



Planning Inspectorate

Mr S Barton,
London Borough of Ealing
By email

Our Ref:

PINS/ A5270/429/9

Date:

3 July 2025

Dear Mr Barton,

Examination of the Ealing Local Plan 2024-2039 (the Plan)

1. We write following the conclusion of the Block One hearings on 19 June. We would first like to repeat the thanks given to the officers involved, and to other participants for giving their time and viewpoints.
2. The Block One hearings were informative and gave us much to consider, and we expect Block Two to do likewise. The purpose of this letter is to set out our views on topics where we feel able to comment at this point and are fundamental to our examination of the Plan. Full advice will be given following the conclusion of all the hearings.

Duty to Co-operate (the Duty)

3. The Council is seeking to agree Statements of Common Ground (SoCGs) with Historic England and National Highways. We have also tasked the Council with three further actions arising from the hearing session on Matter 2 aimed at providing the necessary evidence to take a view on compliance with the Duty. In responding to those actions, please ensure that the required evidence clearly identifies the relevant strategic cross boundary matters and provides a clear narrative to demonstrate the ongoing engagement activity on all those matters, the outcomes and how those discussions have shaped the Plan. The submission should be proportionate and include cross reference to relevant agendas and, where pertinent, the minutes of meetings (which may be redacted where necessary). With appropriate supporting explanation, earlier versions of the SoCGs may also assist in demonstrating that discussions were active and how they evolved.

4. As a failure to meet the Duty cannot be remedied in retrospect through the examination process, we are unable to proceed to the next block of hearings until the Council has provided the necessary evidence. As such, we ask for an urgent response setting out when the necessary actions will be completed.

Infrastructure

Infrastructure delivery

5. Aligning infrastructure and growth is a key function of plan making and promoting sustainable patterns of development. Having proportionate evidence on infrastructure delivery based on informed and reasonable assumptions is part of demonstrating the soundness of the Plan, including the deliverability of specific allocations and the robustness of the assumed overall housing land supply position.
6. At the hearings we discussed the Infrastructure Delivery Plan (IDP) Part 2 report [EB84] and its limitations as a tool for showing that the Plan is based on deliverable assumptions about infrastructure delivery. We are particularly concerned about the following:
 - a. The lack of clarity on contingent infrastructure that is directly needed to unlock specific allocations (for example, a flood mitigation project that makes a site developable).
 - b. The number of projects where the delivery period has been identified as 'TBC' and how assumptions have fed through into the housing trajectory and can be regarded as robust.
 - c. The lack of clarity where the infrastructure project is identified as a feasibility or other study work, and what the implications of that are for the Plan.
7. As further evidence work is needed to address these issues, we are concerned that moving forward to the Block Two hearings without it will make it difficult to adequately discuss and conclude on the deliverability of the allocations proposed in the Plan and the overall housing land supply position. Ultimately, this has the potential to delay the examination if this matter is not addressed ahead of the Block Two hearings.
8. To move forward, the Council should submit to us details of the work they propose to do and their time frame for doing it ahead of the Block Two hearings.

Infrastructure – strategic road network

9. We understand that agreeing a SoCG with National Highways is at an advanced stage and is anticipated to be ready in time for the Block Two hearings. The SoCG should clearly set out any remaining areas of dispute. If necessary and practical, we will consider inviting National Highways to attend one of the Block Two hearing sessions to discuss the position.

Housing Land Supply

10. Paragraph 69 (Framework) requires that planning policies should identify a supply of specific, deliverable sites for years one to five following the intended date of adoption, with an appropriate buffer. Specific, developable sites or broad locations for growth should be identified for years six to ten and, where possible, years eleven to fifteen.
11. The Council's evidence of 3.9 years of supply presented to the examination falls short of the five year requirement when the past shortfall and a buffer for that under delivery are factored into the calculation. This position not consistent with national policy and, therefore, raises soundness concerns. Nor are we able to confirm five years of housing land supply, in line with the Council's request for us to do so.
12. We recognise that it may not be possible to fully respond to this issue until the hearing sessions for the site allocations have taken place and further consideration has been given to infrastructure delivery. However, ahead of the Block Two hearings we would ask for a response setting out how the Council proposes to address this issue of consistency with national policy, along with the likely timings for any further work.

