



THE LONDON PLAN

SPATIAL DEVELOPMENT STRATEGY FOR GREATER LONDON

REVISED EARLY MINOR ALTERATIONS

**CONSISTENCY WITH THE
NATIONAL PLANNING POLICY FRAMEWORK**

published for public consultation June 2012

MAYOR OF LONDON

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**Greater London Authority
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HOW TO GIVE YOUR VIEWS

These revised early minor alterations to the London Plan are open for comment from 6 June to 31 July 2012.

You can also view this document online and download it from
<http://www.london.gov.uk/publication/early-minor-alterations-london-plan>

Please respond in writing by email or post (details below), referencing your comments to the relevant policy, paragraph or table.

- By **email** to mayor@london.gov.uk with 'London Plan revised early minor alterations' in the email title. If you send in a response by email it is not necessary to also send us a hard copy.
- By **post** (no stamp required) to:
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All responses (emails and letters) must be received by
5:00 pm on Tuesday 31 July 2012

Please note that all responses will be made available for public inspection.

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London Plan revised early minor alterations INTRODUCTORY NOTE

The context for the revised early minor alterations

1.1 The London Plan was published in July 2011. The period of its preparation included the May 2010 General Election, and changes were made to the draft Plan as the process went forward to ensure that account was taken of policy changes announced by the Coalition Government. It was not possible, however, to deal fully with all of the changes, particularly those made by the Government to change the definition of “affordable housing” for planning purposes, bringing in a new affordable rent product alongside social rent and intermediate housing. This change was signalled in the London Plan (see paragraph 3.63), but on legal advice the Mayor did not consider it was appropriate to change the affordable housing policies to fully reflect it. Accordingly, he published the Plan on the basis that he would bring forward supplementary guidance explaining how its policies should be applied in the light of changing Government policy, pending a formal alteration to bring the Plan fully up-to-date. It was on this basis that the Secretary of State agreed that publication should proceed, and the Mayor consulted on early minor alterations to the Plan to give effect to this approach in February-March 2012¹.

1.2 The other development it was not possible to reflect in the London Plan was the publication by the Government of the draft National Planning Policy Framework (NPPF). This was published for consultation in July 2011, with comments sought by 17 October. The Government formally published the NPPF in March 2012.

1.3 The Mayor has conducted a policy-by-policy assessment of the London Plan’s consistency with the NPPF, following advice from leading counsel. The detailed results are shown in a matrix that the Mayor is publishing alongside this document, but in summary:

- Only one policy can be shown to be actually inconsistent with the NPPF. That is Policy 3.10, which deals with the definition of affordable housing. The NPPF made some changes to the definition not flagged in the consultation draft, and it is intended to address this issue through the early minor alteration process already under way.
- A further 33 policies are “consistent in substance”. This means that while the London Plan policy is consistent with the NPPF, further changes to policy or supporting text are suggested to make sure it fully reflects the new document (this may be to incorporate particular wording or to swap NPPF references for those to former national guidance).
- The remaining 87 policies are consistent with the NPPF.

¹ London Plan Early Minor Alterations, published for consultation 6 February to 23 March 2012
<http://www.london.gov.uk/sites/default/files/EMA%20public%20consultation%206%20Feb%202012.pdf>

The scope of the revised early minor alterations

- 1.4 The Mayor is committed to supporting London's growth and development, and recognises the importance of reducing to a minimum any uncertainty about the London Plan's consistency with national policy, or about the weight that should be given to the Plan as a whole or individual policies within it. With this in mind, he is now bringing forward revised early alterations that, together with the early minor alterations on which he has already consulted, will provide that clarity. His intention is to ensure that compliance with the London Plan can be taken as implying compliance with national policy as well.
- 1.5 He is putting forward these revised early minor alterations as part of the alteration process already in progress. However he considers that it is appropriate to issue them for public consultation, both to ensure the process is fair and transparent, and so stakeholders in the London planning system can be aware of the steps the Mayor is taking to address potential confusion following publication of the NPPF.
- 1.6 Most of the additional alterations proposed are simple updates (replacing references to guidance replaced by the NPPF with ones to the Framework) or minor technical changes. Some more substantive changes are proposed to the policies in Chapter Three dealing with housing:
- Changes are suggested to Policy 3.8 and its supporting text dealing with housing choice. These refer to the Government's recently-published policy document on Planning Policy for Traveller Sites and comprise a reference in the Policy and a brief explanation of the requirements in the new guidance (see paragraphs 3.56 and 3.57).
 - A further change is proposed to Policy 3.8 and supporting text (paragraph 3.57A) to refer to the housing needs of service families (to be referred to in policy and in supporting text) and to people wishing to build their own homes (in supporting text only). These are both groups mentioned in the NPPF but not in the London Plan as it stands. At the moment it is not proposed to deal with the latter group in policy as the Mayor is unsure of the extent of the issue in Greater London; further work is to be done, with additional alterations brought forward in due course if appropriate.
 - It is proposed to alter Policy 3.10 so it reflects the definition of affordable housing so it reflects the definition in the Glossary of the NPPF.
 - Changes are proposed to the text supporting Policy 3.10 and policies 3.11-3.12 and their supporting text to clarify the Mayor's approach to the new affordable rent product and the affordable housing investment decisions he has made. Some of these respond to points raised during public consultation on the early minor alteration.
 - Additional justification is proposed in paragraph 3.74 for the strengthening of policy regarding cash contributions in lieu of on/offsite affordable housing provision to respond to points raised during public consultation and to reflect the NPPF.
- 1.7 As far as the rest of the Plan is concerned, the changes can be described as follows:
- **Overview and Introduction**
Updates to reflect publication of the NPPF and enactment of the Localism Act 2011

- **Chapter One: Context and Strategy**
Updates as above, and inclusion of a reference to neighbourhood plans to make clear which aspects of Plan policies will be particularly helpful to those planning at neighbourhood level. One of the proposed changes describes the statutory duty to cooperate in strategic planning introduced by the Localism Act 2011.
- **Chapter Two: London's Places**
NPPF-related updates and references to the new duty to cooperate.
- **Chapter Three: London's People**
NPPF-related updates and updates reflecting the Mayor's assumption of powers formerly held by the Homes and Communities Agency in London and enactment of the Health and Social Care Act 2012.
- **Chapter Four: London's Economy**
Minor changes to better reflect language used in the NPPF.
- **Chapter Five: London's Response to Climate Change**
Changes to take account of the NPPF and new legislation. Of particular interest, it is proposed to include a reference to community-based initiatives for renewable and low carbon energy, in line with the new Framework.
- **Chapter Six: London's Transport**
Changes to reflect the NPPF and legislation dealing with the future use of section 106 agreements to fund infrastructure following introduction of the Community Infrastructure Levy (CIL) In particular, a change is proposed

to Policy 6.5 (dealing with funding of strategically important transport infrastructure to require boroughs to work with the Mayor to identify strategically important infrastructure suitable for funding through the CIL. This is being discussed with colleagues at Transport for London.

- **Chapter Seven: London's Living Places and Spaces**
Changes to better reflect the NPPF.
- **Chapter Eight: Implementation**
A rewrite of the parts of the Implementation chapter dealing with the use of section 106 agreements and the CIL are proposed, to take account of the CIL Regulations, the Mayor's CIL and the NPPF. In keeping with the approach outlined in the Transport chapter it is proposed to require boroughs to work with the Mayor to ensure that priorities for use of CIL for strategically important infrastructure are identified through the LDF process, particularly to support development of opportunity and intensification areas.

The format of this document

- 1.8 The revised early minor alterations to the London Plan are set out in the following pages of this document (this introductory note does not form part of the early minor alterations).
- 1.9 The alterations are shown as follows:
 - The revised early minor alterations which are being consulted on through this document are shown in **blue bold** (with deleted text shown in ~~blue strikethrough~~)
 - The early minor alterations already published and consulted on are shown in **red**

bold (with deleted text shown in ~~red strikethrough~~)

- un-amended text is shown as plain text

How to give your views

1.10 Full information on how to give your views is set out on the inside cover of this document.

1.11 **All responses (emails and letters) must be received by 5:00 pm on Tuesday 31 July 2012**

OVERVIEW AND INTRODUCTION

Add the following new paragraph after paragraph O.2:

O.2A The Localism Act 2011 empowers communities to prepare neighbourhood plans for their area. In London, these plans are also required to be in general conformity with the policies in the London Plan. The Mayor intends this document to be a useful resource for those preparing neighbourhood plans, and is preparing guidance on how it can be used for this purpose.

Amend paragraph O.3

O.3 The general objectives for the London Plan, and the process for drawing it up, altering and replacing it, are currently set out in the Greater London Authority Act 1999 (as amended), **and supporting** detailed regulations, ~~and guidance in Government Office for London Circular 1/2008.~~

Add the following new paragraphs after paragraph O.19:

National Planning Policy Framework

O.19A The Government has recently published its consulted on a draft National Planning Policy Framework (NPPF). This document will replaces the Planning Policy Guidance Notes and Statements issued since 1991. It provides guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in

~~determining applications². Once this is published formally, the Mayor will consider the need to alter this Plan to remove or update references to national guidance. Until then, in interpreting and applying London Plan policies regard will need to be had of the extent to which they differ from the published NPPF, and the legal status of:~~

- ~~• The London Plan (as part of the development plan that has to be followed when planning decisions are taken in any part of London unless there are planning reasons why it should not³); and~~
- ~~• the NPPF (as Government guidance to which regard should be had in taking planning decisions).~~

The Mayor has carefully considered the extent to which the policies in this Plan are consistent with those in the NPPF. On the basis of this review, he is satisfied that draft NPPF, the Mayor considers this Plan reflects the intent of the proposed Framework, and in particular the presumption in favour of sustainable development, and that the detailed policies in the two documents are consistent with each other. Given this consistency, he considers that the London Plan can be seen as the expression of national policy for London, tailored to meet local circumstances and to respond to the opportunities to achieve sustainable development here. He will consider publishing supplementary guidance about the application of the policies in this Plan in the light of the relationship between the London Plan and the NPPF, in conjunction with the Government and London stakeholders.

² National Planning Policy Framework, paragraph 13

³ See section 38(6) of the Planning and Compulsory Purchase Act 2004

O.19B A number of alterations have been made to the Plan to ensure it is as up-to-date as possible, in particular regarding references to Government guidance and national legislation enacted since July 2011.

