

Further Statement

LBE/Matter 1 – Overall Approach

17 May 2013

EALING COUNCIL

1. MATTER ONE – OVERALL APPROACH

1.1 Overall, have the two DPDs been prepared in accordance with relevant legal requirements, and the procedural requirements of the National Planning Policy Framework (NPPF)? Are they consistent with the NPPF and do they reflect the presumption in favour of sustainable development?

Yes, the Development Sites and Management DPDs have been prepared in accordance with the relevant legal and procedural requirements including the National Planning Policy Framework (NPPF).

In particular, the Council has complied with the duty to co-operate (S33A of the Planning and Compulsory Purchase Act 2004, as amended) and can therefore confirm that no organisations, as prescribed by the Regulations, have been omitted although it must be noted that the level of engagement has varied significantly and has been very much dependent on the agency involved and their willingness to actively engage.

Furthermore both DPDs are been prepared in accordance with the Council's own Statement of Community Involvement (see ODS2) and have been informed throughout by a process of sustainability appraisal (SA) (see EDS5a and b and EDM5a and b).

Sustainable development is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF is clear that sustainable development includes social, economic and environmental objectives in a balanced way. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

This means that when considering development proposals relating to this plan the Council will take a positive approach that reflects the presumption contained in the NPPF. It will always work proactively with applicants to jointly find solutions, which mean that proposals can be approved, wherever possible, to secure development that improves economic, social and environmental conditions in LB Ealing.

Planning applications that accord with up-to-date land use, design and development principles in the two DPDs (and with the up-to-date policies in the Ealing's Development (or Core) Strategy) will be approved without delay and applications that conflict will be refused, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in the NPPF indicate that development should be restricted.

1.2 Generally, do the two DPDs take forward the policies of the London Plan, reflecting local issues and objectives? How do they relate to those of neighbouring authorities within London?

All DPDs prepared by the Council must be in general conformity with the London Plan under Section 24 (1) (b) of the Planning and Compulsory Purchase Act 2004, as

amended. Both DPDs are in general conformity with the London Plan insofar as it is applicable and this is evidence by a letter on behalf of the Mayor of London (see ED8) provided that one strategic issue is addressed (it has).

Specifically, in relation to the Development Management DPD, it contains both local variations to London Plan policies and Ealing specific local policies. It is our intention that when adopted (subject to the Inspector's report and any final modifications that are proposed) the DPD will be a composite document which will reproduce all of the policies in the London Plan alongside the new Ealing local policies and local variations. This serves to underline the interactions between the London Plan and the emerging Development Management DPD. For the avoidance of any doubt, the new Ealing local policies and local variations will be clearly distinguished from any other policies in the London Plan so as to avoid any confusion.

Evidence of cross boundary cooperation and beyond is set out in the relevant Consultation Statement for each DPD (see ED56a and EDM6a), the last published AMR (see EB19 pp.132-135) and in response to the Inspector's Initial Questions (see responses to questions 14-16 in ED5).

1.3 Is there local justification for the sites and policies in both documents, supported by a robust, credible and up to date evidence base?

Both DPD's give effect to the Development (or Core) Strategy and are therefore justified by the evidence base gathered in preparation of the CS. They are considered to be sufficiently clear and justifiable having taken account of the NPPF, the London Plan, CS, and views expressed through consultation, advice and recommendations from key agencies and relevant evidence.

Further detail on this matter regarding individual policies and allocations is set out in the Council's response to Question 2, under Matter 5 and Questions 4, 7, 12 and 14 in respect of Matter 3.

1.4 Has the Plan emerged following consideration of all reasonable alternatives? Is there a clear audit trail to support the chosen/selected approach? Does the sustainability appraisal satisfactorily support the chosen/selected strategy?

During the preparation of both DPDs careful consideration has been given to all reasonable alternatives. These alternatives have been published in earlier iterations of these DPDs including at Issues and Options stage and Initial Proposals.

In respect of the Development Sites DPD, during its preparation over a hundred sites were considered for inclusion. In addition alternative options for individual sites were also considered. Further detail regarding the site selection process and, the criteria used for inclusion/exclusion are detailed in the introduction to the Development Sites DPD. To ensure that this audit trail is clear the full list of sites considered but not carried forward, including a justification for this decision, were also detailed in the appendices to the publication version of this DPD (see EDS1).

Similarly the Development Management DPD has undergone similar refinement over its preparation, and this is documented through the various consultation statements.

The process of refining these DPDs, including the consideration of reasonable alternatives has been informed by the Sustainability Appraisal (SA) process. This process has been on-going throughout the preparation of these plans, with each DPD being the subject of an SA at key stages in their preparation. This is summarised in EDM5a and EDS5a for the Development Management &

Development Sites DPDs respectively with fuller detail being provided in relevant commentary reports.

The findings of the SA process, as documented in the above documents has demonstrated that when considered individually or collectively, the policies in the Development Management DPD and allocations in the Development Sites DPD perform strongly against the broad spectrum of Ealing's SA framework. Where appropriate and necessary these policies/allocations have been refined as a response to an earlier SA finding. It should be noted too, that both DPDs seek to give effect to the Council's CS and the London Plan which have both been subject to separate sustainability appraisals, and are considered overall to accord with our sustainability objectives.