The Planning Inspectorate
EST 1909

Report to Ealing Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO DEVELOPMENT (OR CORE) STRATEGY

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 21 July 2011

Examination hearings held between 1 and 23 November 2011

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Abbreviations Used in this Report

AA	Appropriate Assessment
AHVA	Affordable Housing Viability Assessment
AMR	Annual Monitoring Report
COS	Community Open Space
CS	Core Strategy
DPD	Development Plan Document
ELR	Employment Land Review
FPMC	Further Proposed Minor Change
HS2	High Speed 2
IDP	Infrastructure Delivery Plan
IDS	Infrastructure Delivery Schedule
LDF	Local Development Framework
LDS	Local Development Scheme
LIP	Local Implementation Plan
NPPF	Draft National Planning Policy Framework
OAPF	Opportunity Area Planning Framework
OLC	Outer London Commission
PC	Proposed Change
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
PTAL	Public Transport Accessibility Level
RS	Regional Strategy
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SIL	Strategic Industrial Locations
TfL	Transport for London
WLA	West London Alliance

Non-Technical Summary

This report concludes that the Ealing Council Development (or Core) Strategy Development Plan Document provides an appropriate basis for the planning of the Borough over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

The modifications can be summarised as follows:

- Amend text to take account of the London Plan 2011 and Early Minor alterations and the relevant policies;
- Amend the text to ensure consistency between all parts of the document;
- Ensure the efficient use of land is not at the expense of design or the character of the area and that heritage is fully considered;
- Ensure that there are adequate references to the Development Management DPD and Development Sites DPD when details are left to those documents;
- Amend text to take account of utilities infrastructure identified regionally and nationally;
- Ensure superseded UDP policies are clearly identified;
- Consult on minor modifications to Metropolitan Open Land boundary changes with Development Management DPD; and
- Amend text/footnote to include most up to date information on HS2

The modifications are based on proposals put forward by the Council in response to points raised and suggestions discussed during the public examination.

Introduction

1. This report contains my assessment of the Ealing Council Development (or Core) Strategy Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the DPD is sound and whether it is compliant in legal requirements. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.

2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Development (or Core) Strategy Incorporating Minor Changes July 2011 [EAL2] that followed on from the Development (or Core) Strategy Final Proposals September 2010 [EAL5].

3. My report deals with the main modifications that are needed to make the DPD sound and legally compliant and they are identified in bold in the report (MM). In accordance with section 20(7C) of the 2004 Act (as amended) the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix [ED115] and are indicated by their FPMC reference indicated in the report with the MM reference).

4. The main modifications that go to soundness have been subject to public consultation in the statements and during the examination and I have taken the consultation responses into account in writing this report.

5. References in my report to documentary sources are provided thus [ ], quoting the reference number in the examination library.

Assessment of Soundness

6. The London Plan was published on 22 July 2011 [REG29] and replaced that from 2008. This was after the submission of the Development (or Core) Strategy (CS) for examination. The emerging London Plan had been tracked during the preparation of the CS and the Council believed that the CS was in general conformity with the 2011 adopted Plan. As a result of the adoption of the London Plan there is a need to update the CS to accurately reflect the regional policies. The Mayor's Office indicated by letter dated 27 October 2010, that it had some concerns of non-conformity in relation to the Development (or Core) Strategy Final Proposals September 2010 [EAL5]. Nevertheless, by letter dated 28 September 2011 [ED78], the Mayor's Office confirmed that, with the inclusion of all the industrial locations and opportunity areas on the relevant maps, the Development (or Core) Strategy Incorporating Minor Changes July 2011 [EAL2] would be in general conformity with the London Plan. In that letter the Mayor's Office agreed that policies in respect of socially inclusive design would be more appropriately located within the Development Management DPD.

7. In November 2011, the London Plan Early Minor Alterations *Affordable housing, cycle parking standards and minor clarifications* were published

[ED104]. The minor alterations in respect of affordable housing reflect the affordable rent product in the new definition given in the revision to Planning Policy Statement (PPS) 3 published in June 2011 [NAT8]. Other changes update cycle parking standards to reflect the outcome of the review carried out by Transport for London (TfL) and deletes the definition of Air Quality Neutral from the Glossary.

8. When Ealing Development (or Core) Strategy (CS) is adopted, the development plan will comprise 3 separate documents, the CS, part of Ealing Unitary Development Plan 2004 (UDP) and the London Plan 2011. Part of the UDP will be superseded by the CS. To make the submission document sound it is necessary to identify those policies that will be superseded by the adopted CS. Therefore, I endorse **Annexe V – Appendix Four: Policy Relevant in Ealing, Spring 2012 (MM - FPMC139)**.

Main Issues

9. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified eight main issues upon which the soundness of the plan depends.

Issue 1 – Whether the Vision and Strategic Objectives are soundly based and appropriate for this Borough; consistent with national policies; locally distinctive; and deal adequately with uncertainty. Do they provide a sound basis for the overall spatial strategy and strategic policies in the Core Strategy?

10. The basis of the Council's Vision, Chapter 1, reflects findings set out in supporting documents. The vision was informed by engagement with stakeholders and the community, and influenced by feedback from consultations. Consultations on key issues and options were carried out in 2006 [EB1] and 2007 [EB2] with a review in Spring 2009 and consultation on the Development Strategy 2026 Initial Proposals in September/October 2009 [EB3] and the Submission Draft in September 2010 [EAL5]. A number of approaches were initially considered that involved following established development plan policies or embracing change or protecting the past. These were consulted upon as well as consideration of the future shape of each local area, 'neighbourhood'.   They all provided for the management of growth in a sustainable way to meet present needs and those of future generations.

11. Ealing Borough lies towards the western edge of Outer London, forming part of the West London Alliance (WLA). The WLA also includes the boroughs of Brent, Hammersmith and Fulham, Harrow, Hillingdon and Hounslow. In response to the Outer London Commission (May 2009) (OLC) consultation on proposals for 'super' or 'growth hubs', the WLA argued strongly for a different approach [ED97]. The WLA found West London a polycentric sub-region with none of the town centres of the critical mass for a growth hub unlike Croydon. As an alternative it proposed the appropriate strategy for West London should be based on its inherent geography of radial transport corridors with a strategy to maximise the key development opportunities along them. The broad radial corridors included the Uxbridge Road within the M4/Great Western Rail corridor and the A40/rail corridor from White City and to Uxbridge. The map showing corridors was not included in the final

iteration of the submission to the OLC.

12. CS Map 1 places the corridors in the WLA response into the context of the Borough and its overall setting in the sub-region. The Council considers that the corridors proposed in the CS provide a finer grained approach than the Western Wedge in the London Plan. The Vision for Ealing in the Development Strategy Initial Proposals in 2009 [EB3] primarily concentrated on the development of new homes and business space in the development corridors and this was taken through into the submission CS [EAL5]. The vision reflects the position of Ealing Borough on radial transport routes along which at least Crossrail will be developed. The vision provides the spatial context for the development of Ealing Borough to 2026. There is no question of this context resulting in the CS failing to be in general conformity with the London Plan and I find no soundness reason to require the adoption of a different approach. Nevertheless, for clarity the title and corresponding text to Map 1 should refer to it showing Ealing in its context of West London.

13. The CS seeks to provide a clear spatial vision for the Borough and is different from many core strategies in that it does not follow a thematic order but it contains the key information that will guide future DPDs. The presentation and concise style of the document enhances its readability, with much of the detail left to the Development Management and Development Sites DPDs. The spatial strategy has a key role as a 'place making' spatial strategy and provides strategic guidance for subsequent DPDs. With adequate 'signposting' to the appropriate document and/or the relevant policy in the London Plan, the detail should not be in the CS that should certainly not repeat 'regional' policy. Consequently, the overall spatial strategy provides a sound and appropriate strategy to guide future development within the Borough.

