

London Borough of Ealing

Local Development Framework Submission Development Strategy

1 Statement of Common Ground between:

- London Borough of Ealing (LBE); and
- English Heritage

2 Purpose of this statement:

The purpose of this document is to inform the Inspector and other parties of the areas of agreement.

The proposed further modifications set out below are the result of subsequent discussions, and were agreed upon by LBE and English Heritage on 14 September 2011.

3 Background

This Statement of Common Ground relates to the representations made by English Heritage (dated 30/11/2010) to LBE's Development Strategy Final Proposals (September 2010).

All of the revisions set out in this document have been agreed by both parties.

Representation Number	Policy	Chapter / Paragraph	Summary of Representation	Council's Response	Council's Proposed Action	English Heritage's Response
612	Preface		We are pleased to see a spatial portrait provided in the preface, which gives a brief indication of Ealing's unique characteristics and some of the key issues which the Development Strategy will need to address. We are concerned, however, that the historic environment is not currently identified within this portrait. The London Borough of Ealing has a rich historic environment which makes a significant contribution to Ealing's character and distinctiveness as a borough, and which has social and economic value for Ealing's residents. The Development Strategy is a key tool for heritage protection within the planning system, and it is crucial that historic environment threats and opportunities are raised as a thematic thread throughout the document. This is a requirement of PPS5, in that Local Authorities should set out a positive, proactive strategy for the conservation and enjoyment of the historic environment, based on evidence of the range of heritage assets (type, significance, distribution, condition and contribution) within the borough (Policy HE2 and HE3.1).	We will agree an approach with English Heritage that addresses their concerns on this matter.	Change – Recommend new policy sub clause at 1.2 (f)	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.
613	1		It is not currently clear what evidence has been used to identify the growth locations outlined in the key diagram on page 10, in the text on page 12 and the map on page 13. While we note that Appendix 3 provides a brief description of the neighbourhood profiles, including a brief reference to the range of heritage assets in each area, we do not consider that this amounts to a sufficiently robust understanding of the significance of heritage assets, the wider historic characteristics of these areas and their environmental limits to accept further development without causing irreversible damage (PPS1, paragraph 19 and PPS5Policy HE7 –HE10). The concern is that growth areas are identified without any recourse to understanding or appreciating the existing historic environment and its contribution to managing future change. This is contrary to PPS1 (planning and delivering for sustainable development) and PPS5 (Government objectives - para 7).	<p>The growth corridors identified describe the Borough's two principal transport corridors and encompass all of its existing town centres, they describe nothing more or less than the physical reality of the Borough's urban form. Evidence on the spatial strategy adopted will be drawn together in a position paper for the examination.</p> <p>The argument made in relation to PPS1 is not supported. We regard the use of the concept of 'irreversible environmental damage' as a metric for development potential as very dangerous in that any development that is not the loss of finite assets is by definition reversible. Much egregious development could be permitted on the grounds that while unfavourable it was nevertheless reversible.</p>	No Change	Note comments.
614	1.1	h	We welcome component (h) of the spatial vision which relates to the historic environment. We suggest that this could be further strengthened in regard of consistency with PPS5 through the addition of explicit references to conserving and enhancing the borough's heritage assets and their settings, and to reinforcing the borough's historic character. This could be expressed as a separate point instead of subsuming the issue with matters relating to designing out crime.	We will agree an approach with English Heritage that addresses their concerns on this matter.	Change – Recommend new policy sub clause at 1.2 (f)	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.

