

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3090

Design and Characterisation London Plan Guidance documents

Executive summary:

This Mayoral Decision seeks the Mayor's agreement to the adoption of the Design and Characterisation London Plan Guidance (LPG). This suite of documents is made up of the following LPGs:

- Characterisation and Growth Strategy LPG
- Small Site Design Codes LPG
- Optimising Site Capacity: A Design-led Approach LPG
- Housing Design Standards LPG.

These documents provide additional guidance relevant to the implementation of specific policies in the London Plan, namely:

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D6 Housing quality and standards
- Policy D9 Tall buildings
- Policy H2 Small sites – Parts (B2-4)
- Policy HC1 Heritage conservation and growth
- Policy SD9 (Part B) Town centres: Local partnerships and implementation.

Decision:

That the Mayor approves the four Design and Characterisation London Plan Guidance documents (above) for adoption as further guidance to the London Plan 2021, taking into account the accompanying Equality Impact Assessments and consultation summary reports.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

18/5/22

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The London Plan 2021 was published on 2 March 2021, giving full statutory weight to the Spatial Development Strategy as part of the Development Plan for all London planning authorities. Following its publication, a suite of new guidance is being developed, providing additional detail on how specific policies in the Plan should be applied to planning applications and plan-making.
- 1.2. The guidance referred to in this Mayoral Decision (MD) will add guidance relating to four further areas to the suite of London Plan Guidance (LPG) adopted since the publication of the London Plan 2021. Previous LPGs were adopted by the Mayor in September 2021 (MD2861), March 2022 (MD2962), October 2022 (MD3021) and December 2022 (MD3050), with the first MD report also including further background on the LPG programme and the approach being taken.
- 1.3. LPG has no specific statutory weight and cannot create or change London Plan policies. However, it is capable of being a material planning consideration and adds further, more detailed guidance as to implementation of the London Plan and assists in achieving key objectives in practice.
- 1.4. This MD form relates to the adoption of the Characterisation and Growth Strategy LPG (Appendix A1), the Small Site Design Codes LPG (Appendix B1), the Optimising Site Capacity: A Design-led Approach LPG (Appendix C1) and the Housing Design Standards LPG (Appendix D1).

Good Quality Homes for All Londoners guidance

- 1.5. These four LPGs have evolved from the 'Good Quality Homes for All Londoners' draft guidance which formed the basis of initial engagement and has now been superseded by these LPGs. This comprised a suite of four 'modules'¹. A public consultation on these modules was held between 13 October 2020 and 15 January 2021.² However, the guidance was revised significantly, due to a number of factors, as set out below:
 - significant changes were made to the content of each 'module' to reflect the impacts of the COVID-19 pandemic and implications of climate change
 - guidance was amended to conform to the new LPG template and format
 - further guidance was added on the characterisation process and a new document was introduced
 - 'module D' was removed, on the basis that the case studies set out in it will form a different document/project, showcasing best practice.
- 1.6. As a result, a revised suite of documents called the 'Design and Characterisation LPGs' was produced – building on core elements retained from the previous modules but reflecting the changes above. These LPGs were subject to a public consultation between 11 February and 27 March 2022.

2. Objectives and expected outcomes

- 2.1. The objective of the LPGs is to provide detailed guidance to complement and support the implementation of policies within the London Plan 2021, particularly those listed in the executive summary above. They should facilitate improved clarity and faster decision-making by ensuring a consistent and shared understanding of the policies' requirements across local planning authorities and all stakeholders, including developers and their agents, and the local community. The

¹ Module A: Optimising Site Capacity, Module B: Small Site Development and Design Codes, Module C: Housing Design Standards and Module D: Housing Design Case Studies

² Further details on this consultation can be found [here](#).

development of the LPGs will contribute to the aims set out in the GLA Act 1999 (the GLA Act), in particular in relation to achieving sustainable development, and mitigating and adapting to climate change. The intention is also that the processes set out in the LPGs build on each other. For instance, a borough's characterisation and growth strategy (the process set out in the Characterisation and Growth Strategy LPG) should inform an area's small site design code (see Small Site Design Codes LPG) and the capacity testing of individual sites (see Optimising Site Capacity: A Design-led Approach LPG).

Characterisation and Growth Strategy LPG

- 2.2. This LPG provides further guidance to support planning authorities in implementing borough-wide character assessments and a plan for growth (Policy D1). This involves a three-part process in which planning authorities should undertake a characterisation survey and analysis; carry out an evaluation of that character; and lastly, devise a growth strategy. This guidance will replace the Character and Context SPG that was published in June 2014. The LPG also provides guidance on setting a 'tall building' definition, and how to determine locations where tall buildings may (and may not) be appropriate (Policy D9).

Small Site Design Codes LPG

- 2.3. This LPG aims to support planning authorities to meet the requirements of, and implement, London Plan Policy H2 Small Sites. The LPG provides a process for planning authorities to follow in order to develop area-wide design codes for small sites. These are sites that are predominantly below 0.25 hectares in size. The area-wide design codes aim to provide clarity on what is likely to be acceptable, and what may cause identifiable harms if permission was granted, for different contexts. They are based on the 'character types' that boroughs are encouraged to define through their character assessments (see Characterisation and Growth Strategy LPG). The guidance also provides four example design codes, for different site contexts (street-facing, backland, high street, and residential extension).
- 2.4. The intention of this approach is to bring forward discussions on design matters to the plan-making stage and therefore support better quality delivery of small sites which provide diversity in the housing market and support delivery against the borough's London Plan small site target. By setting area-wide design codes for a range of character types, the intentions are to also streamline the development management assessment of these sites, and provide greater clarity and certainty about approaches that are supported.