14. In terms of the details, the Preface disputes the official demographic statistics of the population and number of households in the Borough, but does not indicate the source of the figures given. To justify these figures **MM** - **FPMC3** is necessary.

15. In policy 1.1 of the spatial vision, clause (h) refers to the Borough's historic character but the phraseology is not in line with Government policy in PPS5 [NAT12] which refers to heritage assets. The revised wording **(MM - FPMC13)** agreed with English Heritage in a Statement of Common Ground [ED14] is necessary in the interests of soundness and to set out a clear strategic approach for the management of the historic environment in the Borough. In addition, a new policy and supporting text after 1.2(e) to set out clearly the delivery of the strategic approach to the heritage of Ealing Borough is necessary to accord with Government policy in PPS5 **(MM - FPMC31)**. To replace 'ensuring a balanced approach to climate change' from the proposed wording by 'by drawing on the high quality of the Borough's historic environment' would ignore the thrust in PPS1 [NAT4] and therefore not meet the tests in PPS12.

16. In addition, policy 2.1 (c) should be amended, to ensure consistency with the approach taken in policy 3.1, to provide a clear strategic approach to the balance between development and the conservation of the built (and natural) environment to accord with policy in PPS5. **MM** - **FPMC40** is endorsed in

the interests of soundness. Open space can also contribute to the historic environment and this should be reflected in the preface to Chapter 5 **(MM - FPMC94)**.

17. In relation to CS policy 1.2(f), for better clarity and as agreed in the statement of common ground with English Heritage, the policy and supporting text should be replaced with text in **MM - FPMC32**. The text as suggested by the Council identifies that the accessibility of its location and the quality of the design solution proposed, especially in relation to its context, are overriding considerations in development proposals. In identifying areas where tall buildings may be suitable, the suggested wording does not indicate that they are suitable. Specific sites for tall buildings would be identified in the Development Sites DPD the details of which would be consulted upon. To define tall buildings by a specific height would not accord with CABE and English Heritage guidance on tall buildings or the context-based approach in London Plan policy 7.7 and its supporting text. I find no soundness reason for adopting changes other than those agreed with English Heritage which reflect Government advice in PPS1 and PPS5 and the London Plan.

18. To ensure consistency throughout the CS in particular with chapter 5, policy 1.1 (i) should refer to protecting and enhancing the pattern of green spaces and green corridors. CS Policy 1.2 covers all aspects of the delivery of the CS vision and there are modifications that are necessary in the interests of soundness to some of these policies. There was and is community involvement/consultation during the DPD process and in the interests of clarity this should be explicit in the preamble to policy 1.2. Similarly the second preamble paragraph to policy 1.2 should remove specific reference to the agencies whose investment plans work alongside the CS and London Plan as some have been superseded and there is the risk of omission.

19. The Council advises that there are no 'strategic' sites in terms of PPS12 paragraph 4.6 although reference is made to 'special opportunity sites' at Glade Lane, Southall Gas Works and Southern Gateway in policy 1.2(h). The Council acknowledges that these sites are not strategic sites and would be better dealt with in the Development Sites DPD. There is no justification for the retention of special opportunity sites that do not fall within national policy and therefore **MM - FPMC36, FPMC68 and FPC142** are necessary. For consistency, Maps 13-16 should also have the 'Special Opportunity Sites' notation removed   In addition, if maps 7, 10 and 11 of Volume 1 in the Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 [EAL4] were to reflect these modifications, then the Plan would be sound.

20. There are many terms and phrases in the CS that need clarifying to enhance understanding of the document. I endorse the inclusion of a glossary of terms used that would include the new definition of affordable housing following the publication of the Early Minor Alterations to the London Plan [ED104]. The glossary, as proposed by the Council, would cover not only terms necessary for a full understanding of the CS but those applicable for the whole raft of LDF documents. I endorse the glossary set out in Annexe VI of ED115 as a New Appendix Five of the Development Strategy.

21. Consequently, subject to the modifications in Appendix to this report, the

Vision and Strategic Objectives provide a sound, relevant and locally distinctive basis for the spatial strategy, and no further modifications are needed to this part of the plan in the interests of soundness.

Issue 2 - Whether the plan makes sound provision for housing, in terms of the overall number of dwellings, their distribution throughout the district, provision for particular types of dwellings and other housing-related matters

Overall housing provision and distribution

22. The Borough's annual housing target is based on an assessment of the capacity of housing sites within the Borough. This was carried out as part of the London-wide Strategic Housing Land Availability Assessment and Housing Capacity Study 2009 (SHLAA) [REG6]. Approximately 400 sites were identified in the Borough as having potential for development, the majority of which were on previously developed land. Each site was subject to rigorous suitability testing with regard paid to policy and physical constraints. The SHLAA also assessed the capacity to be assigned to each potential site having regard to application histories, development plan allocations, Public Transport Accessibility Levels (PTAL) and the London Plan residential density matrix.

23. The London Plan 2011 has a target for the Borough of 890 new homes per annum making a five-year requirement of 4.450 units. The Consultation Draft National Planning Policy Framework (NPPF) July 2011 advises that an additional 20% against the five year housing requirement should be identified. This would result in the need for 5,340 units where as the housing trajectory anticipates that 4,813 units would be delivered in the first five-years, 8% above the 5-year requirement. The Council did not consider that it would be beneficial to artificially bring forward phasing on estate regeneration sites nor to include additional sites that have a marginal deliverability in the time frame in order to demonstrate a 20% surplus.

24. The housing trajectory is a snapshot in time. The Council has demonstrated delivery of 8% more than the 5 year requirement with further sites in the pipeline to meet the necessary supply for years 6-10. A significant contingency is forecast over the whole plan period. The NPPF is a Consultation Draft and could be subject to change, I therefore do not consider the CS unsound because an additional 20% of the housing requirement is not demonstrated for delivery within the first five-years.

25. The five-year supply is largely made up of sites currently under construction (16%), those with planning permission but not yet started where estimated completions fall within the five-year period (39%) and those within the planning pipeline (23%). The SHLAA [REG6] allocated the Southern Gateway, within Park Royal, for 977 units. In January 2011 the Mayor of London adopted a planning framework for Park Royal – the Park Royal Opportunity Area Planning Framework (OAPF) [REG46]. The OAPF reviewed the capacity within the Opportunity Area and concluded that the 13.4ha had a residential capacity of 1,500 to 2,000 units thus potentially increasing the supply of housing.

26. The Housing Trajectory includes an annual allowance for delivery on small housing sites ("windfall sites" of 0.25 hectares or less) which form about 24% of the total housing capacity in the Borough. The SHLAA details the methodology underlying small site estimates and assumed a theoretical reduction of 90% in small site capacity to ensure that there is no strategic reliance on garden land to meet the housing provision. 217 units per annum is considered conservative and allows for factors such as the current economic situation [EB21]. In the past, 345 units were developed on small sites in 2010/11, 323 units in 2009/10, 470 units in 2008/09 and 408 units in 2007/08 [ED82].

27. London is in a unique circumstance of having to rely on windfall sites for housing supply. Ealing does not have many large development sites and has genuine local circumstances which justify the use of windfall sites in its housing supply. In a largely suburban area like this with Green Belt and MOL under intense development pressure, small sites not included in the SHLAA have historically been important in addressing housing need. The SHLAA analysis has produced reliable and realistic data which justifies the level of small site 'windfall' contribution in its future housing supply under paragraph 59 of PPS3.