Gypsies and Travellers

13. To be sound, the Plan should plan positively and effectively to meet the housing needs of Gypsies and Travellers. We also recognise the protected characteristics of ethnic Gypsies and Travellers under the Equality Act 2010.
14. The existing evidence base relating to future housing needs of the Travelling community is based on the narrow definition of Gypsies set out in the now superseded Plan Policy for Traveller Sites (PPTS 2015). We are aware that a joint London-wide review of needs, based upon a wider definition, is underway. However, the findings are not currently available.
15. Nevertheless, as things presently stand the assessment of need underpinning the policies in the Plan does not demonstrate that it is positively prepared, justified or effective in adequately meeting the housing needs of this part of the Borough's community.
16. Ahead of the Block Two hearings, we would ask for a response setting out how the Council proposes to address this matter, along with the likely timings for any further work.

Strategic policies

17. The Plan does not explicitly identify strategic policies with sufficient clarity to accord with Paragraph 21 of the National Planning Policy Framework (the Framework). On the face of it, a reasonable reader may assume that only policies with the prefix 'SP' are strategic. Paragraph 3.11 (Plan) reinforces this perception by referring to the three strategic planning policies in that section. Paragraph 1.21 (Plan) says that for the purposes of neighbourhood planning all policies are strategic. It is unclear to us what the difference is between strategic policies for the purposes of neighbourhood planning and strategic policies more generally. Modification is needed to address the lack of clarity.
18. If the Council's position is that all policies are to be regarded as strategic, we are concerned that approach is not consistent with Paragraph 21 (Framework) on limiting such policies to those necessary to address the strategic priorities of the area. While whether a policy is 'necessary to address' is a matter of judgement, in principle national policy does not appear to support the Council's blanket approach. An argument that all the policies collectively and equally address strategic priorities is generic. If applied to all plans across the country, this line of thinking would rob Paragraph 21 and the broader exercise of making a distinction between strategic and non-strategic policies of significant utility. As such, the Council's approach is not adequately justified.
19. In the first instance, the Council should consider a more nuanced approach to the scope of strategic policies. The starting point for that is our acceptance that Policies SP1 to SP4 are strategic. The addition of other policies should be specifically justified.
20. To take a view on whether we are content for this matter to be addressed in detail after the Block Two hearings, we would first ask for the Council's response on how they propose to address our concerns.

Policy E3 – Affordable workspace

21. We need to consider further whether this policy as a whole is justified, informed also by the viability session planned for the Block Two hearings.
22. At the Matter 5 session, we discussed how the proposed 10% levy would apply to a broad spectrum of mixed-use schemes. We touched on whether, in order for the policy to be justified, it was necessary to set a lower threshold beneath which a mixed-use scheme would be subject to the lower 5% levy. We are not asking the Council to bring forward a modification on this issue ahead of the Block Two hearings. However, this may be an area that we will return to at a later stage if we consider it necessary to do so.

Next steps

23. We look forward to receiving the Council's initial responses within the next week setting the proposed timescales for responding more fully to the matters set out in this letter, which are in addition to those already recorded in the agreed actions arising from the Block One hearings.
24. We are conscious of the Council's resources and the upcoming summer period, and that this letter raises fundamental issues that need to be carefully considered. As such, we would ask for the Council to provide a frank and realistic appraisal of the likelihood of being in a position to start the Block Two hearings as planned in September. If, on reflection, a pause is necessary please give a realistic indication of when we might be in a position to move forwards.
25. We are not inviting any comments from other parties at this stage.

Darren McCreery and Carole Dillon

INSPECTORS