CHAPTER ONE CONTEXT AND STRATEGY

Amend paragraph 1.46 in the 'A changing planning system' section

- 1.46 There are other changes to planning in and for London and the UK more generally that are also addressed in the new London Plan:
- the change in the London Plan's legal status since it was first written (see para 0.2)
 - the Greater London Authority Act 2007 widened the Mayor's powers to deal with strategic planning applications and gave him responsibility for a number of new statutory strategies. Further change is likely once the Localism Bill, currently before Parliament, receives Royal Assent.
 - The Government has indicated its intention to change the planning system radically, to give neighbourhoods far more ability to decide the shape of the places where people live. The Localism Bill Act 2011 also includes provisions to move responsibility for the planning of large infrastructure projects from the Infrastructure Planning Commission to the Planning Inspectorate, and to introduces neighbourhood planning and gives all planning authorities a duty to co-operate in relation to planning of sustainable development. This duty requires planning authorities to work together constructively on planning for strategic matters affecting at least two planning areas, particularly sustainable development or use of land in connection with

strategic infrastructure⁴

- The Government is also moving towards new development making 'zero carbon' contribution.
- The Government has introduced a **Implementation of the** Community Infrastructure Levy to raise resources to help deliver infrastructure needed to support growth through the planning system.
- ~~¶ In 2012, the Government also continues to issue new policy guidance on aspects of the planning system that will have to be taken into account. It has indicated that it intends to~~ consolidated national planning guidance into a single National Planning Policy Framework (**NPPF**).

Amend paragraph 1.59

- 1.59 The content of policies in this Plan is split between:
- **strategic**: strategically important statements of Mayoral policy
 - **planning decisions**: policies that will be applied by the Mayor and other planning authorities in deciding planning applications
 - **LDF preparation**: advice to boroughs in preparing their Local Development Frameworks (**what the NPPF terms "local plans" and to those preparing neighbourhood plans. This tending to falls** into two categories. First, areas of flexibility, where authorities/**neighbourhoods** may want to consider how its particular circumstances might differ from those of London overall. Secondly, areas where it will be necessary for boroughs/**neighbourhoods** to carry out more detailed analyses of local circumstances on which

⁴ Localism Act 2011, section 110

to base policies for local use in determining planning applications.

CHAPTER TWO LONDON'S PLACES

Amend paragraphs 2.13 and 2.14 supporting Policy 2.2 LONDON AND THE WIDER METROPOLITAN AREA

2.13 London exerts a substantial effect over south-east England. It is inextricably linked with this wider region, whether looked at in terms of patterns of employment, skills and education, housing markets, town centres and planning for retail, airport policy, patterns of commuting, responding to environmental challenges like climate change, management of resources like water and energy, Green Belt, waterways and open spaces or the handling of waste. For all these reasons, **and in accordance with the new statutory duty to co-operate (see paragraph 1.46)**, the Mayor intends to work closely with agencies and authorities in neighbouring regions to develop and implement policies on these and other issues to help facilitate the sustainable management of growth. ~~This is done at the moment through the Advisory Forum on Regional Planning for London, the South East and the East of England (more widely known as 'the Inter-Regional Forum'), bringing together the Mayor and regional bodies for the East and South East of England and helping to support policy-making and the preparation of spatial strategies in the three regions. Arrangements for planning in neighbouring regions are changing, however, and the three regions have commissioned a review of the Forum.~~ The Mayor wishes to see effective arrangements in place for effective planning for the London city region and to support cross-boundary work where appropriate. He will work with neighbouring planning authorities and others to this

end.

2.14 While the Mayor will promote inter-regional work on key strategic issues, engagement at a more local or sub-regional level will also be important, **in line with the duty to co-operate**. The Mayor will encourage and support this more locally-led engagement, especially on matters in which he has a particular responsibility (such as transport) and in realising the potential of growth and coordination corridors (see Policy 2.3).

Amend paragraph 2.16 supporting Policy 2.3 GROWTH AREAS AND CO-ORDINATION CORRIDORS

2.16 **In line with the duty to co-operate**, ~~the~~ the Mayor will also help coordinate the development and implementation of policies (encouraging use of tools like multi-area agreements) for corridors that have been identified as being of importance to London and the wider city region:

- the Western Wedge extending from west London to the Thames Valley
- the Wandle Valley corridor through south London and outwards towards Gatwick Airport
- the London-Luton-Bedford strategic coordination corridor.

Amend paragraph 2.23 supporting Policy 2.5 SUB REGIONS

2.23 The challenges and opportunities facing London have little regard to administrative boundaries. The Mayor strongly supports partnership-based, cross border working to address them, with working arrangements tailored to particular tasks **in accordance with the new duty to co-operate**. This will be particularly important where issues (such as the development of opportunity areas) affect more than one sub-region. Strategic agencies

will have a role in these where they can add value in delivering strategic and local objectives, for example by providing support for implementing cross borough strategies and initiatives. Where appropriate, partnership arrangements should be extended to include neighbouring authorities, especially to coordinate infrastructure provision and to address common issues affecting development corridors beyond London.

Amend clause Fa of Policy 2.18 GREEN INFRASTRUCTURE: THE NETWORK OF OPEN AND GREEN SPACES and amend supporting paragraph 2.87

**POLICY 2.18
GREEN INFRASTRUCTURE: THE
NETWORK OF OPEN AND GREEN
SPACES**

Strategic

- A The Mayor will work with all relevant strategic partners to protect, promote, expand and manage the extent and quality of, and access to, London’s network of green infrastructure. This multifunctional network will secure benefits including, but not limited to, biodiversity; natural and historic landscapes; culture; building a sense of place; the economy; sport; recreation; local food production; mitigating and adapting to climate change; water management; and the social benefits that promote individual and community health and well-being.
- B The Mayor will pursue the delivery of green infrastructure by working in partnership with all relevant bodies, including across London’s boundaries, as with the Green Arc Partnerships and Lee Valley Regional Park Authority. The Mayor will publish supplementary guidance on the All London Green Grid to apply the principles of the East London Green Grid to green infrastructure across London.
- C In areas of deficiency for regional and

metropolitan parks, opportunities for the creation of green infrastructure to meet this deficiency should be identified and their implementation should be supported, such as in the Wandle Valley Regional Park⁵.

Planning decisions

- D Enhancements to London’s green infrastructure should be sought from development and where a proposal falls within a regional or metropolitan park deficiency area (broadly corresponding to the areas identified as “regional park opportunities” on Map 2.8), it should contribute to addressing this need.
 - E Development proposals should:
 - a incorporate appropriate elements of green infrastructure that are integrated into the wider network
 - b encourage the linkage of green infrastructure including the Blue Ribbon Network, to the wider public realm to improve accessibility for all and develop new links, utilising green chains, street trees, and other components of urban greening (Policy 5.10).
- LDF preparation**
- F Boroughs should:
 - a follow the guidance in [PPG 17 NPPF paragraphs 73 and 74](#) and undertake audits of all forms of green and open space and assessments of need. These should be both qualitative and quantitative, and have regard to the cross-borough nature and use of many of these open spaces
 - b produce open space strategies⁶ that cover all forms of open space and the interrelationship between these spaces. These should identify priorities for addressing deficiencies and should set out positive measures for the management of green and open space. These strategies and their action plans need to be kept under

⁵ EDAW Ltd. London Strategic Parks Project. GLA, 2004

⁶ Mayor of London/CABE Space. Open Space Strategies Best Practice Guidance. GLA, 2009

- review. Delivery of local biodiversity action plans should be linked to open space strategies.
- c ensure that in and through DPD policies, green infrastructure needs are planned and managed to realise the current and potential value of open space to communities and to support delivery of the widest range of linked environmental and social benefits
 - d In London's urban fringe support, through appropriate initiatives, the Green Arc vision of creating and protecting an extensive and valued recreational landscape of well-connected and accessible countryside around London for both people and for wildlife⁷.

2.87 The East London Green Grid set the sub regional framework for the enhancement of and integration of green infrastructure into the development of that area, and complements the Green Arc Initiative that aims to improve access to, and the quality of, the countryside around London. The Mayor, working with the boroughs, the London Parks and Green Spaces Forum, The Royal Parks and other key stakeholders (including, where appropriate, those outside London), will support the extension of this approach across London. **An example of this cross boundary working will be the Thames Estuary Marshes, a Nature Improvement Area.**

⁷ Land Use Consultants. Bringing the Outdoors Closer to People. Improving the countryside round London: The Green Arc Approach. Green Arc Steering Group, 2004

CHAPTER THREE LONDON'S PEOPLE

Amend paragraphs 3.9 and 3.10 (including insertion on new paragraph 3.9A) supporting Policy 3.2 IMPROVING HEALTH AND ADDRESSING HEALTH INEQUALITIES

3.9 The planning system can play a key role in promoting health and reducing health inequalities. Health inequalities are distributed across different population groups, are often geographically concentrated with **poor health** and closely aligned to poverty and deprivation (see Map 1.3 - Index of Deprivation). ~~In the light of the proposed major restructuring of the NHS⁸, it is envisaged that~~ **The Health and Social Care Act 2012 gives** boroughs ~~will have~~ an enhanced role in improving public health in their area **through the emerging and that** 'health and wellbeing boards,' ~~the will be established to lead on~~ **Joint Strategic Needs Assessments (JSNA) process and the development and implementation of the joint health and wellbeing strategy to inform joined-up commissioning plans across the NHS, social care and public health.** **This will provide an opportunity to align strategies and programmes, including informing plan-making and development management. The new Public Health Outcomes Framework summarises the new public health responsibilities of boroughs and includes outcomes closely linked to planning including air quality, the use of green space, road casualties and fuel poverty.**

3.9A In response to the health reforms

⁸ Health and Social Care Bill 2011

in the Health & Social Care Act, the Mayor and London Councils established the London Health Improvement Board (LHIB) to improve the health of Londoners and reduce inequalities in health outcomes. The Board will complement health improvement work delivered at a local level through the initiation of pan-London approaches where these will provide added value or benefit. Initial priorities include alcohol, childhood obesity, cancer prevention and early diagnosis, and data transparency to drive health improvement. The Board will have regard to the local health and wellbeing strategies of boroughs and consider taking on the development of the London Health Inequalities Strategy. The London Plan will be updated to reflect any implications for health improvement.

3.10 ~~The development and regeneration of areas for regeneration (Policy 2.14) and many of the designated opportunity and intensification areas (Policy 2.13) provide the greatest opportunity to improve health and reduce health inequalities.~~ The policies in this Plan seek to address the main health issues facing the capital, including mental health, obesity, cardio-vascular, **cancer** and respiratory diseases by seeking to ensure new developments are designed, constructed and managed in ways that improve health and reduce health inequalities. **The development and regeneration of areas for regeneration (Policy 2.14) and many of the designated opportunity and intensification areas (Policy 2.13) provide the greatest opportunity to improve health and reduce health inequalities.** New development should be supported by necessary health and social infrastructure and planning obligations should be secured to ensure delivery of new facilities and services, **including places for meetings between all**

members of a community (policies 3.16, 3.17 and 8.2). This Plan also aims to create opportunities for employment and economic development to **meet the needs of all the community**; improve access to green and open spaces and leisure facilities (including using the planning system to secure new provision); support safe and sustainable transport systems (including walking and cycling); reduce road traffic casualties; improve air quality; reducing noise, increase access to healthy foods; create places for children to play; and ensure there is a good array of local services. The Mayor has prepared best practice guidance (BPG) for boroughs and others on promoting public health.⁹This includes guidance on a range of tools, including health impact assessments, available to help assess the impact of a development. This BPG will be updated to reflect the new policy and changes to the NHS in London and will include a methodology for undertaking HIAs.