28. In London there is a constant demand for housing. The SHLAA informed the identification of housing requirement and was based on an analysis and sieving of sites considered to have potential for development. In the light of the evidence in the SHLAA, the CS provides the broad spatial framework for guiding housing predominately along the two identified corridors. The CS gives the approximate locations for delivery in the eight neighbourhoods. The 'neighbourhoods' are summarised in the detail in CS appendix 2 with **MM - FPMC10** clarifying that the neighbourhoods are those currently defined by the Council. Map 3 shows all the neighbourhoods within the Borough and is more appropriately located in appendix 2. Each neighbourhood has its own particular characteristics and issues to address. Housing potential of particular centres within the development corridors are highlighted in individual CS policies where appropriate. The totality of the capacity of the sites exceeds the housing target in the CS.

29. The sites put forward through the SHLAA process include sites with current planning permission or current planning applications; sites subject to ongoing pre-application discussions; development plan designations; sites identified in regeneration frameworks as part of housing estate regeneration programme; and those suggested by landowners/developers through the SHLAA 'call for sites'. The suggested sites were not subject to public consultation but were scrutinised during the SHLAA process and significantly narrowed down in number before informing the housing minimum target in the London Plan table 3.1. The sites will be taken forward into the Development Sites DPD and it is at that stage they will be identified and there would be opportunity for public consultation.

30. The fact that the majority of development is proposed in areas that are most sustainable in terms of, among other factors, services and public transport does not mean that any development proposal would be approved in those areas. The target is imposed on Ealing Borough but it should be a realistic target having regard to the SHLAA. Sites are not identified in advance of the

SHLAA as they may not be taken forward and identification could affect land values and potentially existing uses. There is no soundness issue in respect of the housing requirement which has already been rigorously tested through the examination of the London Plan or the broad locations for development which were assessed in the SHLAA process.

31. There were some errors in the Changes published in EAL2 in July 2011 that were changed in the errata to EAL2 but that also contained an error. In the interests of soundness the errata to EAL2 on the key diagram tables should be changed in respect of the housing potential from Greenford to correctly read 470 homes **(MM - FPMC144).**

32. The Uxbridge Road corridor has distinctive residential neighbourhoods along parts of its route. A policy on residential neighbourhoods has been identified in relation to the A40 corridor but not the Uxbridge Road corridor. For consistency and clarity regarding the protection of residential neighbourhoods where appropriate, an additional policy is necessary at the end of chapter 2 **(MM - FPMC71)**.

33. Consequently, with the further modifications already referred to, the CS provides a sound framework for the provision and distribution of housing that is justified, effective and consistent with national policy.

Affordable housing

34. London Plan policy 3.11 requires Boroughs to set an overall target for the amount of affordable housing provision needed over the plan period. Of the affordable housing provided 60% should be for social rent and 40% for intermediate rent or sale. The Strategic Housing Market and Needs Assessment 2009 [EB22] demonstrates a significant shortfall in affordable housing units in Ealing Borough that could not be met within the London Plan annual housing requirement.

35. CS policy 1.2 (a) sets a target for the provision of affordable housing based on the Affordable Housing Viability Assessment October 2010 (AHVA) [EB23]. The key finding in AHVA is that up to 50% affordable housing is financially viable with grants in some circumstances at current market values on developments comprising 10 units or more. Nevertheless, it advises that, if grant funding is unavailable, the extent to which affordable housing can be provided will be more limited. The evidence did not support an affordable housing policy that would require a minimum level of provision as not all sites would be viable with this level of provision. Therefore any policy adopted for affordable housing should provide a target which is subject to viability testing on individual sites. In relation to small sites, it was found that a financial in-lieu contribution would not be viable in many cases.

36. The supporting text to CS policy 1.2 (a) requires 50% affordable housing on all new developments comprising 10 units or more, but this would not accord with the conclusions in the AHVA. **MM** - **FPMC23** clarifies that the starting point for negotiations will be a contribution of 50% affordable housing provision on development sites and the modification is necessary to accord with the evidence base and therefore the PPS12 tests. The policy remains unchanged in seeking to ensure that 50% of the totality of housing

developed in the Borough would be affordable. There is nothing to make me consider that this is unrealistic in view of the development/redevelopment of Council owned properties and land. The effectiveness of the policy will be monitored against the achievement of 50% of the total quantum of housing delivered in any given year being affordable rather than the provision of a specific number of units. Regardless of the lack of a requirement for the development of a specific number of affordable units in a year, the assessment of the percentage of affordable units developed compared to open market housing development would allow the effectiveness of the policy to be monitored.

37. Detailed matters relating to lifetime homes and new homes designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users required in the London Plan policies 3.8B (c) and (d) would be provided in the Development Management DPD. That document will inform the detailed consideration of planning decisions and is therefore a more appropriate location for such policies. No modification is necessary in this respect.

38. I am satisfied that the affordable housing provision is soundly based, is justified, would be effective and accords with national policy.

Gypsies, traveller and travelling showpeople

39. London Plan policy 3.8B (i) indicates that the accommodation requirements of gypsies and travellers should be addressed in line with national policy and in co-ordination with neighbouring boroughs. The supporting text advises that boroughs are best placed to assess the needs of, and make provision for these groups. The Council does not endorse the results of the London Gypsy and Traveller Accommodation Assessment 2008 [REG8] which placed a high level of need from gypsies and travellers currently living in bricks and mortar. There are no unauthorised encampments or private sites in the Borough and no history of either. The Council employs a housing support worker to assist those who live in bricks and mortar accommodation, and there was no indication of any desire from them to return to a pitch. The waiting list for the only site in the Borough was 3 at the time of the examination hearings but, of those, one is a long term requirement as the family are waiting for a particular pitch. The Council advises that there is significant churn within the Bashley Road site with 3 pitches having been re-let since April 2009. The Council considers that the level of churn on the site in combination with the quality of support provided by the Council for families facing accommodation issues is sufficient to address the current level of need. This was not disputed.

40. ODPM Circular 01/2006 *Planning for Gypsy and Traveller Caravan Sites* [NAT33] paragraph 31 requires that the core strategy should set out criteria for the location of gypsy and traveller sites which will be used to guide the allocation of sites in the relevant DPD. The criteria will also be used to meet unexpected demand. There is a similar requirement in Circular 04/2007 *Planning for Travelling Showpeople*. The CS under examination provides the spatial strategy within which the detailed criteria based policies in the Development Management DPD will guide the determination of any planning application for gypsy and traveller or travelling showpeople sites. CS policy

1.2 (l) gives protection and guidance on gypsy and traveller sites but should be amended to indicate that additional provision would be considered subject to local evidence of need. The new supporting text would make reference to the criteria based policy in the Development Management DPD. This is necessary for clarity but also, in the interests of soundness, to accord with The London Plan and national policy **(MM - FPMC37)**. Modified, the policy and supporting text would provide a sound framework for protecting and managing the Borough's gypsy and traveller needs.

41. The Government published a Consultation document in April 2011 *Planning for Traveller Sites*. This would align planning policy on traveller sites more closely with that on other forms of housing. Provision to meet accommodation needs is essentially local. Targets for additional site provision would be based on evidence of local need, a point already reflected in the London Plan policy 3.8 (i). The April 2011 document is a Consultation and does not justify any additional modification to the CS policy.

