

**Central Ealing Neighbourhood Development Plan 2017-2026**

**Basic Conditions Statement to accompany the Plan submission**

**1. Preface**

1.1 This statement is submitted in accordance with the requirements of regulation 15(1)(d) and regulation 22(1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended)). It sets out the additional information that is required to accompany the Central Ealing Neighbourhood Development Plan 2017 – 2026 (the Neighbourhood Plan, or the Plan).

1.2 This document sets out how the Plan meets the Basic Conditions that are set out in legislation to enable the Plan to pass independent examination. These are listed in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

1.3 It should be read in conjunction with two further documents, which have been prepared separately. These are:

* A Consultation Statement;
* A screening opinion by the London Borough of Ealing, the relevant local planning authority, indicating that a Strategic Environmental Assessment is not required.

1.4 In order to create a Neighbourhood Plan and supporting documents that are not excessively long with several long appendices, some additional information has been filed on CENF's website and is cross-referenced in the relevant document in this bundle.

**2. Introduction and Basic Conditions Statement**

2.1 The Central Ealing Neighbourhood Forum (CENF) which is submitting the Plan is a Neighbourhood Development Forum and is a qualifying body for these purposes. The Forum meets the regulations of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).

2.2 An application to recognise Central Ealing as a Neighbourhood Area (NA) was made by the interim Central Ealing Neighbourhood Forum to the relevant local authority, the London Borough of Ealing (LBE), on 28 August 2012. A map and statement which identified the NA and which accompanies this document was submitted to public consultation on 7 September 2012 and ran for six weeks to 19 October 2012. No formal written representations were received, and on 29 October 2012 LBE confirmed that the proposed boundary was acceptable without the need for any changes. The area was then designated by LBE as a “business area”.

2.3 CENF made an application to be recognised as a Forum on 20 December 2012. On 11 January 2013 the council started a six-week statutory public consultation which closed on 22 February. Five formal written representation were received, and on 27 March 2013 LBE formally designated CENF as the body capable of bringing forward proposals for neighbourhood planning in the area subject to some conditions, which were met in April.

2.4 The Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

2.5 The Plan does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the NA. It shares a boundary with the West Ealing Centre neighbourhood area.

2.6 The policies in the Plan do not relate to excluded development, such as minerals and waste matters or Nationally Significant Infrastructure Projects.

2.7 As set out in para. 1.10 of the Plan, the Plan covers a period starting on a date to be determined (when the plan is made) and ending on 31 December 2026.

2.8 The Plan covers a NA which comprises parts of the existing council wards of Ealing Broadway, Ealing Common, and Walpole (see Section 2 of the Plan).

2.9 The main aims of the Plan are set out in its Vision and Objectives. The Vision is that, by 2026:

*Central Ealing will be a distinctive and welcoming place attracting people from a wide catchment area to visit, work, study, shop and stay. It will once again be a sought after destination and a natural focus for both the Borough and the West London sub-region.*

*Development will enable it to meet the challenges of a rapidly increasing residential population and improved accessibility, whilst preserving its special and historic character.*

2.10 Broad Objectives through which the Vision is to be realised are set out in Section 3 of the Plan. They are that Ealing will:

**The Economy:** regain its competitive edge with a renewed shopping experience and a vibrant mix of retail and complementary uses/facilities, support a sustainable local economy and be a good place to start and build a business, be a desirable location for visitors to London to stay, with new hotel and visitor attractions, and deliver a safe and welcoming evening economy;

**Transport & the Public Realm:** have a network of attractive streets and public spaces which encourage pedestrian use and cycling and which move the balance away from the dominance of cars;

**Heritage & Built Environment:** protect and enhance the quality of the Ealing’s architectural heritage, and have preserved its historic character and heritage of green space, trees and human scale;

**Culture & Community Infrastructure**: be a regional centre of excellence for culture and education, provide new leisure and recreational facilities, and be an integrated and balanced community, catering for diverse and changing needs across all age and social groups.

2.11 The Plan contains 19 policies aimed at enabling the achievement of these Objectives through development in Central Ealing during the Plan period. For ease of reference, each policy has been referenced in the Plan to a specific part of one of the broad Objectives above, thus creating a corresponding list of 19 Objectives.

2.12 The Plan also sets out 16 Recommended Actions (or projects), designed to help ensure that the Vision and Objectives of the Plan are fulfilled in a range of areas through a variety of agencies.

2.13 It is recognised that, to pass independent examination, neighbourhood plans need to meet certain basic conditions (or legal requirements). These are that it must:

* have regard to national policy;
* be in general conformity with the strategic policies in the development plan of the local area;
* contribute to the achievement of sustainable development;
* be compatible with human rights requirements; and
* be compatible with European Union regulations.

The following sections show how the Plan meets the basic conditions.

**3. Regard to National Policy**

3.1 As is set out in the introduction to the Plan, it has been prepared with regard to the national planning policies for England as set out in the National Planning Policy Framework (NPPF). It is also prepared in accordance with the presumption in favour of sustainable development.