Insert new paragraph before existing paragraph 3.15, and amend paragraph 3.16, in the 'London's housing requirements' section of Chapter Three

3.14A The Mayor recognises the pressing need for more homes in London and to help boost significantly the supply of housing this Plan sets out the average annual housing targets for each borough until 2021 as a minimum level for delivery. These targets are informed by the need for housing as evidenced by the 2008 Strategic Housing Market Assessment and London's housing land capacity as identified through the Strategic Housing Land Availability Assessment. Consistent with the recently published National Planning

⁹ Mayor of London. Best Practice Guidance (BPG) on Health Issues in Planning. GLA, 2007

Policy Framework, this approach takes account of London's locally distinct circumstances of pressing housing need and limited land availability and aims to deliver sustainable development.

3.16 With population set to increase by 1.3 million in the 25 years to 2031, and average household size declining from 2.34 persons/household to 2.19, the number of households in London could rise by 0.9 million¹⁰. This approximates to 34,000 additional households a year. However, these figures do not represent the growth in housing requirements over the life of the Plan. This is identified through the GLA's 2008 Strategic Housing Market Assessment (SHMA)¹¹ which **identifies London's needs for market and affordable housing and** informs both the London Plan and the Mayors Housing Strategy¹². As well as demographic trends the SHMA reflects the Mayor's intention to address the existing backlog in housing need over ten years and takes account of a range of factors including the extent of voluntary sharing by single person households.

Amend paragraph 3.22 supporting Policy 3.3 INCREASING HOUSING SUPPLY

3.22 The housing targets in this Plan **reflect London's locally distinct circumstances and** draw on the long experience of joint work in London to identify future housing capacity as well as national Government's guidance for conducting SHLAAs¹³. **In keeping with practice established in London since 2004, the Mayor has adopted an approach tailored to the take account of local**

¹⁰ GLA. Joint Strategy Evidence Base. GLA, 2009

¹¹ Mayor of London. London's Strategic Housing Market Assessment (SHMA). GLA, 2009

¹² Mayor of London. The London Housing Strategy (LHS). GLA, 2010

¹³ GLA. (SHLAA/HCS) 2009 ibid

circumstances, based on a robust, proportionate evidence base. This approach takes account of ~~It is neither realistic nor practicable to simply translate national guidance to London because of the distinct pressures and 'churn' in its~~ **London's** land market – on average 96 per cent of capacity comes from formerly used sites, often in existing use¹⁴. The probability-based approach adopted in London to address this has already been tested and found to be robust¹⁵.

Amend clause Bi of Policy 3.8 HOUSING CHOICE and add new clause Bj; amend supporting paragraphs 3.44-3.46, 3.54 and 3.56-57; and add new paragraph 3.57A

POLICY 3.8 HOUSING CHOICE

Strategic

A Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.

LDF preparation and planning decisions

B Taking account of housing requirements identified at regional, sub-regional and local levels, boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that:

- a new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors, including the private rented sector, in meeting these

- b provision of affordable family housing is addressed as a strategic priority in LDF policies
- c all new housing is built to 'The Lifetime Homes' standards
- d ten per cent of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users
- e account is taken of the changing age structure of London's population and, in particular, the varied needs of older Londoners, including for supported and affordable provision
- f account is taken of the needs of particular communities with large families
- g other supported housing needs are identified authoritatively and co-ordinated action is taken to address them in LDF and other relevant plans and strategies
- h strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with stakeholders in higher and further education and without compromising capacity for conventional homes.
- i the accommodation requirements of gypsies and travellers (including travelling show people) are identified and addressed, **with sites identified** in line with national policy, in coordination with neighbouring boroughs and districts as appropriate.
- j appropriate provision is made for the accommodation of service families, having regard to local need.**

3.44 Within the broad requirement between 2007 and 2017 for 144,000 more market homes and for 182,000 additional affordable homes¹⁶, the Mayor is committed to promoting a real choice of homes for Londoners across the range of tenures to meet their needs at prices they can afford.

¹⁴ GLA. London's Housing Capacity and Strategic Housing Land Availability Assessment 2009. Study Methodology Overview and Participant Guide. GLA, 2008

¹⁵ Examination in Public Panel Report on the Draft Further Alterations to the London Plan 2007

¹⁶ Mayor of London SHMA 2009 op cit

The SHMA demonstrates the diversity and complexity of London's housing requirements, ranging from the clear priority need for affordable family homes, through those to meet the substantial projected growth in smaller households, to more specialist needs such as those of London's growing numbers of older people. Different tenures will have particular roles in meeting these requirements, with renting as well as owner occupation playing an important part in the private sector and, in the affordable sector, a more diverse range of intermediate housing products providing greater flexibility for movement between tenures **and the new affordable rent product intended to address the same housing needs as social rented housing**¹⁷ (see also the information about the Government's new Affordable Rent product in paragraph 3.63). The Mayor's London Housing Strategy provides guidance on the housing management measures and short to medium term investment which will help underpin this.

- 3.45 These requirements across London have little regard to administrative boundaries. It is essential that new provision anticipated in LDFs reflects strategic as well as local needs. This will require close working between the GLA and boroughs to ensure local, sub regional and the Londonwide SHMAs are co-ordinated and that effective account is taken of sub-regional and strategic needs, especially when setting affordable borough housing targets. To support this process, the Mayor is already engaging with boroughs and sub-regional and local Housing Market Partnerships. He will provide **benchmarks in** supplementary guidance **and through his London Housing Strategy and other strategic documents** to inform and support co-ordination of their

approaches to meeting strategic as well as local needs for different types of housing, and local implementation of the strategic affordable housing target, including the breakdown between social/**affordable rented** and intermediate housing (Policy 3.11). This will be informed by and co-ordinated with allocation of short to medium term affordable housing investment devolving from the London Housing Strategy.

- 3.46 The Londonwide SHMA identifies housing requirements for the decade to 2017 and will be reviewed by 2015/16, **taking account of the requirements of the NPPF** (see paragraph 3.27). As part of the review process the Mayor will work with stakeholders to investigate the costs and benefits of carrying out a Londonwide SHMA sufficiently robust to inform local needs assessments effectively. As an interim measure the current annual average strategic housing requirement of 32,600 – 34,900 dwellings pa (see paragraphs 3.17 and 3.18 above) should be rolled forward to provide a longer-term context for LDFs.
- 3.54 Almost one in five London households now live in privately rented homes¹⁸, **often at a cost lower than in the owner occupied sector**¹⁹ and the sector is set to play an increasingly important role in meeting London's diverse housing needs²⁰. **In all boroughs, the average cost of private renting is lower than owner occupation.** Over half of the one in eight households in London that move home each year move into this sector. The Mayor will work with institutional investors to encourage greater institutional involvement, more professional and less fragmented management,

¹⁷ CLG, HCA. 2011-15 Affordable Homes Programme – Framework. CLG, 2011

¹⁸ CLG. Housing Live Table 109. CLG, 2008

¹⁹ Mayor of London LHDG 2010 ibid

²⁰ Rugg J, Rhodes D. The Private Rented Sector: its contribution and potential. University of York, Centre for Housing Policy, 2008

greater stability, high quality standards and, potentially, longer term rental periods and affordable homes for rent. He will investigate how changes to the Use Classes Order might support this. More generally, the planning system should complement policies in the London Housing Strategy to support growth in private renting where this will result in well managed, good quality accommodation, mixed and balanced communities and sustainable neighbourhoods.

- 3.56 People from different communities should be free to lead their lives in different ways, subject to the need for mutual respect and responsibility. The Mayor is clear that the planning system should ensure fairness between the settled and traveller communities. It is his view that assessing levels of genuine local need, deciding on the level and location of suitable provision to meet that need and carrying out the necessary consultation with relevant communities and stakeholders is far more effectively done locally. Both because of the level of locally-specific detail involved, and the scale of the issue (relative to London's other strategic housing needs), the Mayor **agrees with national Government that boroughs should work with gypsies and travellers and other stakeholders to identify local needs for temporary and permanent sites, and develop fair and effective strategies to meet need through the identification of land for sites through their LDFs, as does not consider that it would be appropriate to include detailed policies regarding provision for gypsies and travellers and travelling show people in the London Plan. In London as in the rest of the country, the impact of provision to meet these needs is essentially local and, as government now proposes nationally²¹ set out in accordance**

²¹ CLG. Planning for traveller sites. Consultation. CLG, 2011

with national guidance²², should properly be addressed by local planning authorities in DPDs.

- 3.57 ~~The Mayor considers that boroughs are best placed to assess the needs of, and make provision for these groups whether through new pitch provision, protection or enhancement of existing pitches, or by other means. As in the rest of the country, they will be responsible for determining the right level of site provision in their areas and in consultation with local communities. They will set targets for provision based on robust evidence of local need. These targets, and the robustness of the evidence on which they are based, will be tested through the process of consultation on, and public examination of, local plans. National guidance requires boroughs to identify, and keep updated a supply of:~~

- deliverable sites to provide five years' worth of sites against their locally set targets
- developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15

with the number of pitches or plots related to the circumstances of the specific size and location of the site and its surrounding population's size and density²³. They should ensure that traveller sites are sustainable economically, socially and environmentally²⁴.

- 3.57A **The NPPF suggests that planning policies should identify, and seek to meet, the need for housing for service families and people wishing to build their own homes. The needs of these groups will be assessed as part of the**

²² CLG, Planning policy for travellers sites, March 2012

²³ Ibid, paragraph 9

²⁴ Ibid, paragraph 11

preparation of the next London Strategic Housing Market Assessment, and any additional strategic policies required will be brought forward through a future alteration to this Plan; the Mayor may provide guidance on these aspects of housing need in the meantime. For the moment, boroughs should identify and seek to meet any identified needs for housing for service families.