Issue 3 – Is the strategy and are the policies for the provision of employment land and associated economic activity soundly based, effective, deliverable and appropriate for this Borough, supported by robust and credible evidence, and consistent with national and regional policy?

42. London Plan policy 2.17 provides for the protection of strategic industrial locations (SIL) as London's main reservoirs of industrial and related capacity. The policy requires LDFs to develop local policies based on clear and robust assessments of the need to protect their function, to enhance their attractiveness and competitiveness for industrial type activities including access improvements. Following the London Industrial Land Release Benchmarks study [REG14], Ealing Employment Land Review (ELR) [EB20] recommended that the net stock of industrial land should decrease by 14ha, the equivalent of 57,000sqm. The ELR also concluded that there would be a demand for a net addition in office floorspace stock of 94,500sqm over the plan period. The ELR indicated that Ealing Metropolitan Centre should be seen as the prime focus for major office development.

43. CS policy 1.1(c) provides the spatial vision that reflects the ELR conclusions. The delivery of the vision is in policy 1.2(b) and the supporting text. Changes were proposed in EAL2 to the policy and supporting text but these lacked clarity and had some typographical text errors. Modifications were proposed in the Council's statement LPA2 (8) [ED81] that do not change the basic stance of the policy but are necessary for clarity, to accord with the conclusions in the evidence base, to accord with regional policy and to provide guidance for subsequent DPDs. The policy and supporting text provide for the long-term protection of strategic industrial land and locally significant industrial sites that comprise the Borough's strategic employment land. **MM - FPMC24, FPMC25, FPMC26** and **FPMC 27** are modifications necessary in the interests of soundness.

44. It has been suggested that the long term protection of strategic industrial locations and locally significant industrial sites should be relaxed to allow for some alternative uses. This would not accord with the conclusions in the ELR that forms the Council's robust and credible evidence base or in the London

plan policy 2.17. In any event, London Plan paragraph 2.84 allows some flexibility with specific examples of non-industrial or related uses that could be accepted. It is not necessary to repeat higher level policies and supporting text in the CS.

45. Policy 2.9 (c) provides for the release of the Middlesex Business Centre from its SIL designations. Any development on this land will be managed through the Southall OAPF. Nevertheless, CS policy 2.9 (c) and some of the supporting text need updating to take account of the OAPF **(MM - FPMC69** and **FPMC70).** To accord with the modification, if Volume 1 to the Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 deleted Map 9, Middlesex Business Centre as it is to be released from its SIL designation, then the Plan would be sound **(MM - FPMC170)**.

46. To broaden CS policy 1.2 (b) to make specific reference to community infrastructure could weaken the policy that aims to give long-term protection to the stock of employment land. It would be contrary to London Plan policy 4.4 that requires the LDF to demonstrate how the borough stock of industrial land and premises in SIL, locally significant industrial sites and other industrial sites will be planned and managed. It is easier to release employment land, reflecting short term market demand, than replace it later in the period. Any more detailed policies in relation to particular sites or uses would more appropriately be included in the Development Management or Development Sites DPDs. Any development on land that is released in accordance with the CS policies would be subject to consideration under other development plan polices.

47. The draft NPPF proposes removing office development from the existing sequential approach in PPS4 that favours town centres first. Policy 4.2 of the London Plan seeks to encourage the renewal and modernisation of office stock in viable locations with good public transport, thus enhancing the business environment. Having regard to the findings of the Outer London Commission and the London Office Review panel [REG21], the London Plan found the most viable locations for renewal and modernisation of office stock in outer London included town centre based office quarters. The analysis in the ELR reinforces this and suggests that the spatial priority for new large scale office development should firstly be Ealing Town Centre, especially the business quarter on the Uxbridge Road corridor and secondly Park Royal with some merit in encouraging additional space at Greenford Green. These conclusions are reflected in policy 1.2 (b). The NPPF is a draft policy document and could be subject to change. To change the CS to reflect the draft NPPF would not reflect the conclusions in the robust evidence base nor would it accord with the relevant policies in the London Plan. No change is necessary in this respect.

48. Consequently, subject to the modifications found necessary, the CS provides a sound strategy for employment is justified, reasonably robust and likely to be effective.

Issue 4 – Whether the framework for the distribution of retail uses is soundly based, effective, deliverable and appropriate for this Borough, supported by robust and credible evidence, and consistent with national and regional policy?

49. The London Plan identifies a Metropolitan Centre covering Ealing and West Ealing, with Southall a major centre, and Greenford, Hanwell and Acton as District Centres. Other retail areas are identified as Neighbourhood Centres. The CS takes forward these allocations into the 'neighbourhood' profiles in Appendix 2 with the total quantum of new retail floorspace identified in the Spatial Vision – policy 1.1 (a). Nevertheless, the CS does not have a policy for delivering the spatial vision in respect of retail provision. The London Plan policy 2.15 provides some criteria for assessing development in town centres but details are left for the LDF process. To accord with the regional plan and to provide a consistency of approach to that for employment, a new policy relating to the delivery of retail floorspace should be inserted after policy 1.2 (b) **(MM - FPMC28)**. This would 'signpost' where details of the provision in each 'neighbourhood' are identified.

50. The London Boroughs of Ealing, Hounslow and Hammersmith and Fulham Joint Retail Needs Study 2010 [EB28] updated the West London Retail Needs Study 2006 [EB27]. In the light of the statements made querying the retail evidence base, a further paper was produced in October 2011 [ED93]. This concluded that, despite the uncertainty over growth rates in the current economic climate, the evidence in the studies which underpin the CS remained robust and credible. The Council has committed to review the delivery of and demand for retail floorspace through the Annual Monitoring Report and an updated retail needs study would be undertaken within the next 5 years. This would be the time for any adjustments found necessary in the light of market conditions. The CS covers the period up to 2026 and provides for an additional 'up to' floorspace for each of the identified centres based on the findings in ED28. This gives the degree of flexibility necessary in the light of the current economic circumstances. At this time, I find no soundness reason for a different approach from that provided for in the robust and credible evidence base.

51. The quantum of the new retail floorspace that would be directed towards specific retail centres along the growth corridors would depend on, among other factors, accessibility and its level in the hierarchy of centres. Such an approach would be in accordance with PPS4 policy EC3.1 [NAT10]. Although the majority of the retail floorspace would be directed to the main development corridors, CS policy 4.1 provides for the enhancement of neighbourhood centres in the residential hinterlands so that they are attractive, provide a wide range of shopping needs and are accessible by a range of means of travel. The CS provides the necessary strategic framework for more detailed policies in subsequent DPDs and is sound in respect of the provision for retail.

52. The objectives of policies 2.2, 2.5 and 2.8 (Acton Town Centre, Ealing Metropolitan Town Centre and Southall Town Centre) are to revitalise the centres rather than physically intervene and regenerate. Therefore the titles of the policies should be amended to reflect the content of the policies. It is also necessary for policy 2.5 to make it clear that the centre referred to is Ealing Metropolitan Town Centre not just Ealing Broadway.

53. Acton Town Centre has a high quality historic environment. In line with the strategic approach to manage Ealing Borough's historic environment and to accord with PPS5 and ED14, policy 2.2 (b) should make this explicit **(MM -**

FPMC45). This would also apply to Southall which would require an additional bullet point to policy 2.8 **(MM – FPMC60)**. In relation to the historic environment Government policy refers to 'protect and enhance'; a modification to policy 2.5 (e) in this respect is necessary **(MM – FPMC50)**. The fourth bullet point of the same policy needs clarification but, as the local character is already referred to in the first bullet point, local character does not need to be reiterated in the policy.