615	1.1	Pg. 19	We welcome the explicit reference to protection of the heritage value and historic character on page 19. Town centres, which have been identified as the foci for growth, are particularly sensitive to erosion of historic character through new development, and it is crucial that proposals for these places are informed by a thorough understanding of the local historic character, so that they can make a positive contribution to it (ref PPS1, PPS4 and PPS5).	Support welcomed.	No change	Note comment.
616	1.2	f	Proposal 1.2 (f): We advise that high density locations should be selected on the basis of a robust understanding of borough-wide environmental character (PPS1, para 19), not just considerations of transport accessibility. A robust assessment of possible growth locations should consider possible sites from an environmental character perspective and its capacity to accommodate change, as well as a transport accessibility perspective. The Development Strategy should identify potential conflicts between these approaches and show how they will be addressed and managed so that the historic environment is not harmed.	Focussing development in urban centres is rightly based on transport accessibility, but also access to facilities and services, employment and infrastructure. Urban centres have historically been areas of higher density, and we would be reluctant to disregard this historical urban morphology.	No Change	Note comment but would encourage greater recognition of the need for a balanced approach to considering the capacity of areas to accommodate change.
617	1.2	h	As with the character areas proposed earlier in the document, the justification behind the selection of the opportunity sites should be made clearer, with explicit reference to any character and historic environment challenges or opportunities which may arise in achieving the Council's regeneration objectives there.	Not accepted. The principles for the redevelopment of opportunity sites should form part of the planning brief and the Sites DPD. The reason for the selection of opportunity sites is that they offer opportunity.	No change	Note comments, but seek to ensure that subsequent planning briefs and Sites DPD consider robustly the need to conserve Ealing's heritage assets and the wider historic environment.
618	2.1	Pg. 29	We welcome the explicit reference to protection of the heritage value and historic character on page 19. Town centres, which have been identified as the foci for growth, are particularly sensitive to erosion of historic character through new development, and it is crucial that proposals for these places are informed by a thorough understanding of the local historic character, so that they can make a positive contribution to it (ref PPS1, PPS4 and PPS5).	Support welcomed.	No change	Note comment.
619	2.2		Proposal 2.2: We welcome the consideration shown to the historic environment in policy 2.2C. We suggest that this policy should reference all heritage assets within Acton Town Centre, and that design should have regard for their historic significance and for the historic character of the town centre as a whole.	References are necessary only to assets which form a part of specific proposals in the development strategy. There seems to be an inconsistency of approach by English Heritage to the need or otherwise for assets to be referred to in development policies. As the assets are not dependent on these policies for protection it seems unnecessary. However we can add references to those regeneration projects which are heritage driven, to demonstrate compliance with PPS5.	Minor Change - Revise 1.1h as follow: 'To care for the borough's historic character and enhance the significance of heritage assets in regeneration proposals, ensure excellence in urban design out crime to make Ealing's environment safe, attractive and accessible to all'. Minor Change - insert additional text at the end of 2.2(b) as follows: '...whilst drawing on the high quality of the historic environment.' Minor Change - Revise Neighbourhood Profiles: Hanwell: add to The Future section: 'The Grade II Hanwell Community Centre will be refurbished to provide a range of community	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.

services, activities and letting opportunities'.
 Change - Add additional bullet point to Final Proposal 2.8 'To cater for and enhance Southall's heritage assets through proposals such as the refurbishment of Manor House, Southall Town Hall and the Himalaya cinema to accommodate a range of retail and community uses whilst establishing linkages to wider regeneration proposals affecting the town centre'.

620	2.5	b&e	We welcome the approach as proposed to reinforce the distinctive character of the town centre and its constituent parts, and the text provided regarding the historic environment in general. However, we have concerns that the character area descriptions do not contain any reference to enhance the quality of the existing townscape and historic character. However the detail provided on the town centre's heritage assets and the commitment to conserve and enhance their significance and their settings is not reflective of the concentration of the heritage assets found in the centre or in compliance with PPS5. For clarity, we suggest that, the need to conserve the historic environment should be applied to the four quarters identified in part (b) of the policy.	Not accepted. The policy as structured provides a clear place to address heritage matters in section e. It is clear as a that the provisions of section e, We are happy to examine the ways in which this wording can be strengthened but the proposed alterations to section b would add nothing in policy terms and dilute its overall clarity.	No change	Note comments and welcome the opportunity to strengthen the wording so that the town centre's heritage assets and wider historic interest are appropriately conserved and utilised positively as part of heritage-led regeneration.
621	2.7	b	Proposal 2.7 (b): For consistency with PPS5 all heritage assets and their settings should be addressed by this policy.	Agreed.	Minor change - Suggest substitute 'heritage assets' or 'all heritage assets' for existing wording.	Agree with the proposed changes on the grounds that it reflects the terminology of PPS5.
622	2.8		Proposal 2.8: Noting the significant housing capacity identified for Southall, we suggest that a policy should be inserted to promote the need to identify, understand and value the historic context (PPS5 HE3.1) and ensure good physical and visual integration between new and existing development (PPS5 HE7.5).	The Core Strategy should not repeat or reformulate national or regional policy, PPS12 4.30. These are already material considerations in PPS5 as EH notes. As stated by the supporting text, the GLA has designated Southall as an opportunity area and will work with Ealing on the planning framework for the area. This framework will doubtless identify any issues that need to be taken into consideration in terms of heritage.	No change	Note the comments and would seek assurances that the emerging planning framework fro Southall recognises the historic interest of the areas, as part of heritage-led regeneration.
623	2.9		We welcome the approach as proposed to reinforce the distinctive character of the town centre and its constituent parts, and the text provided regarding the historic environment in general. However, we have concerns that the character area descriptions do not contain any reference to enhance the quality of the existing townscape and historic character. However the detail provided on the	We will agree an approach with English Heritage that addresses their concerns on this matter.	Change – Recommend new policy sub clause at 1.2 (f)	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.