Amend paragraph 3.58 supporting Policy 3.9 MIXED AND BALANCED COMMUNITIES

3.58 The Mayor is concerned that there should be no segregation of London's population by housing tenure. London's legacy of mono-tenure estates has in some cases contributed to concentrations of deprivation and worklessness. Coupled with some housing trends and management practices, these have been exacerbated by the tendency for new social housing to be built in the areas where it is already concentrated. Conversely, market homes have tended to be developed in areas with very little social housing²⁵. **The new affordable rent product should be applied so as to help achieve the objectives of this Policy. Local Authorities' allocation policies, tenancy strategies and homeless strategies will also be important tools in delivering this aim.**

Amend clause A (including the deletion of clauses Aa, Ab and Ac), and amend supporting paragraphs 3.61-3.63, of Policy 3.10 DEFINITION OF AFFORDABLE HOUSING

²⁵ Mayor of London LHS 2010 op cit

POLICY 3.10 DEFINITION OF AFFORDABLE HOUSING

Strategic and LDF preparation

- A Affordable housing ~~includes is~~ social rented, **affordable rented** and intermediate housing (see para 3.61), provided to ~~specified~~ eligible households whose needs are not met by the market. **Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. and should:**
- ~~a—meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices,~~
 - ~~b—include provisions for the home to remain at an affordable price for future eligible households, or~~
 - ~~c—if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision~~

3.61 ~~The definition of affordable housing set out above applies national guidance to the circumstances of the capital and should be used for planning purposes in London.~~ Within this overarching definition:

- **social rented housing** should meet the criteria outlined in Policy 3.10 and be ~~rented housing~~ owned **and managed** by local authorities or registered **social landlords providers**, for which guideline target rents are determined through the national rent regime. **It may also be owned by other persons and or be** provided ~~by other bodies~~ under equivalent rental arrangements to the above, **as** agreed with **the local authority**

- ~~or with the Mayor. Homes and Communities Agency them as a condition of public sector investment grant, and for which guideline target rents are determined through the national rent regime~~
- **affordable rented housing should meet the criteria outlined in Policy 3.10 and be housing let by local authorities or registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).²⁶ In practice, the rent required will vary for each scheme with levels set by agreement between developers, providers, and the Mayor. Homes and Communities Agency²⁷ and, in dealing with individual planning applications, the London boroughs.**
 - **intermediate housing should meet the criteria outlined in Policy 3.10 and be homes available for sale or rent at a cost prices and rents above those of social rent, but below local market levels prices or rents. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rent. New intermediate homes should be affordable to households Households whose annual income is in the range £18,100 - £64,000 £64,300 should be eligible for new intermediate homes. For homes with more than two bedrooms, which are particularly suitable for families, the upper end of this eligibility range will be extended to £74,000**

- **£77,200.** These figures will be updated annually in the London Plan Annual Monitoring Report.
- **market housing** is defined separately as private housing for rent or sale where the price is set in the open market.

3.62 To **understand London's distinct housing needs and to take more effective** account of government guidance ~~the PPS 3 requirement to "identify the scale and mix of housing that the local population is likely to need over the plan period which addresses the need for all types of housing, including affordable housing size, type, tenure and range of housing that is required in particular locations, reflecting local demand.... (and where affordable housing is required), set policies for meeting this need...."~~²⁸ **have regard to local incomes and house prices in setting the upper level of the intermediate housing eligibility threshold,** it must be recognised that lower quartile house prices in London are 70 per cent higher than in the country as a whole, 31 per cent higher than in the South East region and 50 per cent higher than in the East of England²⁹. Increased provision of intermediate housing is one of the ways in which the supply of affordable housing can be expanded. The Mayor will work with the Boroughs and other delivery and funding agencies to develop understanding and provision of a range of relevant products, particularly for families. For the purposes of the paragraph 3.61 definition, **eligibility criteria for intermediate housing should be qualifying prices and rents should be set locally to recognise the individual characteristics of local housing markets. However, in order to recognise strategic housing needs in the particular circumstances of London,** the Mayor will seek to

²⁶ CLG. National Planning Policy Framework (NPPF). CLG, 2012

²⁸ CLG. National Planning Policy Framework 2011 op cit para 159

²⁹ Mayor of London LHS 2010 ibid

ensure that ~~new intermediate homes are affordable to~~ households whose annual income is in the range £18,100 - ~~£64,000~~ **£64,300 should be eligible for new intermediate homes**. For family homes (see Glossary) the upper end of this range will be extended to ~~£74,000~~ **£77,200**. These figures will be up-dated annually in the London Plan Annual Monitoring Report.

- 3.63 ~~Government has recently introduced a new Affordable Rent housing product which “is to be allocated to the same people who are currently eligible for social rent, but that the level of rent will be set in a different way. It is important to note that social rented dwellings can still be provided but only in exceptional cases will they attract funding from the Homes and Community Agency... [boroughs] will wish to work closely with Registered Providers and developers in ensuring that they can obtain the right mix of affordable housing to best suit the needs of their area”³⁰. Government proposes to define Affordable Rent as “rented housing provided by registered providers of social housing, that has the same characteristics as social rented housing except that it is outside the national rent regime, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80% of local market rents”³¹. Government has also provided further guidance on bringing this product forward to meet relevant housing needs³². As an interim measure the Mayor intends to provide Supplementary Planning Guidance on how this new product can be used to implement the policies of this Plan (including Policy 3.11). He also intends to bring forward an early alteration to the Plan’s policies on affordable housing~~

³⁰ **CLG. Planning Policy 3: Planning for Housing – Technical change to Annex B, Affordable Housing Definition. CLG, 2012**

~~to incorporate the new product and address the implications of the new policy direction.~~ **In view of the particular priority the Mayor gives to provision of new affordable homes to meet London’s very pressing need, boroughs should give particular weight to the criteria set by national government for the allocation of public resources for affordable housing in setting local plan targets (Policy 3.11) or negotiating provision in private housing or mixed-use developments (Policy 3.12) and should avoid imposing any requirements (such as borough-level caps on rent levels for affordable rented housing) that might restrict the numbers of new affordable homes.**

Amend clauses A, B, Cc and D, and supporting paragraphs 3.65, 3.66, 3.68 and 3.69, of Policy 3.11 AFFORDABLE HOUSING TARGETS

POLICY 3.11 AFFORDABLE HOUSING TARGETS

Strategic

- A The Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 13,200 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social **and affordable** rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing

LDF preparation

- B Boroughs should set an overall target in LDFs for the amount of affordable housing provision needed over the plan period in their areas and separate targets for:

- social/**affordable** rented; and
- intermediate

housing and reflect the strategic priority accorded to provision of affordable family housing **and to making the best use of available resources to maximise affordable housing output.**

- C LDF affordable housing targets should take account of:
- a current and future housing requirements identified in line with Policies 3.8, 3.10 and 3.11
 - b the strategic targets and priority accorded to affordable family housing set out in section A above
 - c the approach to coordinating provision and targets to meet the range of strategic, sub-regional and local affordable housing needs in London set out in Policy 3.8, paragraphs 3.65 - 3.67, Supplementary Planning Guidance **and the Mayor's London Housing Strategy**
 - d the need to promote mixed and balanced communities (see Policy 3.9)
 - e capacity to accommodate development including potential sources of supply outlined in para 3.67
 - f the viability of future development, taking into account future resources as far as possible.
- D Affordable housing targets may be expressed in absolute or percentage terms in light of local circumstances, **reflecting the priorities in 3.11A-C above overall strategic priority to maximise affordable housing provision and the need to make best use of available resources**, the borough's contribution towards meeting strategic affordable housing targets in light of the framework set by the Plan and guidance in SPG. **They should also** provide a robust basis for implementing these targets through the development control process.

- 3.65 Derivation of separate targets for social/**affordable** rented and

intermediate housing has been informed by the SHMA and other relevant factors including the role intermediate housing can play in helping Londoners get a first step on the housing ladder, reducing the call on social/**affordable** rented housing, freeing up social/**affordable** rented homes, providing wider housing choices and securing a more balanced social mix on mono-tenure estates. Account has also been taken of the way intermediate housing development can extend the effectiveness of scarce public resources by increasing overall housing output through partnership working with the private sector.

- 3.66 **In light of likely announced investment patterns³³ and the Government's intention that affordable rent should meet the same housing needs hitherto addressed by social rented housing³⁴**, the Mayor proposes that as a long term strategic target 60 per cent of new affordable housing should be for **social/affordable** renting, especially for families, and that 40 per cent should be for the range of intermediate housing products outlined in the London Housing Strategy to meet different needs, including those arising from groups which hitherto have not been able to afford market housing but have been excluded from intermediate housing. The Mayor recognises that these are challenging targets, particularly in current economic conditions, but to meet Londoners' housing needs all stakeholders must engage to achieve them over the term of the Plan. **Para 3.63 notes that as an interim measure the Mayor intends to provide Supplementary Planning Guidance on how the new Affordable Rent product can be used to implement the policies of this Plan**

³³ Mayor of London. A revised London housing strategy – initial proposal. Consultation with the London Assembly and the GLA group. GLA, 2011
³⁴ CLG, HCA 2011 op cit

~~(including Policy 3.11). He also intends to bring forward an early alteration to the Plan's policies on affordable housing to incorporate the new product and address the implications of the new policy direction~~

- 3.68 In setting their affordable housing targets boroughs are required to assess the economic viability of land for housing, taking account of risks to delivery and drawing on informed assessments of public funding and developer contributions. The Mayor has already established close working relationships with the boroughs ~~and HCA~~ on affordable housing investment within their areas which will inform this process.

Boroughs should enable the range of affordable rents to be applied and should not attempt to set rent targets for affordable rented housing in their local development frameworks as this is likely to impede maximisation of affordable housing provision Londonwide. Instead the Mayor will provide details of where variations to Affordable rent can apply in his London Housing Strategy and other relevant documents.

~~indicative rent guidelines for affordable rented housing developed to ensure maximisation of provision and delivery of the range of policy outcomes in this Plan and in the London Housing Strategy to inform borough rent and tenure and other housing policies. These will be published in the London Housing Strategy and in the London Plan Annual Monitoring Report each year. The Mayor may provide supplementary guidance on this issue.~~

- 3.69 The Mayor will engage with boroughs individually to enable them to set local affordable housing targets which are in general conformity with the London Plan's strategic targets. ~~The~~ **S** Supplementary guidance will provide indicative ~~benchmarks based~~

guidance on the approach set out in Policy 3.11 to inform this process. It will also include guidance on local implementation of the strategic social **rent/affordable rent and** intermediate target and of the strategic priority for provision of affordable family homes. The Mayor recognises that, in light of local circumstances, boroughs may wish to express their targets in different ways, including in absolute or percentage terms. However the targets are expressed they must be robust in implementing a borough's contribution to the strategic affordable housing targets through the development control process.