54. Policy 2.7 provides for the enhancement and consolidation of Hanwell Town Centre with policy 2.7 (b) to be modified to provide for the enhancement of all heritage assets. Further details are in Neighbourhood Profile 4. Hanwell. To provide the clear strategic approach to the management of the historic environment in line with PPS5, reference should also be made to the grade II Hanwell Community Centre in Appendix 2 (4) **(MM - FPMC57** and **FPMC131)**.

55. Ealing Broadway and West Ealing are separated by the business/office quarter but, for purposes of the London Plan, are treated as one and are identified as a Metropolitan Centre. Such a designation has been through the London Plan examination and to identify it as two separate centres would result in the CS being out of conformity with recently adopted regional policy. I find no soundness reason to justify such an approach.

56. Consequently, there is a sound framework for protecting, enhancing and managing the Borough's retail provision that gives sufficient strategic guidance for subsequent DPDs.

Issue 5 – Does the CS provide an appropriate, effective and soundly based framework for an efficient, safe and sustainable transport system to meet the needs of all transport users which is fully justified and supported by robust, up-to-date and credible evidence?

57. PPS12 requires a CS to show how the vision, objectives and strategy for the area will be delivered, by whom and when, but a strategy should also be flexible. The radial routes in the area are highly developed and accessibility within the two corridors by a range of means of transport is excellent. CS Map 7 shows the approved, proposed and potential improvements to transport in the Borough. Nevertheless, in the interests of soundness, **MM - FPMC149** is necessary to ensure that map 7 is consistent with the LIP 2011-2014 and the key aligns with the 'letter' to which it relates. For consistency, the modifications should also be reflected in maps 2, 10 and 13.

58. Crossrail is funded and due to be delivered by 2019 and will mainly run in the Uxbridge Road corridor. Five Crossrail stations are proposed in the Borough and as indicated in the Preface, four will be refurbished. The route will provide increased transport capacity and faster journey times into London and to Heathrow airport. The eastern end of the A40 corridor would also benefit from a Crossrail station and, in itself the A40 corridor reaches north to encompass the Central Line and its associated stations. At present the proposed quantum of development along the development corridors relates to the accessibility to the full range of services in the particular area.

59. On January 10 2012, Justine Greening, the Transport Secretary confirmed

that the Government is going ahead with plans for a high speed rail network (High Speed 2 (HS2)). It is included in the IDS in appendix 3 of the CS as proposed in ED115. CS policy 1.2 (d) acknowledges that proposals for HS2 may not go ahead but if it does, it would inform land use plans when finalised. This is in line with the approach in the Mayor's Transport Strategy 2010 [REG26], the West London Sub-Regional Transport Plan 2010 [REG27] and the Local Implementation Plan (LIP) 2011-2014 [BS25]. The Council indicates that, while the benefits of the scheme are recognised, a holding objection has been lodged because insufficient information has been provided on the effects of building and operating it through the Borough. The policies in CS, particularly the A40 corridor and Park Royal, are not dependant on the implementation of HS2. Nevertheless, a new interchange at Old Oak Common as part of the HS2 proposals would link with Crossrail, the North London Line and the West London Line. This would improve public transport accessibility to Park Royal which, at present, is served by the Central and Piccadilly Underground Lines. The Piccadilly line is due to be upgraded between 2014 and 2018 [REG26]. The CS is sound in respect of HS2 and does not place undue reliance on its implementation. However, if more details of HS2 are known prior to adoption, the plan should be updated to take account of the most up to date situation including the associated footnote.

60. CS policy 4.4 that would promote north south links appears to be a 'wish list' rather than strategic policies to promote north south links and guide future development. CS policy 4.4 (a), (b), (c), (d), (e) and (h) are referred to the LIP 2007 [BS20] and the LIP 2011-2014 [BS25]. The former was consistent with the Mayor's Transport Strategy 2001 and the London Plan 2004, while the latter is consistent with the Mayor's Transport Strategy 2010 [REG26] and the London Plan 2011 [REG29]. The LIP 2007 was approved by Council's Cabinet and Transport for London, and the 2011-2014 LIP has been approved by Council's Cabinet and was approved by the Mayor of London on 12 October 2011. The Council indicates that the policy is designed to allow flexibility so that advantage can be taken to promote improvements when additional funding becomes available.

61. The LIP 2011-2014 identifies specific north-south corridor routes for which feasibility work has been completed and will be implemented in full by 2014. The improvements will provide multi-modal corridors on the public highway, including improvements for walking, cycling, buses and general traffic. London Buses will also provide improvements to north-south routes and general reviews of the bus network. The TfL West London Sub-Regional Transport Plan 2010 [REG27] identifies specific corridors for improvement including corridors relevant to policy 4.4 (b), (c) and (h). Policy 4.4 (b) and (h) are taken through into the TfL draft Network Operating Strategy that proposes a corridor management approach on the A406 and A312.

62. The Council acknowledges that CS Policy 4.4 (d), (e) and (g) are not being progressed in the current LIP 2011-2014 but should they be implemented appropriate monitoring arrangements would be established. Although CS policy 4.4 appears to be a 'wish list', much of the implementation would require funding from outside the Borough. The points identified in the policy go towards achieving the aims in the Mayor's Transport Strategy and the Spatial Vision for Ealing and need identifying in the CS. There is no harm in

terms of soundness from CS policy 4.4. The Council has suggested modifications to policy 4.4 (a) to reflect improvements to the North London Line which come under the jurisdiction of TfL and are therefore outside the control of the Borough. Also modifications to policy 4.4 (c) to reflect WestTrans work.

63. Growth in population in residential hinterlands is one of a series of factors included in the selection of corridors and neighbourhoods. TfL LIP funding is also allocated to the borough on needs-based criteria that includes population and deprivation levels. The Infrastructure Delivery Plan (IDP) ascertains priorities, interventions and challenges. The LIP 2011-2014 contains a performance-monitoring plan which includes targets on bus journey times, cycling mode share, car club bays and CO_2 emissions. The borough's progress for the implementation of projects and a three-year impact report and project outcomes of the LIP 2011-2014 will be required for submission to TfL in April 2014 with TfL monitoring progress continuously.

64. Currently funding has been set-aside for Crossrail, North London Line, Piccadilly Line, District Line, road maintenance, bridge strengthening the Ealing Broadway Interchange Major Scheme and the Southall Broadway Major Scheme. These schemes are identified in the Mayor's Transport Strategy and the LIP 2011-2014. There are also s106 contributions. To aid clarification regarding transport projects, a revision has been suggested to the Infrastructure Delivery Schedule (CS appendix 3) to include the detail regarding Piccadilly Line and District Line upgrades and the North London Line overground. HS2 would also be included. These together with the deletion of Acton Town Centre Major scheme (as advised by TfL) are necessary to accord with regional policy and to reflect the most up to date Borough evidence. (**MM - FPMC138 Annexe III – CS Appendix Three: Infrastructure Delivery Plan v4 (28 November 2011)**

65. Policy 3.3 (c) and (d) refer to 'further investigating' over matters that may not be deliverable over the plan period. It was agreed that this should be included in the supporting text as an aspiration rather than a policy that may not be deliverable **(MM - FPMC76)**. The policy makes no reference to the Grand Union Canal that runs through the area and may have potential for freight transport. An additional point should be added to policy 3.3.