3.2 The NPPF (para 7) sets out three dimensions to sustainable development: an economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of core roles, defined as

**● an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

**● a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

**● an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

3.3 The table below sets out how the Plan's detailed objectives and 19 policies relate to these core roles and they have been prepared with regard to the NPPF. The Plan takes a positive approach to sustainable development.

Table 1

|  |  |  |
| --- | --- | --- |
| **NPPF core planning roles** | **Neighbourhood Plan objectives**  | **Neighbourhood Plan polices** |
| Economic | 1, 2, 3, 4, 17,19 | E1, E2, E3, E4, CC1, CC3, CENP1, CENP2, CENP3 |
| Social | 5, 14, 16, 17, 18, 19 | HBE1, PR1, PR3,CC1,CC2,CC3, CENP1 |
| Environmental | 5, 6, 7, 8, 9, 10, 11, 12, 15 | HBE1, HBE2, HBE3, HBE4, T1, T2, T3, T4, T5, PR2, CENP1, CENP2, CENP3 |

**4. General conformity with the local development plan strategic policies**

4.1 The Plan is in general conformity with the relevant Local Plan contained in Ealing Council's adopted planning policies: Ealing Core Strategy 2010-2026 (adopted 3 April 2012); Ealing Development Management DPD 2010-2025 (adopted 10 December 2013); and Ealing Development Sites DPD (adopted 10 December 2013).

4.2 LBE planning officers have been consulted during the work of drawing up this Plan. This is reflected in their comments on previous drafts and proposed final draft. They have advised the Forum in the drawing up of policies to ensure they are compatible with the strategy of the Local Plan. The Plan’s policies have been developed to secure this compatibility and the CENF believes them to be in general conformity with the strategic elements of Ealing’s development plan.

4.3 The NPPF (para 156) sets out the strategic policies which the Local Plan should aim to deliver. These are:

* the homes and jobs needed in the area;
* the provision of retail, leisure and other commercial development;
* the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
* the provision of health, security, community and cultural infrastructure and other local facilities; and
* climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

This Plan does not concern itself with housing or with more than transport infrastructure but does cover the others.

4.3 The table below shows the relevant strategies in the Local Plan and the corresponding objectives and policies in the Neighbourhood Plan.

Table 2

|  |  |  |
| --- | --- | --- |
| **Local Plan policy number & title**  | **Neighbourhood Plan objectives** | **Neighbourhood Plan policies**  |
| 1. **Ealing Core Strategy**
 |  |  |
| 1.1 Spatial Vision for Ealing 2026 | 1, 2, 5, 9  | E1, E4, HBE1, T1, |
| 1.2 Delivery of the Vision for Ealing 2026 | 1, 3, 5 | E1, E3, HBE1,  |
| 2.1 Realising the potential of the Uxbridge Road/Crossrail Corridor | 3, 4 | E3, E4, CENP1 |
| 2.5 Revitalise Ealing Metropolitan Town Centre | 2, 3, 6, 13, 14, 18 | E2, E3, HBE2, T5, PR1, PR3, CC2, CENP1 |
| 5.2 Protect and Enhance Metropolitan Open Land (MOL)  | 8 | HBE4 |
| 5.3 Protect & Enhance Green Corridors | 8 | HBE4 |
| 5.5 Promoting Parks, Local Green Space and Addressing Deficiency | 8 | HBE4, CENP2 |
| 6.2 Social Infrastructure | 3, 17, 18, 19 | E3, CC1,CC2, CC3, CENP1 |
| 6.3 Green Infrastructure | 15 | PR2, CENP2 |
| 6.4 Planning Obligations and Legal Agreements | 14, 17, 18 | PR1, CC1, CC2 |
| 1. **Ealing Development Management DPD**
 |  |  |
| 2.18 Green Infrastructure: The Network of Open Green Spaces | 14 | PR1, CENP2 |
| 4A Employment Uses | 4 | E4, CENP1, CENP3 |
| 4B Retail | 1 | E1, E2 |
| 4C Main Town Centre Uses | 1, 2, 3 | E1, E2, E3, CENP1, CENP3 |
| 5.10 Urban Greening | 14 | PR1 |
| 7.4 Local Character | 5 | HBE1, CENP2, CENP3 |
| 7A Amenity | 19 | CC3,CENP2 |
| 7B Design Amenity | 5 | HBE1, CENP3 |
| 7C Heritage | 5, 6 | HBE1, HBE2, CENP3 |
| 7.7 Location and Design of Tall and Large Buildings | 6, 7, 8 | HBE2, HBE3, HBE4, CENP3 |
| 7.12 Implementing the London View Management Framework | 6 | HBE2, CENP2 |
| 7D Open Space | 6 | HBE2, CENP2 |

**5. Contribution to the achievement of sustainable development**

5.1 This section concerns the sustainability of the Plan. It assesses how its policies can contribute to the delivery of sustainable development. There is no statutory requirement for the Plan to be accompanied by a full Sustainability Appraisal, but it is thought appropriate to outline briefly how the principles of sustainable development as defined by the NPPF have been taken into account in its preparation.