Amend clauses Aa, Ag, B and C, and supporting paragraphs 3.71 and 3.74 of Policy 3.12 NEGOTIATING AFFORDABLE HOUSING ON INDIVIDUAL PRIVATE RESIDENTIAL AND MIXED USE SCHEMES

POLICY 3.12 NEGOTIATING AFFORDABLE HOUSING ON INDIVIDUAL PRIVATE RESIDENTIAL AND MIXED USE SCHEMES

Planning decisions and LDF preparation

- A The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regard to:
- current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8, ~~and~~ 3.10 and 3.11 **and having particular regard to guidance provided by the Mayor through the London Housing Strategy, supplementary guidance and the London Plan Annual Monitoring Report (see paragraph 3.68)**
 - affordable housing targets adopted in line with Policy 3.11,
 - the need to encourage rather than restrain residential development (Policy 3.3),

- d the need to promote mixed and balanced communities (Policy 3.9)
- e the size and type of affordable housing needed in particular locations
- f the specific circumstances of individual sites
- g resources available to fund affordable housing, to maximise affordable housing output and the investment criteria set by the Mayor**
- gh the priority to be accorded to provision of affordable family housing indicated in policies 3.8 and 3.11.**

- B** Negotiations on sites should take account of their individual circumstances including development viability, ~~the availability of~~ resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.
- C Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate in terms of the policies in this Plan, it may be provided off-site. A cash in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in this Plan and should be ring-fenced and, if appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.**

3.71 In estimating provision from private residential or mixed use developments, boroughs should take into account economic viability and the most effective use of private and public investment, including the use of developer contributions. To

expedite the planning process, developers should engage with a **registered affordable housing** provider prior to progressing the scheme **and secure from them a commitment to provision. In doing so, they should require the provider to identify the resources it is bringing to the scheme and show to demonstrate that the proposed affordable housing provision "offer" makes optimum use of the resources applied in terms of Policy 3.12, and provides the range of affordable rents indicated in the London Housing Strategy.** Boroughs should evaluate these appraisals rigorously, drawing on the GLA development control toolkit³⁵ and other independent assessments which take account of the individual circumstances of a site, the availability of public subsidy and other scheme requirements. **These judgements should be informed by the indicative guidelines referred to in paragraph 3.68.** Boroughs are encouraged to review and bring forward surplus land in their **own** ownership to maximise their contribution to affordable housing provision, including the provision of land to **affordable housing registered** providers on a nil cost or discounted basis³⁶. **The Mayor will provide further detailed guidance on the practical application of this Policy.**

3.74 Affordable housing provision is normally required on-site. In exceptional circumstances (**where a robust justification can be demonstrated for on-site provision can be shown to being inappropriate in terms of the policies in this Plan**), it may be provided off-site, **for example as part of a land use 'swap'**. **Where neither of these options is appropriate**, a cash in lieu contribution ring fenced, and if

³⁵ Three Dragons. Affordable Housing Development Control Toolkit. GLA, 2010
³⁶ ODPM. Circular 6/2003. Disposal of Land for Less than Best Consideration. ODPM, 2003

appropriate 'pooled', to secure efficient delivery of **new additional** affordable housing on identified sites elsewhere **may be accepted**. These exceptional circumstances include those where, ~~having secured an alternative site,~~ it would be possible to:

- secure a higher level of provision
- better address priority needs, especially for affordable family housing
- secure a more balanced community
- better sustain strategically important clusters of economic activities, especially in parts of CAZ and the north of the Isle of Dogs where it might be part of a land 'swap' or 'housing credit' (Policy 2.11).

Given the strategic importance of maximising affordable housing development in London, the Mayor does not consider it appropriate for boroughs to use cash in lieu of on/offsite affordable housing for any other purpose than maximising the delivery of additional affordable housing.

Amend paragraph 3.94 supporting Policy 3.17 HEALTH AND SOCIAL CARE FACILITIES

3.94 The NHS in England is undergoing a major restructuring. The NHS White Paper Equity and Excellence: Liberating the NHS and the public health White Paper-Healthy Lives, Healthy People: Our Strategy for Public Health in England set out the Government's long-term vision for the future of the NHS and public health in England. The vision builds on the core values and principles of the NHS - a comprehensive service, available to all, free at the point of use, based on need and, not on ability to pay. ~~It is expected that boroughs will be responsible for promoting joined up commissioning~~

~~of local NHS services, social care and health improvement. The Health and Social Care Bill, which was published in January 2011, contains provisions for strengthening commissioning of NHS services, increasing democratic accountability and public voice, liberating provision of NHS services, strengthening public health services and reforming health and care arm's-length bodies. In response to the public health White Paper, it is proposed to create a statutory London Health Improvement Board (LHIB) that will take on the development of the London Health Inequalities Strategy and have regard to the health and well-being strategies of each borough. The Board will play an important role in identifying city-wide health needs and will decide which priority health issues would be delivered most effectively at the pan-London level. It will act as a focal point for discussions about how to improve health and reduce health inequalities across London as a whole. The London Plan will be updated to reflect any implications for health improvement and health infrastructure planning. The Health and Social Care Act 2012 brings about the transfer of responsibility for commissioning most healthcare services to consortia of GPs, known as clinical commissioning groups, and establishes an NHS Commissioning Board for commissioning primary care services and specialist acute services. It gives boroughs the responsibility of promoting joined up commissioning of local NHS services, social care and health improvement. The planning of new health provision will take account of local commissioning priorities which in turn are influenced by current and future health needs and demand for services. The Joint Strategic Needs Assessment (JSNA) and joint health and wellbeing strategy will inform GP~~

commissioning plans and support the integration of delivery.

Amend paragraphs 3.102 and 3.103 supporting Policy 3.18 EDUCATION FACILITIES

3.102 Access to a high quality school education is a fundamental determinant of the future opportunities and life chances of London's children and young people. London's population will continue to be younger than elsewhere in England and Wales and by 2031, its school age population is projected to increase by almost 17 per cent. At the same time, national education policy favours greater diversity in the nature of supply, through the Academies Act 2010 and the setting up of the Free Schools, alongside greater devolution of responsibilities from local authorities to schools. Local authorities' strategic role in the new system will be to **promote take a proactive, positive and collaborative approach to development that will widen choice in education, promoting** a good supply of strong schools and **to encouraging** the development of Academies and Free Schools. Local authorities will still be required to fulfil their statutory duty to secure sufficient school places within their areas.³⁷

3.103 Land already in educational use should be safeguarded and new sites secured to meet additional demands or changes in provision. **The NPPF (para 72) states that local planning authorities should give great weight to the need to create, expand or alter schools and work with school promoters to identify and resolve key planning issues at an early stage.** Boroughs should identify at an early stage the need for additional schools arising from development and regeneration,

particularly where there are existing shortages. Development can be a catalyst for positive change. The identification of suitable sites should be carried out taking into account policies in this Plan, and in particular accessibility by public transport as well as by cycle and by foot.

Amend clause D of Policy 3.19 SPORTS FACILITIES

POLICY 3.19 SPORTS FACILITIES

Strategic

A The Mayor's Sports Legacy Plan³⁸ aims to increase participation in, and tackle inequality of access to, sport and physical activity in London particularly amongst groups/areas with low levels of participation.

Planning decisions

B Development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Temporary facilities may provide the means of mitigating any loss as part of proposals for permanent re-provision. Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. The provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to local community or biodiversity.

C Where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space (Chapter 7) as well as the borough's own assessment of needs and opportunities for both sports facilities and for green multifunctional open space.

³⁷ Education Act 1944

³⁸ Mayor of London. A Sporting Future for London. GLA, April 2009

LDF preparation

- D Within LDFs Boroughs should assess the need for sports and recreation facilities in line with ~~PPG 17~~ **the NPPF (paras. 73-74)** at the local and sub-regional levels regularly, and secure sites for a range of sports facilities.

CHAPTER FOUR

LONDON'S

ECONOMY

Amend paragraph 4.1:

- 4.1 This chapter sets out policies to support delivery of the Mayor's vision and objectives – particularly those to ensure that London is:
- **A city that meets the challenges of economic and population growth** in ways that ensure a sustainable, good and improving quality of life and sufficient high quality homes and neighbourhoods for all Londoners, and help tackle the huge issue of deprivation and inequality among Londoners, including inequality in health outcomes; and
 - **An internationally competitive and successful city** with a strong and diverse economy and an entrepreneurial spirit that benefit all Londoners and all parts of London; a city that is at the leading edge of innovation and research, and which is comfortable with – and makes the most of – its rich heritage and cultural resources.

These policies will support **the sustainable** development and growth of London's diverse economy over the years to 2031, enabling it to contribute to the prosperity of the UK **by meeting the twin challenges of global competition and of a low carbon future, and to** ~~and~~ provide Londoners with the goods, services and job opportunities they will need.

CHAPTER FIVE LONDON'S RESPONSE TO CLIMATE CHANGE

Amend paragraph 5.2 in the Introduction to Chapter Five

- 5.2 This chapter sets out a comprehensive range of policies to underpin London's response to climate change, including underlying issues of resource management. These policies cover climate change mitigation and adaptation, waste, aggregates, contaminated land and hazardous substances. Rising to the challenge of climate change is a theme that runs through this Plan, and **is central to the economic, social and environmental dimension of sustainable development, as set out in the NPPF.** There are relevant policies in all ~~its~~ chapters **of this Plan** – particularly those on London's Economy (Chapter 4), Transport (Chapter 6) and Living Places and Spaces (Chapter 7).

Amend paragraph 5.41 supporting Policy 5.7 RENEWABLE ENERGY

- 5.41 Boroughs are encouraged to identify opportunities for developing renewable energy systems in their areas, including large scale systems. Where land is needed for the provision of renewable energy technologies, such as anaerobic digesters and biomass plants, boroughs should encourage this provision through their inclusion in development briefs and area action plans. The Mayor's supplementary planning guidance will set out broad guidelines to assist boroughs **and,**

where appropriate, neighbourhoods, to define locations where stand-alone renewable energy schemes would be appropriate. The increased use of renewable heat will also significantly depend on the growth of heat networks. **The Mayor and Boroughs will also encourage community-led initiatives for renewables and low carbon energy and examine how they can be supported through neighbourhood planning (see Policy 7.1).**

Amend clauses B, C and E of Policy 5.12 FLOOD RISK MANAGEMENT

POLICY 5.12 FLOOD RISK MANAGEMENT

Strategic

- A The Mayor will work with all relevant agencies including the Environment Agency to address current and future flood issues and minimise risks in a sustainable and cost effective way.

Planning decisions

- B Development proposals must comply with the flood risk assessment and management requirements set out in ~~PPS25~~ **the NPPF and the associated Technical Guidance on flood risk**³⁹ over the lifetime of the development and have regard to measures proposed in Thames Estuary 2100 (TE2100 – see paragraph 5.55) and Catchment Flood Management Plans.
- C Developments which are required to pass the ~~PPS25~~ Exceptions Test **set out in the NPPF and the Technical Guidance** will need to address flood resilient design and emergency planning by demonstrating that:
- the development will remain safe and operational under flood conditions
 - a strategy of either safe evacuation and/or safely remaining in the

³⁹ **Technical Guidance to the National Planning Policy Framework, Department for Communities and Local Government, March 2012**

- building is followed under flood conditions
 - c key services including electricity, water etc will continue to be provided under flood conditions
 - d buildings are designed for quick recovery following a flood.
- D Development adjacent to flood defences will be required to protect the integrity of existing flood defences and wherever possible should aim to be set back from the banks of watercourses and those defences to allow their management, maintenance and upgrading to be undertaken in a sustainable and cost effective way.