66. TfL is responsible for managing bus services across London, including the planning, scheduling and changing of services as well as the provision and location of bus stops, stands and flags. Nevertheless, the London Borough of Ealing implements projects that will improve bus services and servicing arrangements. The schemes are identified in the IDP with further details in the LIP. To reflect the role of TfL in running services policy 2.1 (b) should be changed. Data on bus origin and destination movements are compiled every 2 years in the London Travel Survey with information also available from Oyster card usage. This information would allow any improvements to be focused where needed. No other modifications are necessary to policy 2.1 (b) in relation to bus services and the available data would provide evidence of usage for monitoring purposes. Nevertheless, change to policy 6.1 is necessary to clarify the identification and promotion of necessary local and strategic improvements and to reference where further details would be found during the life of the CS.

67. CS policy 1.2 (i) promotes the installation of electric vehicle charging points across the borough, the success of which will be monitored under the electric vehicle charging points target identified in the LIP 2011-2014 [BS25]. This is an approach consistent with the Mayor's Transport Strategy 2010. Vehicle charging points will also be required in appropriate developments under policies in the London Plan. The CS is sound in this respect.

68. The Council has adopted a cycling strategy based on six hubs with cycle hire facilities to be developed at Ealing Broadway. The cycle hubs are areas where innovative ideas for cycling will be piloted and where resources will be targeted to increase cycling. The hubs will be located in areas with either an existing high concentration of cyclists or where there is the potential for high mode shift to cycling. The cycle hubs are referred to in CS policies 2.1 (d) and 3.1 (c). Multi-modal improvements in the environment for walking, cycling, road safety, buses and smoothing traffic flows are included in the LIP 2011-2014 [BS25] for many areas. The CS is sound in this respect.

69. Having regard to all the evidence, the plan's strategy for transport, as strengthened by the modifications, is justified, reasonably robust, likely to be effective, and is consistent with national and regional policy.

Issue 6 - Whether the policies on design, sustainable construction, climate change, renewable energy, air quality and noise are appropriate, justified and sound.

70. The CS seeks to steer development to the most appropriate locations having regard, among other points, to accessibility by a range of means of transport and the level of services provided. Development would be expected to adopt the highest standards of sustainable design and construction, and maximise the opportunities to travel by sustainable modes. CS policies 1.1 (k) and 1.2 (e) provide a requirement for development to be of the highest standard of sustainable design and construction but provide no criteria against which success could be monitored. Policy 1.2 (m) acknowledges the need to monitor and review performance. In relation to buildings, the Council accepts that this would be through the appropriate standards in the Code for Sustainable Homes and BREEAM at present. Nevertheless, more details of standards to be achieved in the Borough will be included in the Development Management DPD.

71. The CS policies on sustainability and climate change are underpinned by PPS1 and PPS1a, PPG13, PPS10, PPS25 and the London Plan. Policy 5.1 of the London Plan requires detailed policies and proposals that promote and are consistent with the achievement of the Mayor's strategic carbon dioxide emissions reduction target to be in LDFs. The Council advises that the detailed policies in the Development Management DPD will conform to the London Plan in respect of CO_2 emission reduction policies and will endorse the principles of the energy hierarchy and decentralised energy networks which are covered in the London Plan policy 5.5. The CS policies reflect/are informed by its evidence base including Towards Zero Carbon Development September 2010 [EB17] and Heat Mapping Study May 2010 [EB18] in addition to that for the London Plan. The Council will also investigate the potential to secure an energy monitoring service to be able to monitor CO_2 emissions. Thus compliance with the London Plan CO_2 emission targets

would be ensured.

72. EB18 identified 8 focus areas where decentralised energy could be developed with possible areas identified in CS policies in chapters 2 and 3. The policies only seek to establish a decentralised energy network and cannot be more conclusive as further opportunities for such networks need to be explored. The study undertaken so far provides a high level assessment of the potential network locations and more detailed feasibility studies of the preferred schemes would be the next phase. The wording in the CS policies provide the strategic framework within which more detailed policies can be developed in later DPDs to ensure the implementation of schemes where appropriate. The suggested rewording of the supporting text to policy 2.6 updates the situation of the Green Man Lane Estate regeneration which includes provision for the future connection to any decentralised energy network.

73. In respect of design, sustainable construction and renewable energy, the CS provides a sound and adequate strategic framework, providing detailed policy criteria and targets are included in the Development Management DPD.

74. CS policy 1.2 (k) gives a strategy for the appropriate application of sustainable drainage techniques through the layout and form of new development. It also indicates that all new development will be subject to a sequential test so that development is directed to areas at least risk of flooding. Not all sites would fall into a flood zone where PPS25 [NAT24] would require a flood risk assessment under PPS25 Appendix E. PPS25 Practice Guide [NAT25] sets out how to apply the sequential approach, the Sequential Test and the Exception Test. Fig 4.1 indicates the starting point is 'can development be allocated in Zone 1', if yes then the sequential test is passed, if no there are a further series of tests. Paragraph 4.17 of the Practice Guide advises that at the local level the Sequential Test should be applied to the whole local authority area. As worded CS policy 1.2 (k) reflects and is consistent with national policy and accords with London Plan policy 5.12 B.

75. Chapter 6 of the CS aims to ensure sustainable delivery of services. Policy 6.1 makes reference in the second bullet point to utilities and energy but the proceeding text makes no reference to utilities. Nevertheless, the preamble to chapter 6 in support of policies 6.1-6.4 makes no reference to utility services although such factors are included in the IDS. For consistency and to recognise the importance of utilities to the provision of infrastructure they should be identified in the preamble.

76. PPS12 requires development proposals to take account of the infrastructure requirements. The London Plan policy 5.14 covering water quality and wastewater infrastructure indicates that LDFs should identify wastewater infrastructure requirements. The supporting text to the London Plan policy notes that in 2007 the Government approved the construction of the Thames Tideway Sewer Tunnels that would address the long-term problem of combined sewer outflows.

77. **MM - FPMC157** would amend map 10 to identify the Acton Storm Water

Tanks that would serve the Thames Tideway Tunnel project. The project is included in the latest version of the IDS dated 28 November 2011. Nevertheless, no reference is made to the Thames Tideway Sewer Tunnel project in the CS policies. The Council indicates that it supports the timely implementation of the Thames Tideway Sewer Tunnel project, including the connection of the combined sewer outflows in the borough. It is acknowledged that, detailed policies relating to the delivery of infrastructure are addressed in the London Plan. Nevertheless, without an appropriate strategic policy, I consider that the CS is not fully justified or effective in respect of the Thames Tideway Sewer project. In the interests of soundness the plan should be modified in accordance with **MM – FPMC42**. The proposed footnote would make reference to policy 6.1 which covers physical infrastructure including utilities in the Borough.

78. Waste management will be the subject of a Joint Waste DPD but Ealing Borough will have to make provision to manage 455,000 tonnes of waste per annum by 2026 in accordance with table 5.3 and policy 5.17H of the London Plan. A new footnote would be necessary to clarify the source of the quantity identified in CS policy 1.2 (g). Policy 4.3 relates to the regeneration of Greenford Depot that is set within a residential area adjacent to MOL but safeguarded for waste uses in the London Plan. To ensure that the regeneration of the depot takes account of its location, the policy and supporting text should clearly indicate that any development on this site should be sensitive to its setting.

79. There are no policies in the CS to tackle air quality or noise but London Plan policies 7.14 and 7.15 cover these matters. Both London Plan policies advise that policies should be provided at the Borough level through the LDF process. The Council considers that detailed Borough policies would, more appropriately, be included in the Development Management DPD within the framework of the strategic policies in the London Plan. The Spatial Vision in CS policy 1.1 (j) provides, among other points, for the protection and improvement of air quality and ambient noise levels. I do not find any modifications to that policy necessary in the interests of soundness. The footnote to this policy 'signposts' the appropriate chapters in the Development Management DPD. Nevertheless, reference should also be made to the overarching London Plan policies as they will be relied upon for the delivery of the spatial vision until the Development Management DPD is adopted **(MM - FPMC15)**.

