

Examiner - Keith Holland
LB Ealing (Proposed) CIL Charging Schedule Examination
c/o
Paige Gaughan
Local Plan Programme Officer

Ealing Council
Perceval House
14-16 Uxbridge Road
London W5 2HL
Tel 020 8825 5000

BY EMAIL ONLY TO: localplanprogrammeofficer@ealing.gov.uk

3 July 2025

Dear Mr Holland

**LONDON BOROUGH OF EALING: (DRAFT) CIL CHARGING SCHEDULE EXAMINATION – 2025
SUBMISSIONS BY: BERKELEY HOMES (SOUTHALL) LIMITED (“Berkeley”) DATED 19 MAY 2025
RESPONSE BY LONDON BOROUGH OF EALING**

Further to my letter to you of 27 May, I set out below, and in greater detail in the accompanying legal opinion (see **Annex A** – Opinion by Tim Buley KC)), further explanation concerning the issues raised by Berkeley Homes.

1. Prematurity

Berkeley Homes proposition of prematurity is based on a faulty premise that there is any requirement for infrastructure planning work that supports the CIL to be tested as part of a previous examination. National Planning Policy Guidance is clear that this is not the case;

“Where infrastructure planning work which was undertaken specifically for the levy setting process has not been tested as part of another examination, it will need to be tested at the levy examination. The examiner will need to test that the evidence is sufficient to confirm the aggregate infrastructure funding gap and the total target amount that the charging authority proposes to raise through the levy.”

Paragraph: 018 Reference ID: 25-018-20190901

Revision date: 01 09 2019

The objection of prematurity is without basis and should not form part of the rescheduled CIL examination hearings. Instead, an item should be added to the hearing to confirm the aggregate infrastructure funding gap.

2. Infrastructure Funding Gap

Most of the information concerning the funding gap is already set out in the CIL submission documents, primarily the Infrastructure Delivery Schedule which forms part of the Part Two Infrastructure Delivery Plan report. This provides a list of identified necessary infrastructure and costs as they are presently known. This is likely fall at the lower end of the the total final infrastructure cost because, 1) not all projects are currently possible to cost, and 2) the provided costs are conservative and liable to increase as projects progress.

The attached CIL Revenue Calculator (**Annex B** to this letter) draws together these costs, as far as they are presently known, at approximately £2.9bn, removing the Piccadilly Line upgrade costs which are expected to be met by TfL.

The Calculator also makes a series of CIL revenue projections based upon the revised rates that are the subject of the examination and using the same methodology as the Local Plan Viability Assessment. This represents a best-case scenario as it includes all allocated sites in the plan including those which already benefit from planning consent and are therefore unlikely to be subject to CIL.

CIL revenues for the period 2024/5 to 2038/9 are expected to fall between £223m and £327m, equal to only around 7-11% of identified IDP costs.

I further attach the latest Infrastructure Funding Statement, 1 April 2023 - 31 March 2024 (**Annex C**), which is limited in the absence of an adopted CIL to s106 obligations only. These figures are not directly comparable with the projected CIL revenues because some but not all s106 contributions will instead be subject to the Levy. However, these show revenues of around £11.5m in the reporting year, which would still not by itself close the infrastructure funding gap.

3. Change in timetable

You are correct to point out that the timelines for the CIL and local plan have shifted since submission. Given that the examinations are separate processes, it had been Ealing's approach to allow them to proceed at their own pace in accordance with the national guidance set out above.

It is, however, incorrect for Berkeley Homes to state that 'the Council is proceeding with a CIL

examination to raise money to meet infrastructure costs that might not reflect those in the eventual local plan'. The level of growth set out in the Ealing Local Plan has already been subject to testing as part of the London Plan process and is set by the current, adopted London Plan. Meeting this level of growth is a minimum requirement for the Local Plan to be found sound and there is no reasonable basis to believe that the overall level of infrastructure provision set out in the IDP will be significantly above that which must be delivered to meet this growth.

If I can assist the Examination further, please do not hesitate to contact me.

Best Regards,

Steve Barton

Steve Barton

Strategic Planning Manager
Strategic Planning Team
Planning Services, Design and Sustainability
Economy and Sustainability
Ealing Council

tel 02088258056
email bartons@ealing.gov.uk