LDF preparation

- E In line with **PPS25 the NPPF and the Technical Guidance**, boroughs should, when preparing LDFs, utilise Strategic Flood Risk **Appraisals Assessments** to identify areas where particular flood risk issues exist and develop actions and policy approaches aimed at reducing these risks, particularly through redevelopment of sites at risk of flooding and identifying specific opportunities for flood risk management measures.

and has delivered draft Surface Water Management Plans. It is clear that further work is required to understand, map and plan for London's drainage network. In the meantime, the now well established sustainable drainage hierarchy contained within Policy 5.13 will lead to a steady reduction in the overall amount of rainfall being discharged to the drainage system. The sustainable drainage hierarchy in policy 5.13A is intended to ensure that all practical and reasonable measures are taken to manage surface water higher up the hierarchy (1 being the highest) and that the amount of surface water managed at the bottom of the hierarchy, is minimised. The hierarchy is designed to apply across the whole of London. In addition, green roofs (see Policy 5.11) can also make a contribution to sustainable urban drainage by absorbing a proportion of surface water and therefore reducing rates of water flow. Implementing such measures will not only reduce run-off but provide multiple benefits to London amenity, biodiversity and better water quality to name but three. Changes to the General Permitted Development Order 2008 restricting permitted development rights for impermeable surfaces within the curtilage of dwelling houses should also contribute to a reduction of surface water run-off.

Amend paragraph 5.57 supporting Policy 5.13 SUSTAINABLE DRAINAGE

- 5.57 There will also be increased risk of surface water flood risk, with the likelihood of more intense storms. The RFRA identified this as an area where information is lacking. However, the Flood and Water Management Act 2010 gives London boroughs clearer responsibilities related to surface water flood risk. **Implementation mechanisms including the emerging Sustainable Drainage Systems Approval Bodies and national Sustainable Drainage Systems Standards are emerging.** Moreover, the Mayor has established the Drain London Forum. This has brought together the key agencies involved in managing London's drainage system

Add new paragraph 5.95A supporting Policy 5.21 CONTAMINATED LAND

5.95A Where potentially contaminating activities are proposed, development should include appropriate measures to mitigate any potential harmful effects.

Amend clause A of Policy 5.22 HAZARDOUS SUBSTANCES AND INSTALLATIONS and supporting paragraph 5.96

POLICY 5.22 HAZARDOUS SUBSTANCES AND INSTALLATIONS

Strategic

- A The Mayor will work with all relevant partners to ensure that hazardous substances, installations and materials are managed in ways that limit risks to London’s people and environment. **He will consider publishing supplementary guidance to support the application of this policy.**

Planning decisions

- B When assessing developments near hazardous installations:
 - a site specific circumstances and proposed mitigation measures should be taken into account when applying the Health and Safety Executive’s Planning Advice Developments near Hazardous Installations (PADHI)⁴⁰ methodology
 - b the risks should be balanced with the benefits of development and should take account of existing patterns of development.

LDF preparation

- C In preparing LDFs, boroughs should:
 - a identify the locations of major hazards (including pipelines carrying hazardous substances)
 - b consult and give due weight to advice from the Health and Safety Executive to ensure that land use allocations take account of proximity to major hazards
 - c consult utilities to ensure that the timing of decommissioning and the implications for development are reflected in proposals
 - d ensure that land use allocations for hazardous installations take account of the need to incentivise and fund decommissioning.

hazardous substances requires land use policies to take prevention and minimisation of consequences into account, ~~and this is reflected in PPS12~~. Where appropriate, advice should be sought from the Health and Safety Executive. Development decisions should take account of CLG Circular 04/00 Planning Controls for Hazardous Substances **and the guidance in paragraph 109 of the NPPF (specifically the fourth bullet point). The Mayor will consider producing supplementary guidance supporting the application of these principles in the particular circumstances of London.**

5.96 The EU Directive on the prevention of major accidents involving

⁴⁰ PADHI – HSE’s Planning Land Use Methodology Health and Safety Executive September 2009

CHAPTER SIX LONDON'S TRANSPORT

Amend paragraphs 6.7 and 6.8 supporting Policy 6.1 STRATEGIC APPROACH

- 6.7 This close co-ordination of land use and transport planning is crucial to effective and sustainable spatial development and is supported by the approach taken by the Government in [PPG 13: Transport the NPPF](#). This states that planning has a key role in delivering the Government's integrated transport strategy. Shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, can help reduce the need to travel and the length of journeys, and make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking, and cycling.
- 6.8 These approaches, individually and cumulatively, help achieve the aims of reducing the need to travel and offering alternatives to the car—[key objectives of PPG13](#). Ground based transport is a major source of carbon dioxide emissions; reducing trip lengths, promoting the use of electric and other low carbon vehicles and using more-sustainable modes (cycling and walking in particular – see policies 6.9 and 6.10 below) have important roles to play in helping to tackle climate change. In May 2009 the Mayor produced an *Electric Vehicle Delivery Plan for London*⁴¹ that is seeking to develop a network of 25,000 charging points across London by 2015. This will be achieved mainly by retro-fitting but also by promoting provision in new developments. The use of travel

plans can help reduce emissions by promoting alternatives to the car. Ensuring the most efficient forms of transport freight and making deliveries through modern logistics techniques will also be important. The Mayor is committed to increasing the use of the Blue Ribbon Network for both passengers and freight transport. Specific policies to promote this are contained in Chapter 7.

Amend paragraph 6.12 supporting Policy 6.2 PROVIDING PUBLIC TRANSPORT CAPACITY AND SAFEGUARDING LAND FOR TRANSPORT

- 6.12 Travel by public transport needs to be improved to increase its appeal relative to the car, and the objectives set out in Policy 6.2 need to be addressed to improve the attractiveness of the current and future network for passengers. Boroughs need to safeguard the current range of land in transport uses and allocate land in their relevant development plan documents so that the schemes in Table 6.1 can be implemented. [Paragraph 4.10 of PPS 12 \(June 2008\)](#) is clear that boroughs should [safeguard land where there is a reasonable prospect of provision, Paragraph 41 of the NPPF is clear that boroughs should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice](#), and inclusion in the table should be taken as evidence that this is the case. Boroughs who have all or part of any of the transport schemes identified in table 6.1 of the Plan in their area should check their status with TfL before they bring forward relevant DPDs so they can assess what degree of safeguarding they should put in their plans, [in accordance with PPS12](#).

⁴¹ Mayor of London. *Electric Vehicle Delivery Strategy*. GLA, 2009.

Delete policy clause E and amend clause F, and amend paragraphs 6.23 and 6.27 supporting Policy 6.5 FUNDING CROSSRAIL AND OTHER STRATEGICALLY IMPORTANT TRANSPORT INFRASTRUCTURE

**POLICY 6.5
FUNDING CROSSRAIL AND OTHER
STRATEGICALLY IMPORTANT
TRANSPORT INFRASTRUCTURE**

**Strategic, Planning decisions and
LDF preparation**

- A In view of the strategic regional importance of Crossrail to London's economic regeneration and development, and in order to bring the project to fruition ~~in~~ a suitably timely and economic manner, contributions will be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail ~~is~~ ~~is~~ intended to mitigate. This will be through planning obligations, arrangements for the use of which will be established at strategic level, in accordance with relevant legislation and policy guidance.
- B The Mayor will provide guidance for boroughs and other partners for the negotiation of planning obligations requiring, where appropriate, developers to contribute towards the costs of funding Crossrail having regard to:
 - a the requirement for contributions from development of up to £600 million under the arrangements for funding Crossrail agreed with Government
 - b central Government policy and guidance
 - c strategic and local considerations
 - d the impacts of different types of development in particular locations in contributing to transport needs, and
 - e economic viability of each development concerned.
- C In addition, the Mayor has produced guidance on the *Use of Planning Obligations in the Funding of Crossrail*

which should be taken into account in the handling of planning applications. The guidance includes:

- a criteria for identifying developments in respect of which Crossrail contributions should be required in accordance with national policy guidance
 - b standard charges and formulae for calculating fair and reasonable contributions to be sought and guidance on how these should be applied in specific localities and different kinds of development
 - c the period over which contributions will be sought and arrangements for periodic review.
- D The Mayor will, when considering relevant planning applications of potential strategic importance, take account of the existence and content of planning obligations supporting the funding of Crossrail among other material planning considerations.

~~E The approach outlined in this Policy could where appropriate also be applied to other transport infrastructure of regional strategic importance to London's economic regeneration and development and other objectives of this Plan (such as extension of the Northern Line to Battersea). Any proposal of this kind will have regard to the issues outlined above.~~

LDF preparation

~~FE~~ In consultation with the Mayor, boroughs should ~~seek to~~ identify **strategically important transport infrastructure that is suitable for funding through the Community Infrastructure Levy (see Chapter 8)**. ~~In their DPDs particular sites and sub-areas where contributions are likely to be appropriate and should be sought.~~

6.23 Given the strategic regional importance of Crossrail, and that the funding arrangements for the scheme announced by Government makes clear that it will not proceed without contributions from developers, the

use of planning obligations to secure resources to support funding Crossrail from developments that give rise to additional demand for public transport that Crossrail will help address is appropriate in terms of Government guidance (~~currently Office of the Deputy Prime Minister Circular 5/2005~~) and other policies in this Plan. The funding agreement for Crossrail between the Mayor, Transport for London and the Government envisages that a total of £600 million might be raised towards the cost of the project from developers, as follows:

- £300 million from use of planning obligations or any similar system that might replace them; and
- £300 million from the Community Infrastructure Levy (see Chapter 8).

6.27 There will be other transport infrastructure necessary to support the sustainable development of strategically important parts of London, particularly to enable the maximum contribution towards delivery of the strategy and policies in this Plan. One example is a proposal for the extension of the Northern Line to serve the Battersea area. This would be needed to realise the full potential of the Vauxhall, Nine Elms and Battersea Opportunity Area, delivering at least 10,000 new homes, 15,000 jobs and regeneration of Battersea Power Station. ~~A similar approach to seeking funding contributions from development may be considered where appropriate, consistent with Government guidance on the use of planning obligation and subject to consultation.~~ Boroughs should work with the Mayor to identify strategically important infrastructure of this kind, particularly through the LDF process, and to develop appropriate proposals for use of the Community Infrastructure Levy (see Chapter 8) to contribute towards its cost.