			town centre's heritage assets and the commitment to conserve and enhance their significance and their settings is not reflective of the concentration of the 6 heritage assets found in the centre or in compliance with PPS5. For clarity, we suggest that, the need to conserve the historic environment should be applied to the fur quarters identified in part (b) of the policy.			
624	3.1		Proposal 3.1: We welcome the sentiment intended in point (b), however, we suggest that this currently reads as if conservation and growth are mutually exclusive. We would expect that all growth areas should be inspired by an understanding of historic context as best practice regeneration. This approach corresponds with PPS5 policy HE3 and HE7.4-7.5.	Agreed	Minor change - To achieve an appropriate balance in localities within the corridor between regeneration objectives and the conservation of the built and natural environment.	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.
625	5	Pg. 52-59	The heritage value of parks and green spaces should be identified and should inform any proposals for them, particularly those which are designated. We suggest that this issue be raised as a general point within the supporting text to chapter 5, and, where relevant, in the policies which follow.	Only a handful of open space sites are also recognised for their heritage value. These sites are designated as Heritage Land, and may also be listed on English Heritage's Gardens of Special Historic Interest Register. Map sheet 8 identifies heritage land in the borough. The open space proposals identified in chapter 5 of the Development Strategy recognise the heritage value of individual sites, for example in relation to Twyford Abbey, Walpole Park etc. Additional text could be added to the opening statement of chapter 5, which recognises the heritage value of parts of the open space network as follows: 'Ealing's metropolitan open areas and green corridors provide the boundaries of residential and business areas, and enhance the A40 and Uxbridge Road corridors. There are also many valuable parks and small incidental green spaces which add distinctive character to the borough's neighbourhoods; provide recreation and children's play space; provide an opportunity for food growing; form a habitat for wildlife; contribute to the historic environment; and are also important in addressing climate change forming an important carbon sink, and improving air quality. As is the case with other heritage assets - listed buildings, ancient monuments etc - the Development Sites document will identify any relevant heritage assets pertaining to that site (in text, and on a plan), along with consideration of their particular sensitivities and opportunities in relation to the development of the site. Further reference could also be added to Heritage Land as part of the Heritage policies set out in the Development Management DPD.	Minor change (for clarification) - recommend additional text to be added to the opening statement of chapter 5 as follows: 'Ealing's metropolitan open areas and green corridors provide the boundaries of residential and business areas, and enhance the A40 and Uxbridge Road corridors. There are also many valuable parks and small incidental green spaces which add distinctive character to the borough's neighbourhoods; provide recreation and children's play space; provide an opportunity for food growing; form a habitat for wildlife; contribute to the historic environment; and are also important in addressing climate change forming an important carbon sink, and improving air quality.	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.
626	6.4		We welcome the provision of an SPD regarding Planning Obligations and Legal Agreements, and we look forward to reviewing it in due course. Planning obligations are an important source of funding for the historic environment and we would expect the revised SPD to identify the historic environment as a potential recipient of planning obligations.	Noted	No change	Note comments.

