

Inspector's initial questions to the Council

DEVELOPMENT SITES DPD

(My comments relate to the Development Sites DPD with Minor Track Changes EDS2)

Consistency with the Core Strategy

1. One of the key legal tests for the Plan is whether it is consistent with the Development/Core Strategy (CS). The CS is a recent document which sets out an approach to the distribution of development giving targets for employment, housing and retail in the development corridors. The Development Sites DPD is set out in a different way, identifying 5 areas and not specifying numbers or details of types of development (where mixed use) to be provided by the allocations.
2. Whilst the earlier Options Plan provided some guidance on numbers and types of development, for various reasons this is not carried through to the published document. However, I need assurance in the form of detailed information that the development sites will provide the necessary development in the right locations.
3. Therefore, an up-to-date position statement should be provided for housing, retail and employment setting out the distribution requirements of the CS, and demonstrating how these will be/are being met by the development sites. Detailed trajectories identifying numbers and types of development for all of the development sites should be provided as part of the position statements. This information is over and above the detail provided in the AMR - it should link directly to the development strategy for the CS, the Development Sites Plan and the site allocations within it.

Delivery

4. One of the main questions to be addressed is whether the Plan will be effective in delivering the CS development strategy. This is a matter about which I am concerned and this will form a main issue at the Hearing sessions.
5. The detailed information requested for demonstrating consistency with the CS (in particular trajectories which include the development sites) will go some way to demonstrate the short and long term strategy for delivery. My concern is that many sites for the first phase of the plan are identified as delivering development from 2011. Clearly, as it is now 2013, I would like the Council to demonstrate that delivery on those sites has commenced and, if not, how this will affect CS targets for development.
6. In addition to concern about sites coming forward for the first phase of the plan (2011 – 2016), I am concerned that the second phase is only 3 years away. What measures is the Council taking to ensure that those sites identified for 2016 will be delivered within the identified time period?
7. With specific regard to housing, the National Planning Policy Framework seeks a 5 year housing land supply plus a buffer of 20% for those Council's where there is a persistent under delivery. Please could the housing position statement requested above, amalgamate figures for the last 5 years of housing (2008 – 2012 inc) setting out

targets and delivery. The figures should indicate whether the Council is on target to meet the figures in the CS Inspector's report paragraphs 23 and 24. It should also include an update of those figures based on recent information. Do you consider that the 20% buffer is necessary and if so what is the relevant 5 year land supply figure for 2011 – 2016 and 2013 – 2017? What measures are in place to achieve the target figures?

Viability

8. Tied up with effectiveness and deliverability is the viability of the Plan. How has the plan and the development sites within it been tested for viability? Has the Council taken into account the costs associated with demolition/abnormal site costs and the proposed Development Management Policies? How will the Council ensure flexibility within the Plan to enable development to be delivered during the current economic climate? The Plan should openly take into account any implications of uncertainty and consider the "what if" situation.
9. How has the Council taken into account the effect on viability/deliverability of those sites affected by water supply capability and waste water services referred to by Thames Water Utilities Ltd.

Monitoring

10. Another essential element of the effectiveness of the Plan is monitoring and the Council should consider including a monitoring section within the plan. This is important, as where uncertainties exist that may affect the delivery of development requirements, planned contingencies with appropriate monitoring and trigger mechanisms need to be included.
11. Therefore, the Council should explain how it will monitor the delivery of the development sites and what options they will consider if development is slower or different to that anticipated.

DEVELOPMENT MANAGEMENT DPD

(My comments relate to the Development Management DPD with Minor Track Changes EDM2)

12. The Plan should consider using an easier format to guide development in the Borough as two documents (one consolidated with the London Plan variation policies) may be confusing. Although this is a matter of style, I would like the Council to give some thought to a single document. This will form a topic for discussion at the hearing sessions. Where tables or figures are referred to from the London Plan these should be included in full (even if as an annex) for ease of reference.
13. I note that considerable modifications have been made to the wording of the policies and their justification in the light of representations received. Therefore, many of the detailed aspects of this Plan including an up-to-date justification for the policies and its effectiveness will be dealt with at the hearing sessions. However, answers to some initial questions as follows would be helpful:
 - Policy 4A (B) – I have read the Council's response to representations about this policy. However, I remain concerned that there is some conflict in the wording - if employment use is

unviable, would seeking a mixed use replacement be justified?
What does the Council mean by mixed use in these circumstances?

- Policy 4B (A) – Is the policy aim for ‘100% retail in Primary Frontages’ flexible enough to cope with the existing economic circumstances? Has this been viability tested to see what the impact will be for town centres over the life of the plan? Is there up-to-date evidence of demand/need for Primary Frontages to be 100% retail for the early stage of the Plan? Is there a conflict with policy 4C’s identification of main town centre uses, some of which are non-retail?
- Policy 5.2 – I am concerned about the application of the last paragraph of the justification of this policy asking for post-construction monitoring – what is the purpose of this if development meets the criteria set out in the policy? By what means will this be secured and what will the Council do with the monitoring information? Also, have you tested the implications of this policy on the viability of development?

DEVELOPMENT SITES DPD DEVELOPMENT MANAGEMENT DPD

Duty to Co-operate – preparation of the Plan

14. My examination has to establish whether the Council has complied with the Duty to Co-operate. The Town and Country Planning (Local Planning) (England) Regulations section 4 prescribes 12 bodies, the local enterprise partnership and local nature partnership as the bodies required to co-operate.
15. The documents ref EDS6a and EDMA6a provide a list of consultees and the AMR report page 133 provides other information on the methods of co-operation but not all the prescribed bodies are noted.
16. Please can I have an updated schedule setting out the prescribed bodies and partnerships, and the process of co-operation (where necessary) with these organisations.

Gypsies and Travellers

17. Policy B of the Planning Policy for Traveller Sites (PPTS) (which replaces previous national planning policy) sets out a number of requirements for Local Plans in respect of this issue. CS policy 1.2(n) says that there is provision to 2011. As it is 2013, can you provide me with an update on Gypsy and Traveller needs and how they will be catered for over the next five years.
18. DM Policy 3B indicates that Gypsy and Traveller development will be assessed on the basis of need and that their needs will be set out in a published evidence base, but there is no indication of when this will be done. Can the Council set a timescale for this?

Policies Map

19. My examination relates to the Development Sites and Development Management Development Plan Documents. The Policies Map does not appear to be part of these plans and is not therefore part of the examination. In any event, the Policies Map should only be a visual representation of policies contained in Plans. If the Council wish they

London Borough of Ealing Development Sites and Development Management
Development Plan Documents

can include a list of changes in an annex to the development sites DPD
to include it within the Plan discussion.

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