Amend paragraphs 6.35 and 6.36 supporting Policy 6.9 CYCLING

6.35 New developments should provide cycling parking and cycle changing facilities to encourage more cycling. Planning briefs and masterplans should include principles to encourage a high quality, connected environment for cyclists. ~~Larger-d~~ **Developments will need to address the needs of both long stay (staff, residents) and short stay (visitor) cyclists. Where it has been demonstrated that it is not practicable to locate all cycle parking within the development site, developers should liaise with neighbouring premises and the local planning authority to identify potential for, and fund appropriate off-site visitor cycle parking. In all circumstances, long stay cycle parking should normally be provided on site.**

6.36 The Mayor wants to enhance the conditions for cycling by improving the quality of the cycling network and improving the safety of, priority for and access to cycling. This includes reducing bicycle theft, a major deterrent to cycling. Locating cycle parking as close as possible to building entrances can encourage passive surveillance, as can lighting. The *London Cycling Design Standards* (TfL 2005) sets out good practice **regarding the provision of cycling infrastructure, including how spaces should be made secure and sheltered from the weather.** It endorses Sheffield stands for on street parking. A popular alternative is the CaMden stand. Whichever stand is chosen, it should allow for parking on either side, as this provides additional capacity. TfL intend to publish a compendium of good practice on cycle parking. **Cycle hire docking stations should not be considered a substitute for cycle parking facilities.**

Amend paragraph 6A.1 in the Parking addendum to Chapter 6

6A.1 The tables below set out standards for different types of development. ~~If no standard is provided but there is an equivalent in PPG13, that PPG 13 standard should be taken as a maximum although boroughs wish to consider use of a lower maximum to reflect London's higher levels of public transport accessibility when compared to the national picture.~~ If there is no standard provided, ~~in either the London Plan or PPG 13~~ the level of parking should be determined by the transport assessment undertaken for the proposal, **which should be in line with but not limited to the criteria set out in paragraph 39 of the NPPF, the impact on traffic congestion,** and the availability of on and off street parking.

Replace Table 6.3 in the Parking Addendum to Chapter 6 with the following:

Table 6.3 Cycle Parking standards

Note: In centre includes local shopping parades, staff should always be taken as the Full Time Equivalent

Use Class		1 space per m ² of gross floorspace (unless otherwise stated)
A1	food	in centre: 1/125 for staff and visitors out of centre: 1/350 for staff and visitors
	non food	in centre: 1/300 for staff and visitors out of centre 1/500 for staff and visitors
A2	financial/professional services	1/125 for staff and visitors
A3-A5	Cafes& restaurants	1 per 20 staff and 1 per 20 customers
	drinking establishments	1/100 for staff and visitors
	Take-aways	1/50 for staff and visitors
B1	business offices	1/150 for staff and visitors
	light industry and research and development	1/250 for staff and visitors
B2-B8	storage or distribution	1/500 for staff and visitors
C1	hotels (bars, restaurants, gyms etc. open to the public should be considered individually under relevant standard)	1 per 10 staff + minimum 2 spaces for visitors
C2	hospitals	1 per 5 staff + 1 per 10 visitors
	care homes/ secure accommodation	1 per 3 staff + minimum 2 spaces for visitors
	student accommodation	1 per 2 beds + minimum 2 spaces for visitors
C3-C4	dwelling (all)	1 per 1 or 2 bedroom dwelling for residents + 1 per 40 units for visitors 2 per 3+ bedroom dwelling for residents + 1 per 40 units for visitors
D1	nurseries / schools (primary and secondary)	1 per 10 staff + 1 per 10 students
	universities and colleges	1 per 8 students + 1 per 8 staff
	health centre	1 per 10 staff + 1 per 10 visitors
	other (e.g. dentist, library, church etc.)	1 per 10 staff + 1 per 10 visitors
D2	other (e.g. cinema, bingo etc.)	1 per 20 staff + 1 per 50 seats
	sports (e.g. sports hall, swimming bath, gymnasium etc.)	1 per 10 staff + 1 per 10 visitors
Sui Generis	all	as per most relevant other standard e.g. casino and theatre = d2
Stations		to be considered on a case-by-case basis through liaison with TfL

Add new paragraph after paragraph 6A.3 in the Parking Addendum to Chapter 6:

6A.3A The Mayor is currently conducting a review of residential car parking standards in conjunction with Transport for London and with the advice of the Outer London Commission. In particular, he is considering the scope for greater flexibility in different parts of London having regard to patterns of car ownership and use, levels of public transport accessibility, the need for integrated approaches to on- and off-street parking, efficiency in land use and overall impact on the environment and the transport network. Further alterations to this Plan will be brought forward as appropriate, and in the meantime supplementary guidance will be issued giving further details and advice.

Delete paragraph 6A.11 in the Parking Addendum to Chapter 6:

~~6A.11 The Mayor, through TfL, intends to carry out a review of cycle parking standards, and will bring forward early alterations to the Plan when new standards are available.~~

Add new paragraphs 6A.11 and 6A.12:

6A.11 Cycle parking provided for staff should be suitable for long stay parking, particularly in terms of location, security and protection from the elements (see *The London Cycle Design Standards* (TfL 2005)).

6A.12 The Mayor is continuing to review these cycle parking standards to ensure they support delivery of the significant increase in cycling in London referred to in Policy 6.9. He will bring forward further alterations to this Plan in due course.

CHAPTER SEVEN LONDON'S LIVING SPACES AND PLACES

Amend paragraph 7.5 supporting Policy 7.1 BUILDING LONDON'S NEIGHBOURHOODS AND COMMUNITIES

7.5 Against the background of a rising number of both younger and older Londoners over the Plan period, increasing the opportunities everyone has to access and participate in their communities will help all Londoners to enjoy and feel secure in their neighbourhoods⁴². This can be achieved by extending the inclusive design principles embedded in The Lifetime Homes standards (see Policy 3.8) to the neighbourhood level. Ensuring that families with small children, older people and disabled people can move around, enjoy and feel secure in their neighbourhoods, enables everyone to participate in, and contribute to, the life of the community. Lifetime neighbourhoods⁴³, where access to public transport, basic amenities, local shops, cultural facilities, places to meet and relax, and green and open spaces are within easy reach of homes, and where facilities such as public toilets and seating are consciously planned into proposals at the outset, help to build cohesive, successful and sustainable communities. **The NPPF has also given communities the possibility of designating green spaces of particular importance to them for**

special protection. These are to be designated Local Green Spaces and the policy applying to them will be consistent with Green Belt policy (Policy 7.14). Following the NPPF, the Mayor will also consider how best to promote community-led initiatives for renewable and low carbon energy being taken forward through neighbourhood planning. The Mayor will assist boroughs and other agencies in developing lifetime neighbourhoods by providing advice and guidance in updated supplementary guidance on 'Accessible London: achieving an inclusive environment', and through the Mayor's Housing SPG and Shaping Neighbourhoods SPG. This guidance will also include information and other resources to support neighbourhood planning.

Amend paragraph 7.31 supporting Policy 7.8 HERITAGE ASSETS AND ARCHAEOLOGY

7.31 Crucial to the preservation of this character is the careful protection and adaptive re-use of heritage buildings and their settings. Heritage assets such as conservation areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of listed buildings or conservation areas should be of the highest quality of architecture and design, and respond positively to local context and character outlined in the policies above. **Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Enabling development that would otherwise conflict with planning policies, but which would secure**

⁴² Commission for Architecture and the Built Environment (CABE), *Inclusion by Design Equality, Diversity and the Built Environment*, November 2008

⁴³ Department for Communities and Local Government (DCLG), *Lifetime Homes Lifetime Neighbourhoods: A National Strategy for Housing in an Ageing Society*, February 2008

the future conservation of a heritage asset should be assessed to see if the benefits of departing from those policies outweigh the disbenefits. When considering re-use or refurbishment of heritage assets, opportunities should be explored to identify potential modifications to reduce carbon emissions and secure sustainable development. In doing this a balanced approach should be taken, weighing the extent of the mitigation of climate change involved against potential harm to the heritage asset or its setting. **Where there is evidence of deliberate neglect of and or damage to a heritage asset the deteriorated state of that asset should not be taken into account when making a decision on a development proposal.**

Amend paragraph 7.51 supporting Policy 7.14 IMPROVING AIR QUALITY

- 7.51 Increased exposure to existing poor air quality should be minimised by avoiding introduction of potentially new sensitive receptors in locations where they will be affected by existing sources of air pollution (such as road traffic and industrial processes). Particular attention should be paid to development proposals such as housing, homes for elderly people, schools and nurseries. Where additional negative air quality impacts from a new development are identified, mitigation measures will be required to ameliorate these impacts. This approach is consistent with ~~PPS 23 (Planning and Pollution Control)~~ **paragraph 124 of the NPPF**. These could include on-site measures such as design solutions, buffer zones and smarter travel measures that support and encourage sustainable travel behaviours. Where it can be clearly shown that on-site mitigation measure are impractical or inappropriate, and where measures having clearly demonstrated

equivalent air quality benefits could be taken elsewhere, local planning authorities should use their planning powers to ensure this. The Mayor will produce guidance to assist boroughs in developing supplementary planning documents on air quality for boroughs to assist them in determining planning applications and identifying appropriate offsetting and mitigation measures. Developer contributions and mitigation measures should be secured through planning conditions, Section 106 agreements or the Community Infrastructure Levy, where appropriate.

Amend paragraph 7.52 supporting Policy 7.15 REDUCING NOISE AND ENHANCING SOUNDSCAPES

- 7.52 Reducing noise pollution and protecting good soundscape quality where it exists, contributes to improving quality of life. The Mayor's published Ambient Noise Strategy⁴⁴ contains policies and proposals on noise related to road and rail traffic, aircraft, water transport and industry. The GLA Act 1999 excludes some sources from the definition of 'ambient noise', such as construction and neighbour noise, where powers are held by borough councils. London Plan policies address the spatial implications of the Ambient Noise Strategy. **These policies may require further alteration depending on the spatial implications of the Noise Policy Statement for England.**

Amend paragraph 7.55 supporting Policy 7.16 GREEN BELT

- 7.55 ~~PG 2: Green Belts~~⁴⁵ **Paragraphs 79-92 of the NPPF** gives clear policy guidance on the functions the Green Belt performs, its key characteristics,

⁴⁴ Mayor of London. *The Mayor's London Ambient Noise Strategy*. GLA 2004

⁴⁵ ODPM. *PPS2 Green Belts*. 1998

acceptable uses and how its boundaries should be altered, if necessary. Green Belt has an important role to play as part of London's multifunctional green infrastructure and the Mayor is keen to see improvements in its overall quality and accessibility. Such improvements are likely to help human health, biodiversity and improve overall quality of life. Positive management of the Green Belt is a key to improving its quality and hence its positive benefits for Londoners. **Boroughs with landscape designations (such as AONBs) should follow the advice of NPPF paragraph 113.**

Amend paragraph 7.56 supporting Policy 7.17 METROPOLITAN OPEN LAND

7.56 The policy guidance of **PPG 2 paragraphs 79-92 of the NPPF** on Green Belts applies equally to Metropolitan Open Land (MOL). MOL has an important role to play as part of London's multifunctional green infrastructure and the Mayor is keen to see improvements in its overall quality and accessibility. Such improvements are likely to help human health, biodiversity and quality of life. Development that involves the loss of MOL in return for the creation of new open space elsewhere will not be considered appropriate. Appropriate development should be limited to small scale structures to support outdoor open space uses and minimise any adverse impact on the openness of MOL. Green chains are important to London's open space network, recreation and biodiversity. They consist of footpaths and the open spaces that they link, which are accessible to the public. The open spaces and links within a Green Chain should be designated as MOL due to their Londonwide importance.