80. In the light of the modifications referred to above, the plan's approach to sustainability is sound.

Issue 7 – Whether the plan gives sufficient guidance on the provision of infrastructure, green infrastructure and biodiversity and is an appropriate reflection of local needs and opportunities

Infrastructure

81. CS policy 6.2 lists factors that are included in social infrastructure. There is no reference to 'places of worship'. For completeness, and to accord with London Plan policy 3.16 and its supporting text, this should be added. Social infrastructure includes culture and sports but this is not clear from the fourth

bullet point to policy 6.2. Culture and sports should be included in the title with leisure as well as additional explanatory text in the interests of clarity. A footnote to the policy would 'signpost' the relevant parts of the London Plan.

82. Map 9 in Chapter 6 only covers existing education, health and leisure facilities, not all community facilities, and this should be reflected on the map and in the preamble text to chapter 6. Map 10 should be amended to correctly identify secondary school and secondary school expansion and Mattock Lane Health Centre. Map 10 would also benefit from clarity as to what is meant by expanded infrastructure. The supporting text to the policies in Chapter 6 makes it clear that the early implementation of social and other infrastructure requirements needed by residents of new development are important issues. This can be taken through into priorities for Community Infrastructure Levy, Planning Obligations and Legal Agreements that policy 6.4 seeks to establish. Apart from a minor omission no further modifications are necessary to ensure the necessary infrastructure is available for all residents of the Borough. More detailed policies would be in the Development Management DPD.

Open/green space

83. The CS policies in relation to open/green space were informed by an evidence base that included the Green Space Strategy (Draft) July 2011 [BS7], the Background Paper 3 Open Space October 2010 [EB26]; the Facilities Strategy March 2011 [BS9] that incorporated the Playing Pitch and Outdoor Sport assessment February 2007 [BS8] and the 2010 updates; These documents were prepared in accordance with national guidance.

84. PPG17 [NAT19] requires local authorities to undertake robust assessments of existing and future needs of their communities for open space, sports and recreation facilities. Background Paper 3 Open Space, October 2010, [EB26] collated the audit data, excluding quality data, and covered the full typology of open space in the borough, classifying the space by function and size. The classification types are defined in PPG17 and the London Plan. As a result a number of mapping changes were identified. These changes were carried through into Volume 2 of the Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004, September 2010 [EAL4]. Some further minor discrepancies were brought to the Council's attention after the publication of EB26 and these are in Annexe II of ED115. The addressing of deficiencies identified in the Green Space Strategy was highlighted in the supporting text to CS policy 5.5.

85. Taking account of factors like physical barriers to access such as road, rail lines and waterways, the deficiencies were plotted using new mapping software with Green Space Information for Greater London. Hence the Council proposes refinements to the supporting text to policy 5.5 in **MM - FPMC105** to accord with the Council's updated evidence base, the Green Space Strategy (2012-2022). Some of the actions identified through the Green Space Strategy are not within the remit of planning but if they are they may be delivered through other LDF documents. Areas of Green Space of Metropolitan Significance for example Sites of Metropolitan Importance for Nature Conservation, Regionally Important Geological Sites and the Blue

Ribbon Network were identified jointly with the GLA. If the modifications in the Volume 2 of the Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 [EAL4] reflect the appropriate parts of the Green Space Strategy, then the Plan would be sound.

86. CS Policy 5.2 (a) identifies Acton Park as a district park but it is of insufficient scale to have district park status, on its own, being under the London Plan threshold of 20ha. The Green Space Strategy identifies Acton Park as a priority for investment, thus potentially securing investment. The modification proposed in **MM - FPMC98** would bring policy 5.2 (a) in line with the regional plan and is necessary in the interests of soundness.

87. In a relatively densely developed London Borough there will be limited opportunities to develop significant areas of new open space therefore policies are focused towards exploring opportunities to create new space. London Plan policy 7.18 seeks to ensure that future open space needs are considered in the policies for Opportunity Areas (Park Royal and Southall in the Borough) and this aim is addressed in policy 5.5 (b). This policy should be updated to reflect the current status of the Green Space Strategy.

88. The supporting text to CS policy 5.5 should also be updated to reflect the emerging evidence base by referencing to the Green Space Strategy 2012-2022 and the emerging regional work on the All London Green Grid. The key findings of the updated deficiency analysis should be addressed. Therefore the deficiency in allotment provision needs recognising in the CS. In addition, a policy that is titled 'Promoting Parks, Local Green Space and Addressing Deficiency', should address the value and role of open space in adjoining Boroughs whose catchment area extends into Ealing. **MM - FPMC106** is necessary, in part to accord with regional policy, and to update background evidence.

89. The Green Space Strategy is referred to in Chapter 5 but not mentioned in the preamble to the chapter. To improve clarity there should be a reference to the Strategy in the preamble to the chapter.

Green Belt

90. CS policy 5.1 aims to protect and enhance the Metropolitan Green Belt (GB) and 5.2 to do the same for Metropolitan Open Land (MOL). London Plan policy 7.17 provides the same protection to MOL as that applied to the Green Belt in PPG2 *Green Belts*. Nevertheless there is no supporting text to clarify GB and MOL or ground the policies in their national and regional Context. **MM** - **FPMC96** is necessary in the interests of soundness.

91. PPG2 states that once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances with the adopted boundary not altered or developed merely because the land is derelict. It also states that wherever practicable a Green Belt should be several miles wide. Appendix 3 of Background Paper 3 [EB26] gives a detailed audit of selected sites and found that the GSK Sports Ground does not meet the majority of criteria relevant to the purpose and use of land in the Green Belt in PPG2. The Council proposes to remove Green Belt status from the sports ground and re-designate the land as MOL and Community Open Space

(COS). The MOL designation would have the same protection as Green Belt, with the proposed glossary indicating that COS is space protected from development so that it is available as open space for the community but not with full public access.

92.   Part of the land is designated in the UDP proposals map as a site of Metropolitan and Local Importance for Nature Conservation and as public open space. This area would lie outside the proposed COS designation but the whole would be within the proposed MOL designation. The site is at the eastern extent of the Green Belt and its link to the remainder of the Green Belt to the west is only slightly wider than the A40 that runs through it. If the Green Belt designation is removed the green corridor along the A40 would need to be extended through the whole site.

93.   Much of the site was formal sports facilities with associated buildings but now has limited use. Designation for COS and the re-use of the land for purposes compatible with a MOL designation would enable a similar scale of built development to that existing while retaining the character, appearance and biodiversity of the existing open land. It would enable the area to be brought into active recreational/sports use. The site was clearly shown on Map 8 in EAL5 as MOL although the text did not reflect this position. As it was included and is clearly distinguishable on the CS map, this change was adequately consulted upon and I endorse the modifications to policies 5.1 and 5.2 to reflect this redesignation that would accord with background evidence in EB26 or Map 1 of Volume 2 of EAL4 **(MM - FPMC97** and **FPMC101)**.

