3.1). adequate space standards,
- (9.3.2). adequate daylight provision,
- (9.3.3). adequate covered space,
- (9.3.4). adequate space for infection control and isolation purposes, going forward (e.g. in the event of another pandemic),

++++

without which the consequential effect is that homes are unsafe and not fit-for-purpose.

(9.4). Perniciously also, through the failure to implement the protections provided by the *Statutory Defence (WL1)*, residents have been denied their lawful rights, safeguards that Parliament has allowed and which emanate from the time of the *Magna Carta*. Even ‘*vulnerable*’ persons have not been spared as in the case of the Lt. Mr. Dhanoa and so many others, who wanted nothing more than to be allowed to live peaceably in their homes according to their changed circumstances.

(9.5). Hence, it is respectfully submitted that through this document it is shown that Ealing Council’s *Local Plan 2024 to 2039* is: -

(9.5.1). neither positively prepared,

(9.5.2). neither justified,

(9.5.3). neither consistent with national policy

and

(9.5.4). neither is it legally sound,

and is therefore not fit-for-purpose.

(9.6). Accordingly Mr. McCreery and Ms. Dillon as appointed *Planning Inspectors and Independent Examiners* are respectfully requested to recommend that the proposals presented herein be incorporated into the *Local Plan* to properly and lawfully serve the best public justice interests so that the lives of all people living in the borough, but particularly those who are ‘*vulnerable*’ and thus have “*special needs*”, are improved and that the local *Planning* system functions to “*meet the needs of the people*”, such that are known best to themselves.

Section 10 – Table of References

Ref	Title	Link	Web Link	Appended
WL1	s. 179(3) of the Town & Country Planning Act 1990 (TCPA 1990) (otherwise known as the “ <i>Statutory Defence</i> ”	https://www.legislation.gov.uk/ukpga/1990/8/section/179	✓	
WL2	Crown Prosecution Service Legal Guidance entitled “ <i>Disclosure Manual: Chapter 12 - Applying the Disclosure Test</i> ” (Refreshed: 21 Oct. 2021)	https://www.cps.gov.uk/legal-guidance/disclosure-manual-chapter-12-applying-disclosure-test	✓	
App.3	Case Study of the Lt. Mr. Dhanoa (Rev. March 2022 - Appended)			✓ 1 Pg
WL4	“ <i>Southall: A Brief History</i> ”	https://www.southall-history.co.uk/southall-a-brief-history/50/	✓	
WL5	Para. 4.7.33 of Policy S5: “ <i>East Southall</i> ”, LBE’s LP 2024 to 2039	https://www.ealing.gov.uk/download/downloads/id/19564/2h_chapter_4_southall_town_plan_and_development_sites_high_res.pdf	✓	
WL6	PSED : Guidance for Local Authorities	https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities	✓	
WL7	HM UK Government “ <i>National Planning Policy Framework</i> ” (Section 5, Para. 61)	https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes	✓	
WL8	“ <i>Health of the Borough Report - 2024</i> ” (Point 3, Pg. 9)	https://www.ealing.gov.uk/download/downloads/id/18981/health_of_the_borough.pdf	✓	

WL9	<p><i>“Guidance: Vulnerabilities: applying All Our Health - The meaning of vulnerability and other terms” (29 March 2022)</i></p> <p>“Vulnerability: Being <u>vulnerable</u> is defined as in need of special care, support, or protection because of age, disability, risk of abuse or neglect.”</p>	https://www.gov.uk/government/publications/vulnerabilities-applying-all-our-health/vulnerabilities-applying-all-our-health	✓	
WL10	<p><i>“Demographics of Ealing” (see section entitled “Ethnicity in Ealing”)</i></p>	https://www.varbes.com/demographics/ealing-demographics	✓	
WL11	<p>HM UK Government <i>“Guidance: Plan-making”</i></p>	https://www.gov.uk/guidance/plan-making	✓	
WL12	<p>Data and Analysis from Census 2021, Section entitled <i>“Ethnic Groups in Ealing”</i></p>	https://www.ons.gov.uk/visualisations/censusareachanges/E09000009/	✓	
WL13	<p><i>“Ealing Local Plan Health Study Final Technical Report July 2022”</i></p>	https://www.ealing.gov.uk/download/downloads/id/18130/local_plan_health_study.pdf		
App.14	<p><i>“Equalities in Ealing Summary Needs Assessment April 2017” (Appended)</i></p>			✓ 12 Pg.'s
WL15	<p><i>“Housing space and occupancy standards: developing evidence for policy from a health and wellbeing perspective in the UK context” (24th January 2022)</i></p>	https://www.tandfonline.com/doi/full/10.1080/09613218.2021.2024756#d1e666	✓	
WL16	<p>BBC (online) news Article entitled: <i>“Another pandemic inevitable, virologist warns”</i></p>	https://www.bbc.co.uk/news/articles/cx2xr8n14g5o	✓	
WL17	<p>UK Health Security Agency Press Release: <i>“UKHSA highlights pathogens of greatest risk to public</i></p>	https://www.gov.uk/government/news/ukhsa-highlights-pathogens-of-greatest-risk-to-public	✓	