Amend paragraph 7.60 supporting Policy 7.19 BIODIVERSITY AND ACCESS TO NATURE

7.60 The Mayor's Biodiversity Strategy ⁴⁶sets out criteria and procedures for identifying land of importance for London's biodiversity for protection in LDFs and identifying areas of deficiency in access to nature. Protecting the sites at all levels, serves to protect the significant areas of Biodiversity Action Plan (BAP) priority habitat in London and most priority species. However, protection of biodiversity outside designated sites will also be needed. The Mayor and the London Biodiversity Partnership have identified targets in Table 7.3 for the re-creation and restoration of priority habitats, as recommended in **PPS 9: Biodiversity and Geological Conservation**⁴⁷ **paragraphs 109, 114, 117 and 118 of the NPPF**. Broad areas where habitat restoration and re-creation would be appropriate have been identified for each of the priority habitats. These have been prepared by Greenspace Information for Greater London on behalf of the London Biodiversity Partnership. Priority should be placed on connecting fragmented habitat and increasing the size of habitat areas to increase resilience to climate change.

Amend paragraph 7.63 supporting Policy 7.20 GEOLOGICAL CONSERVATION

7.63 New development should have regard to the conservation of geological features and should take opportunities to achieve gains for conservation through the form and design of development. Where development is proposed which would affect an identified geological site the approach should be to avoid

⁴⁶ Mayor of London. *The Mayor's Biodiversity Strategy- connecting with Nature*. GLA 2005

⁴⁷ ODPM PPS9. *Biodiversity and geological conservation*. 2005

adverse impact to the geological interest. If this is not possible, the design should seek to retain some of the geological Interest and enhance this where possible, for example by incorporating permanent sections within the design. The negative impacts of development should be minimised and any residual impacts mitigated. On behalf of the London Geodiversity Partnership, and working with Natural England, the Mayor has published *London's Foundations* as implementation guidance to advise boroughs on fulfilling their statutory duty set out in **PPS 9 paragraphs 109 and 117 of the NPPF** to protect geodiversity. The Mayor will continue to work with all relevant partners to identify regionally important geological sites.

Amend clause C of Policy 7.21 TREES AND WOODLANDS

POLICY 7.21 TREES AND WOODLANDS

Strategic

- A Trees and woodlands should be protected, maintained, and enhanced, following the guidance of the London Tree and Woodland Framework (or any successor strategy). In collaboration with the Forestry Commission the Mayor will produce supplementary guidance on Tree Strategies to guide each borough's production of a Tree Strategy covering the audit, protection, planting and management of trees and woodland. This should be linked to the borough's open space strategy.

Planning decisions

- B Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'⁴⁸. Wherever appropriate, the planting of additional trees should be included in new developments,

⁴⁸ *London Tree and Woodland Framework*. GLA 2005

particularly large-canopied species.

LDF preparation

- C Boroughs should follow the advice of **PPS 9 paragraph 118 of the NPPF** to protect 'veteran' trees and ancient woodland where these are not already part of a protected site.
- D Boroughs should develop appropriate policies to implement their borough tree strategy.

Amend clause A of Policy 7.24 BLUE RIBBON NETWORK

POLICY 7.24 BLUE RIBBON NETWORK

Strategic

- A The Blue Ribbon Network is a strategically important series of linked spaces. It should contribute to the overall quality and sustainability of London by prioritizing uses of the waterspace and land alongside it safely for water related purposes, in particular for passenger and freight transport. Regard should be paid to the Thames River Basin Management Plan **and the emerging marine planning regime and the Marine Policy Statement**.

Amend paragraph 7.75 supporting Policy 7.26 INCREASING THE USE OF THE BLUE RIBBON NETWORK FOR FREIGHT TRANSPORT

- 7.75 Using water based transport for freight is fully in line with **a range of national planning policy, in particular PPG13, which aims to deliver a modal shift in freight transport to more sustainable modes the NPPF, in particular paragraphs 29, 30 and 41, promoting sustainable modes of transport**. Water transport is recognized as one of the most sustainable modes, particularly for

low value, non time-critical bulk movements.

Amend paragraph 7.80 supporting Policy 7.27 BLUE RIBBON NETWORK: SUPPORTING INFRASTRUCTURE AND RECREATIONAL USE

7.80 In order to make the maximum use of the Blue Ribbon Network, particularly for effective transport, a range of supporting infrastructure is required. The infrastructure includes, but is not limited to; boatyards, jetties, slipways, steps and water side paths/cycleways. **Their need and provision should be assessed.**

CHAPTER EIGHT IMPLEMENTATION, MONITORING AND REVIEW

Amend policy clause A, and supporting paragraphs 8.11 and 8.14 of Policy 8.2
PLANNING OBLIGATIONS

POLICY 8.2 PLANNING OBLIGATIONS

Strategic

- A The Mayor will provide guidance for boroughs and other partners on the preparation of frameworks for negotiations on planning obligations in DPDs, reflecting the strategic priorities set out below. In particular, the Mayor wishes to develop with boroughs a voluntary systems of pooling contributions for the provision of facilities related to proposed developments **that cannot be addressed through the Community Infrastructure Levy**.
- Planning decisions**
- B When considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations.
- C Development proposals should address strategic as well as local priorities in planning obligations.
- D Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance. Where it is appropriate to seek a Crossrail contribution in accordance with Policy 6.5, this should generally be given higher priority than other public transport improvements.

- E Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.

LDF preparation

- F Boroughs should set out a clear framework for negotiations on planning obligations in DPDs having regard to relevant legislation, central Government policy and guidance and local and strategic considerations to the effect that:
- It will be a material consideration whether a development makes an appropriate contribution or other provision (or some combination thereof) towards meeting the requirements made necessary by, and related to, the proposed development
 - Negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and kind to the proposed development and its impact on a wider area
 - Boroughs must refer to planning obligations that would be sought in the relevant parts of the DPDs (such as transport and housing policies).

- 8.11 Planning obligations (or 'section 106 agreements') are an important aspect of major planning applications. Their use in accordance with national guidance (~~currently Office of the Deputy Prime Minister Circular 5/05~~) and legislation (particularly the Community Infrastructure Levy Regulations 2010, which **sets out three give-policy** tests for **the proper use of** planning obligations **with** statutory force) balances the impacts of development and enables them to be addressed. London boroughs have a range of locally based priorities to be fulfilled through planning obligations. Some boroughs have supplementary planning documents setting out these priorities and the likely scale of contributions

that different types of development are likely to require.

- 8.14 The role of planning obligations will change as a result of introduction of the Community Infrastructure Levy (see below). The Government's expectation is that the **new** Levy will be the principal means of funding infrastructure, but it is likely that planning obligations will continue to have an important role with regard to affordable housing, for impact mitigation and **for** items that are not infrastructure (contributions towards revenue costs, for example).

Amend clauses B and C, and add new clause D to Policy 8.3 COMMUNITY INFRASTRUCTURE LEVY, and amend supporting paragraphs 8.15 and 8.16, adding new paragraph 8.15A

POLICY 8.3 COMMUNITY INFRASTRUCTURE LEVY

Strategic

- A The Mayor will work with Government and other stakeholders to ensure the effective development and implementation of the Community Infrastructure Levy (CIL).
- B The Mayor will **keep under review the ~~bring forward a draft~~ charging schedule ~~he approved~~** in accordance with the Community Infrastructure Levy Regulations 2010 to enable him to use the CIL to fund **strategically important infrastructure, initially focussing on Crossrail, and will bring forward further proposals should that prove appropriate.**
- C The Mayor will prepare guidance for boroughs and other partners setting out a clear framework for application of the **CIL Community Infrastructure Levy** to ensure the costs incurred in providing the infrastructure which supports the policies in this Plan (particularly public transport – including Crossrail – see Policy 6.5) can be funded wholly or partly by those with an interest in land

benefiting from the **granting** of planning permission.

LDF preparation

- D The Mayor will work with boroughs to ensure that priorities for the application of the CIL for strategically important infrastructure are identified through the LDF process, particularly to support development of opportunity and intensification areas.**

- 8.15 **National** ~~The~~ Government has **put in place legislation to introduce the a** Community Infrastructure Levy (CIL) ~~- . This will be~~ a **new** charge which local authorities (including the Mayor) **will be able to can** levy on most types of development to help fund infrastructure needed to support the development of an area in line with local development plans. Initially at least, the Mayor will only be able to use the CIL to support transport infrastructure (including Crossrail). **The process for setting a CIL is set out in the Community Infrastructure Levy Regulations 2010 (as amended), and involves two rounds of consultation and a public examination before the charging schedule – the legal document setting a CIL for an area – can be approved.** The Mayor **approved his charging schedule, intended to** ~~has published proposals for a Londonwide CIL to~~ raise £300 million towards the cost of Crossrail, as required by the Crossrail funding agreement (see Policy 6.5) **in February 2012, with charging starting from 1 April.** ~~and will take these proposals through the statutory process (which include two rounds of public consultation and a public examination) with a view to charging starting in the spring of 2012.~~ In making these proposals he **has** had regard to the potential effect on the economic viability of development across Greater London, and the potential effect on **his the** area's overall development. **He has made**

clear his intention to monitor the effects of his CIL, and to conduct two-yearly formal reviews to ensure the rates and other details of his CIL remain appropriate.

8.15A The CIL is likely to play an important part in ensuring delivery of the infrastructure required to support London's sustainable growth. The Mayor will work closely with boroughs to ensure the CIL is applied appropriately and effectively to achieve the objectives set out in this Plan and, in particular, to support optimisation of the opportunity/intensification areas and other strategic development opportunities identified in Chapter Two.

8.16 The introduction of the CIL will affect use of planning obligations to help fund **the** infrastructure. Under the CIL Regulations, obligations can continue to be used to address issues specific to particular developments; limited pooling of contributions **to contribute to the costs of particular projects or types of infrastructure** across not more than five individual developments is also permitted. However, it is not permitted to seek contributions through planning obligations towards infrastructure which the charging authority has indicated it will use the CIL to fund. These restrictions do not apply to contributions sought under Policy 6.5, but in putting forward his proposals for a CIL (see para. 8.15), **he the Mayor** has sought to ensure that decisions on both the CIL charging schedule and the level of section 106 contributions for Crossrail are taken in tandem. He will also take steps to ensure that CIL payments will be offset from contributions made under Policy 6.5. Planning obligations will continue to be used to fund affordable housing and non-infrastructure items, such as revenue costs of new **or enhanced** bus services.

GLOSSARY

*Delete definition of **Air quality neutral***

~~**Air quality neutral** Best available techniques to be applied to minimise pollutant emissions.~~

*Amend definition of **Heritage assets***

Heritage Assets are the valued components of the historic environment. They include buildings, monuments, sites, places, areas or landscapes positively identified as having a degree of historic significance meriting consideration in planning decisions. They include both designated heritage assets and **non-designated assets** ~~those where these~~ **have been** identified by the Local Authority during process of decision-making or plan making process.