Metropolitan Open Land

94.   Twyford Abbey is a grade II listed building with an attached walled garden and associated grounds. It is a pocket of land designated as MOL. Inappropriate development in the MOL is not permitted unless the very special circumstances to clearly outweigh the harm by reason of inappropriateness and any other harm are found. The CS identifies the site as suitable for a public park but it is private land and such a designation is not justified. **MM** - **FPMC99** would promote public access to the grounds and this is a use that could be acceptable to the owners as part of an overall scheme. The restoration of the Abbey may require enabling development and as indicated in PPS5, the local planning authority should assess whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the dis-benefits of departing from the development plan. The site is clearly distinguishable from the built-up area, contains features of national value and therefore falls into two of the criteria in London Plan policy 7.17 for the designation of land as MOL. There is no soundness reason for the removal of the land from the MOL, a designation that is strongly supported in the London Plan policy.

95.   The Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 [EAL4] was one of the background reports that supported the consultation on the Development (or Core) Strategy 2026 Final Proposals [EAL5], and the Development Sites Initial Proposals [EB6] and Development Management Initial Proposals [EB5]. Although some of the changes that come through in EAL4 are obvious from the policies in the CS, others are not obvious and

could not be distinguished on Map 8 due to the scale of the maps in the CS that are for diagrammatic purposes only. Background Paper 3: Open Space [EB26] has in Appendix 2 an audit of proposed mapping changes and Appendix 3 a detailed audit of selected sites, but the document was not formally consulted upon and was again a background document.

96. The Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 does refer to specific policies in the CS in relation to each of the proposed changes. Volume 1 covers specific sites or areas within the Borough that are evident from the text of the CS. Volume 2 relates to Green Space. Mapping changes that relate to open space designations and minor modifications in open space were clearly 'signposted' in the Green Space Strategy references in policy 5.5. However, there is no reference to modifications to the MOL boundaries or indeed any explanatory text to policy 5.2 on MOL that might have referred to the changes. Policy 5.2 aims at realising the potential of the network of MOL and promotes specific proposals.

97. A resident from one of the affected areas was heard at the examination but it was evident that local residents in that area had not been aware of the modifications proposed in the background document during the consultation period. In my opinion, the consultation on the CS did not adequately cover consultation on the proposed minor modifications to the adopted MOL boundary. The modifications to the MOL boundary were shown on Maps 2, 3 and 4 in Volume 2 of EAL4 as well as some additional modifications in Annexe II of ED115. These modifications should be consulted upon alongside the Development Management DPD in Spring 2012 as the Proposals Map is only updated as part of the process of adopting a DPD that has been found sound. This would relate only to EAL4 Volume 2 maps 2, 3 and 4, **(MM _ FPMC15O)** and **MM-FPMC178** and **FPMC179** in relation to Annexe II of ED115.

98. Apart from modifications to the MOL boundary, if the Proposals Map reflects the modifications in Volume 2 of the Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 and the modifications in ED115 Annexe II then the Plan would be sound.

Biodiversity and Nature Conservation

99. Volume 3 of the Atlas of Proposed Changes to the Adopted UDP Proposals Map 2004 covers nature conservation sites. As indicated in the CS, the network of sites for nature conservation are based on the Mayor of London's study 2007, consideration of the study during 2007 and the 2009 LDF consultation. The Mayor identified areas of deficiency in access to nature (localities that are more than 1km walking distance from a publicly accessible Site of Borough or Metropolitan Importance for Nature Conservation). A review of Sites of Importance for Nature Conservation was prepared jointly by the GLA and the Council, with particular input from Ealing Wildlife Network. Boundary adjustments were considered following comments from representative bodies and these were taken forward into Volume 3 of EAL4. These are covered within the explanatory text to policy 5.4 and if the Proposals Map reflects these changes, then the plan would be sound but as Map 8 of Volume 3 is covered on Map 9, Map 8 should be deleted.

Green Corridors

100. The CS seeks to promote and enhance green corridors in policy 5.3, but makes no reference to the Blue Ribbon network, which is acknowledged to be important although the policy refers to the Grand Union Canal and the River Brent – parts of the Blue Ribbon network. There is no supporting text to the green corridors but it would be beneficial to give guidance on the delivery of the green corridor particularly in the Acton area, which has yet to be delivered.

Sports Grounds

101. CS policy 5.6 only 'seeks' to protect and promote whereas the Council is firmly committed to protecting the network of sports grounds in the borough. Therefore the policy should be more positive with clarification on the sports hub location in the area of Gurnell Pool. The list of strategic outdoor sports sites is updated on a periodic basis in the Facilities Strategy. Therefore to ensure the CS remains relevant and current, the list of sites in the supporting text to policy 5.6 should be deleted from the text and Map 8.

Other matters

102. CS policy 5.7 needs updating in respect of Hortus Cemetery as it has reached full capacity. In the light of emerging work, the Council also suggests adding to the supporting text to make reference to different community group needs and ways of addressing particular deficiencies.

103. To make it clear that this examination and report only covers map changes that relate to the CS, **MM** - **FPMC168**, **FPMC171** and **FPMC183** are necessary to the introductions to the different volumes in EAL4. Subject to omission of a small part of Volume 2 of EAL4 and Annexe II of ED115 relating to modifications to MOL boundaries, the CS provides a sound framework for protecting, enhancing and managing the infrastructure, green infrastructure and biodiversity of the Borough and gives sufficient strategic guidance for subsequent DPDs.

Issue 8 – Are the arrangements for monitoring the policies of the Core Strategy adequate, effective and soundly based?

104. PPS12 paragraph 4.47 indicates that a core strategy must have clear arrangements for monitoring and reporting results, a matter essential for an effective strategy, with clear targets and measurable outcomes to assist this process. The CS has identified quantitative targets where justified, including numbers of new homes, percentage of new housing that will be affordable, floorspace for office and retail uses, managed release of strategic industrial land and tonnage of waste to be managed. Nevertheless, not all matters can be judged on a quantitative basis but should be judged on whether the desired spatial objective has been achieved.

105. The IDP would be updated annually and includes quantitative targets where appropriate and generally covers infrastructure delivery within the next 5 years. The IDP would be a living document with the annual update appended to the Annual Monitoring Report (AMR). The AMR would include reference to the delivery of infrastructure. In addition under the CIL

process, the Council will have to publish where CIL monies have been spent and the priorities for spending. Thus there would be annual monitoring of the infrastructure delivery as well as some quantitative monitoring of aspects of the implementation of the strategic policies.

106. CS policy 1.2 (m) sets out clearly the Council's approach to monitoring and reviewing performance through the IDP and AMR. Development Management DPD policies will provide the detail to implement the strategy. I am satisfied that there are clear arrangements for monitoring and reporting the results so that the success of the policy approach can be reported on and monitored annually to demonstrate the policies in the CS are effective, clearly set out and soundly based.

107. None of the changes proposed in Appendices A, B or C should materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.

Assessment of Legal Compliance

108. My examination of the compliance of the Core Strategy with the legal requirements is summarised in the table below. I conclude that the Core Strategy meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS March 2010 which sets out an expected adoption date of December 2010. The Core Strategy's content is compliant with the LDS, but the timing has slipped.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2006 and updated in July 2011. Consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed changes Appendix B and further proposed changes (FPMC).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (February 2011) sets out why AA is not necessary.
National Policy	The Core Strategy complies with national policy except where indicated and modifications are recommended.
The London Plan	The Core Strategy is in general conformity with the London Plan.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Core Strategy complies with the Act and the Regulations.

Overall Conclusion and Recommendation

109. **The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the Ealing Development (or Core) Strategy DPD satisfies the requirements of Section 20(5) of the 2004 Act (as amended) and meets the criteria for soundness in PPS12.**

Elizabeth Fieldhouse

Inspector

This report is accompanied by the Appendix containing the Main Modifications

Appendix

ED115 Schedule of
Further Proposed Min