	health”	public-health		
WL18	Excerpt (s. 149(5)) from the Equality Act 2010	https://www.legislation.gov.uk/ukpga/2010/15/section/149	✓	
WL19	Excerpt (s. 149(4)) from the Equality Act 2010	https://www.legislation.gov.uk/ukpga/2010/15/section/149	✓	
WL20	Section entitled “5.16 Prosecution” (Pg. 10) and Section entitled “K. Planning Enforcement Policy” (Pg.’s 71-77), part of Ealing Council’s <i>Corporate Enforcement Policy</i>	https://www.ealing.gov.uk/download/downloads/id/552/corporate_enforcement_policy.pdf	✓	
App.21	Sample ‘COMM’ form with personal Data redacted (Appended)			✓ 6 Pg.’s
WL22	“Review of the efficiency and effectiveness of disclosure in the criminal justice system” published by the Attorney General’s Office (Nov. 2018)	https://assets.publishing.service.gov.uk/media/5bed4ba340f0b667a46ce0d2/Attorney_General_s_Disclosure_Review.pdf	✓	
WL23	Independent Review entitled “Disclosure in the Digital Age Independent Review of Disclosure and Fraud Offences” by Jonathan Fisher KC (March 2025)	https://assets.publishing.service.gov.uk/media/67e279cb4fed20c7f559f559/2025.03.13.Independent.Review.Part.One.Report.Disclosure.Print.20pt.LF_0.1.pdf	✓	
WL24	House of Commons Justice Committee publication entitled “Disclosure of evidence in criminal cases” (11 th Report of Session 2017–19)	https://publications.parliament.uk/pa/cm201719/cmselect/cmjust/859/859.pdf	✓	
WL25	s. 5 Homelessness Reduction Act 2017	https://www.legislation.gov.uk/ukpga/2017/13/contents	✓	
WL26	The Care Act 2014 (CA2014)	https://www.legislation.gov.uk/ukpga/2014/23/contents	✓	
WL27	Part 6 of the “Housing Act 1996” (HA 1996)	https://www.legislation.gov.uk/ukpga/1996/52/part/VI	✓	

WL28	The “ <i>Housing (Consequential Provisions) Act 1985</i> ” (HCPA 1985)	https://www.legislation.gov.uk/ukpga/1985/71/contents	✓	
WL29	The “ <i>Chronically Sick and Disabled Persons Act 1970</i> ” (CSDPA 1970)	https://www.legislation.gov.uk/ukpga/1970/44/section/3#commentary-c752793	✓	
WL30	Human Rights Act 1998	https://www.legislation.gov.uk/ukpga/1998/42/contents	✓	
WL31	Offences against the Person Act 1861	https://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents	✓	
WL32	Criminal Justice and Courts Act 2015	https://www.legislation.gov.uk/ukpga/2015/2/contents	✓	
WL33	Public Interest Disclosure Act 1998	https://www.legislation.gov.uk/ukpga/1998/23/contents	✓	
WL34	Town & Country Planning Association Guide entitled “ <i>Securing Healthy Homes at the local level</i> ” (June 2024)	https://www.housinglin.org.uk/assets/Resources/Housing/Other/Organisation/Healthy-Homes-technical-guide-for-local-implementation.pdf	✓	
WL35	Equality & Human Rights Commission’s Guidance on Housing for Disabled People entitled “ <i>Housing and disabled people A toolkit for local authorities in England: Planning for accessible homes</i> ” (Oct. 2018)	https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-local-authorities-toolkit-england-planning-accessible-homes.pdf	✓	
WL36	Building Property Federation manifesto entitled “ <i>Building for Generations</i> ” (July 2024)	https://bpf.org.uk/media/7680/bpf-manifesto-for-housing.pdf	✓	
WL37	Department for Work & Pensions (DWP) “ <i>Family Resources Survey 2022-2023</i> ”	https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2022-to-2023/family-resources-survey-financial-year-2022-to-2023	✓	

App.38	<p><i>Action Briefing Note</i>” to the <i>Ealing Community Advisory Board</i> (under Chairmanship of then Hon. Mr. James Murray MP) (Nov. 2020, Rev. March 2022 - Appended)</p> <p>(Presently Mr. James Murray is Exchequer Secretary to the Treasury)</p>			✓ 2 Pg.'s
App.39	Ealing Council's 2004 Planning Application Form which then enquired as to whether the subject development was needed on Disability Grounds (Appended)			✓ 4 Pg.'s
WL40	“ <i>The concept of Lifetime Homes</i> ”	https://cae.org.uk/our-services/housing-services/lifetime-homes/	✓	
WL41	HM Government Guidance entitled “ <i>Enforcement and post-permission matters - Responding to suspected breaches of planning control</i> ”	https://www.gov.uk/guidance/enforcing-effective-enforcement	✓	