5.2 As noted in section 3 above, the NPPF says (para 6) that "the purpose of the planning system is to contribute to the achievement of sustainable development". It then (para 7) defines the three dimensions to sustainable development: economic, social and environmental.

5.3 The NPPF goes on to state (para 8) that "these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions".

5.4 Para 9 adds that "pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as people's quality of life, including (but not limited to):

* making it easier for jobs to be created in cities, towns and villages
* moving from a net loss of bio-diversity to achieving net gains for nature
* replacing poor design with better design
* improving the conditions in which people live, work, travel and take leisure
* widening the choice of high-quality homes."

5.5 The principle of sustainable development is a key element of this Plan. In judging the Plan policies, CENF has assessed them against the five criteria above to demonstrate how far they contribute to achieving this principle. This is set out in Table 3 below.

Table 3 Contribution to sustainable development

|  |  |  |
| --- | --- | --- |
| Objective  | Policy  | How the policy contributes |
| 1. Making it easier for jobs to be created | E1E3E4T3CC3CENP1, CENP3 | Introducing more flexibility in class uses when establishing new retail frontagesRequiring more mixed-use development, to include employment usesEncouraging support for new and small businesses including affordable space Improving access to business premises whilst protecting safetyImproving the night-time economy by building on Ealing’s historic position in arts and culture to strengthen its appeal as a regional centre of excellence Protecting allocation of space for office employment |
| 2. Improving bio-diversity | HBE3PR2, CENP2 | Protecting open spaces through new designation and avoiding harm from adjacent or nearby developmentImproving and ensuring sustainability of quality green space in the public realm |
| 3. Improving design  | HBE1, CENP3PR3 | Protecting the quality of Ealing’s architectural heritageImproving permeability for pedestrians across the town centre |
| 4. Improving conditions for living, work, travel and leisure  | E1,E 2HBE2T1, CENP2T2T3T4PR1PR3CC1CC2CC3 | Encouraging a more diverse retail offer within a safer night time economyPreserving Ealing’s historic character, heritage assets and streetscapesEncouraging sustainable modes of transport and reducing levels of pollutionBalancing the need for parking for town centre visitors with reducing traffic through the town centreReducing conflict between the need for on-street servicing and the safety of pedestriansEncouraging dedicated cycle paths and reducing potential conflicts between different types of road users Improvements in public realmMaking it easier to move across the town through traffic-free areasEnsuring adequate provision of social infrastructureProviding new leisure and recreational facilitiesDeveloping the cultural quarter as a secure and attractive part of the night time economy |
| 5. Widening choice of high quality homes  | E3, CENP3HBE3CC1 | Ensuring social, cultural and community space in new residential developmentProtecting the heritage of human scale through careful use and siting of tall buildings Ensuring adequate provision of social infrastructure |

**6. Compatibility with human rights requirements**

6.1 The Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. It also complies with the Human Rights Act 1998. CENF has been advised by Ealing Council that it does not need to produce an Equalities Impact Assessment.

6.2. CENF has, at all times, sought to ensure that all sections of the community have been given the opportunity to get involved in making the Plan and have had the opportunity to express their views on the Plan. The process of drawing up the Plan, and the work of the Forum since its inception, is set out in the separate Consultation Statement and its operation is governed by the approved constitution. The Consultation Statement details the extensive consultation and engagement on which the Plan has been based.

**7. Compatibility with European Union regulations**

7.1 Following a scoping exercise carried out by LBE in July 2016, it was decided that a Strategic Environmental Assessment was not required. This opinion is set out in a separate document.

7.2 Neighbourhood plan areas that are in close proximity of, or may lead to adverse effects on, a wildlife site that has been designated under the EU Habitats Directive. None of the four sites in London identified for this purpose are close to or could be affected by development in the Neighbourhood Area.

**8. Evidence Base**

8.1 The Evidence Base for the Neighbourhood Plan is set out in a wide variety of documents.

8.2 These documents, which are all available through links in the Plan or through the CENF website, include the following:

* The National Planning Policy Framework (March 2012)
* The London Plan 2015
* The Ealing Local Plan, comprising:
	+ Ealing Core Strategy 2010-2026 (adopted 3 April 2012);
	+ Ealing Development Management DPD 2010-2025 (adopted 10 December 2013); and
	+ Ealing Development Sites DPD (adopted 10 December 2013)

A full list of reference documents is attached as an Appendix.

8.3 The drafts of the Neighbourhood Plan prepared in advance of the final draft also form part of the evidence base and reflect how the Plan emerged. Some versions were the results of relatively minor changes and represented ‘work in progress’, and were not circulated outside the working committees; the main ones published on the web site are in bold.

* Draft 1 (May 2015)
* **Draft 4 (June 2015**)
* Draft 5 (July 2105)
* **Draft 6 (October 2015)**
* **Draft 7 (January 2016) *Reg 14 Consultation version***
* **Draft 8 (June 2016)**

8.4 The CENF website also has the minutes of all the meetings since the group was formed in December 2012; as well as copies of the presentations given at Forum meetings and workshops; and the results of the surveys carried out by CENF. For more detail, please see the Consultation Statement.

August 2016