627	7.3 Appendix Three	Appendix 3 – Neighbourhood profiles: As suggested earlier, the evidence supporting the character areas should be more comprehensive regarding the historic environment. It should provide an understanding of historic character, and the contribution to that character made by heritage assets (PPS5 policy HE2). We suggest that an appropriate and proportionate evidence base is drawn together, drawing on information contained in the Borough's conservation area appraisals and any other appropriate documents.	As discussed with EH, appropriate evidence already exists and this will be drawn together in an appropriate format for the examination.	No change	Note comments
628	7.4 Appendix Four	Appendix 4 - Infrastructure Delivery Schedule: We seek to ensure that the historic environment is adequately covered as an element of infrastructure delivery. This should include ensuring that up-to-date conservation area appraisals and management plans are available for all conservation areas. The Development Strategy also provides a mechanism for addressing the Borough's heritage at risk. English Heritage at Risk Register (available at: www.risk.english-heritage.org.uk) identifies 10 buildings, 11 conservation areas and 3 scheduled monuments as being at risk. The infrastructure delivery schedule should identify a target of removing these assets from the register. There may also be opportunities to promote public realm upgrades around settings of heritage assets, for example, as part of transport upgrades, which could be referenced here.	We will agree an approach with English Heritage that addresses their concerns on this matter.	Change – Recommend new policy sub clause at 1.2 (f)	Agree with the proposed changes on the grounds that it sets out a clear strategic approach to the management of Ealing's historic environment in line with PPS5.

5 Suggested further modifications to the Development Strategy to address outstanding issues

Comments 612, 614, 623 and 628 relate to the articulation of an overall spatial strategy for Ealing's Heritage. After further discussions between English Heritage and LBE it was agreed that while a clear spatial approach to heritage had informed the Development Strategy this did not come through clearly enough in the text as drafted.

The new and revised policies below set out Ealing's spatial approach to heritage as agreed by both parties.

A) To add new policy under "delivery of the Spatial Vision":

1.2 (f) To support the proactive conservation and enjoyment of Ealing's heritage assets and their significance. In this regard the Council will continue to update and revise its evidence relating to the Borough's designated and undesignated heritage assets. In particular, we will regularly review our Conservation Area Appraisals and Management Plans and review and update our Local List of heritage assets to ensure that local assets are identified and their significance properly understood during the planning process. In addition to promote heritage-led regeneration, ensure a balanced approach to climate change measures, encourage greater understanding and access to heritage assets and reduce the number of assets at risk.

The reasoned justification for this policy will be:

In addition to the identification and review of evidence relating to significant heritage assets, the primary method for the delivery of Ealing's heritage strategy will be area specific planning documents such as SPDs/AAPs. The level of detail contained in these documents is best suited to achieving a heritage-driven urban design programme of place-shaping. Development management policies will ensure that proper consideration will be given to heritage matters when determining planning applications, and applications for listed building consent and conservation area consent.

B) To revise existing draft policy on density and tall buildings:

1.2 (g) To support higher densities in areas of good public transport accessibility. Whilst proper regard shall be made to relevant London Plan policies, the council will take into account primarily the quality of the design, the location of the site and the need to provide a suitable housing mix. Tall buildings are acceptable where they contribute positively to the urban environment and do not cause harm to existing heritage assets. The quality of the design solution proposed, especially in relation to its context, and the accessibility of its location are the overriding considerations in the assessment of any proposed development. Tall buildings may be suitable in specified sites within Acton, Ealing and Southall town centres, gateways to Park Royal and identified development sites only. Specific locations identified as suitable for tall buildings will be designated through the Development Sites DPD and also through SPDs/AAPs. In these documents

additional work to refine suitable sites and formations with particular regard to heritage assets and their settings will be undertaken. Policies for the management of tall buildings will be developed in the Development Management DPD.

The reasoned justification for this policy will be:

Whilst proper regard shall be made to relevant London Plan policies which support higher densities in areas of good public transport accessibility, the density matrix should not be applied mechanistically and the council will, in particular, take into account primarily the quality of the design, the context of the site and the need to provide a suitable housing mix. It is important to acknowledge that higher density housing does not automatically equate to a requirement for high-rise development. However, tall buildings can be appropriate and enhance townscape providing they are of high quality design and in suitable locations. The identification of areas suitable for tall buildings will help to promote appropriate sites, deliver housing targets and direct such developments away from less appropriate/more sensitive locations (i.e. those considered vulnerable by virtue of their location, existing use or design. Policies for the management of tall buildings will be developed in the Development Management DPD.