Optimising Site Capacity: A Design-led Approach LPG

- 2.5. This LPG aims to support both planning authorities and applicants to meet the requirements of, and implement, London Plan Policy D3 Optimising site capacity through the design-led approach. It does this through the setting of high-level design parameters that clarify the aspirations and design considerations for a site. The LPG sets out a process to determine the indicative site capacity for residential sites. As part of this, the LPG includes an Indicative Site Capacity Toolkit that can be used to model the design parameters and determine an appropriate site capacity. While other toolkits can be used to undertake this process, the Indicative Site Capacity Toolkit is useful as it is freely available and relatively easy to use.
- 2.6. When site capacity work is undertaken by a planning authority, the process set out in the LPG aims to frontload design considerations to the plan-making stage to enable engagement with community groups and residents to take place. It also provides a useful mechanism to estimate the potential capacity of sites and areas. This process is also aligned with the process set out in the National Model Design Code.

Housing Design Standards LPG

- 2.7. This LPG aims to support planning authorities and applicants to meet the requirements of, and implement, London Plan Policy D6 Housing quality and standards. It provides a list of housing

standards that are applicable to self-contained residential planning applications (Use Class C3). The LPG applies to housing across tenures, including build-to-rent and specialist older persons' housing. However, it does not provide guidance on other specialist forms of housing such as shared living, temporary accommodation and student accommodation. The standards are categorised as those that are expected to be met and those that are best practice, and therefore strongly encouraged. This ensures that there is sufficient flexibility while being clear about those standards that must be applied in every case due to the significant harms that arise otherwise. Each standard also indicates the type of development to which it applies (new-build; change of use; conversions; or all).

- 2.8. The guidance is aimed at developers and their design teams seeking planning permission, and borough development management officers. The guidance covers standards relating to: placemaking and the public realm; shared spaces and ancillary facilities; and homes and private outside space. These broadly follow the design process and aim to assist design teams in designing residential developments. A number of illustrations also explain the standards visually.

3. Equality comments

- 3.1. The Mayor and the GLA are subject to the public sector equality duty, as set out in section 149 of the Equality Act 2010. The London Plan and its policies plan for growth on the basis of its potential to: improve the health and quality of life of all Londoners; reduce inequalities; and make the city a better place to live, work and visit. It uses the opportunities of a growing and changing city to plan for a better future, and for planning decisions to be focused on improving London, transforming the city over time. It plans not just for growth, but for Good Growth: sustainable growth that works for everyone.
- 3.2. Objective GG1 of the London Plan – building strong and inclusive communities – makes it clear that Good Growth is inclusive growth. This objective underpins the policies in the Plan, which will help to address inequality in a broad range of ways. The London Plan 2021 was subject to an iterative Integrated Impact Assessment process, including an Equality Impact Assessment (EqIA). This assessed the impact of the policies within the Plan on which the LPGs, detailed in this report, provide further guidance. This has been supplemented by a specific EqIA for the suite of LPGs, recognising that the application of the detail can give rise to additional, exacerbated or mitigated impacts that need to be taken into consideration in having due regard to the Equality Duty.

Characterisation and Growth Strategy LPG

- 3.3. The sections of the EqIA undertaken for this guidance showed positive impacts related to all groups except marriage and civil partnership where no impacts were identified. The LPG promotes a greater emphasis and focus on urban characterisation, analysing the aspects of place that make it unique and valued. This includes the collection of demographic and socio-economic data, as well as perceptions of safety and levels of air pollution. The EqIA highlighted that identification of cultural, social or economic/commercial characteristics that are valued by the community may result in area visions that better reflect the needs of specific groups including those with protected characteristics. This included groups comprising people of specific ages, religious groups, ethnicities and income bands. The assessment also found that by setting out a clear and consistent process for how characterisation should be done, the LPG increases the likelihood that consideration of factors such as air quality will inform how an area develops. Improving air quality is an important issue for disabled people affected by chronic respiratory conditions.
- 3.4. The EqIA was published as one of the documents for comment as part of the consultation exercise for these LPG. No significant comments were made on the EqIA relating to this LPG. The full EqIA report for the Design and Characterisation LPGs is included in Appendix F1. The Mayor should have regard to the contents of this EqIA report in deciding whether to agree the recommendations within this report.

Small Site Design Codes LPG

- 3.5. The sections of the EqlA undertaken for this guidance showed positive impacts for religious and ethnic groups who live in multi-generational households; and neutral impacts on people with low incomes. While the LPG is generally aimed at encouraging new dwellings, boroughs can also use this guidance to facilitate extensions to existing homes, to provide for religious and ethnic groups who may be more likely to live in multi-generational households. While some larger small sites would be required to provide affordable housing, many smaller sites would not meet the thresholds for requiring this. This could be seen as negatively impacting on people on low incomes, who are most in need of affordable housing. It could also have a potential negative impact on children as many of the new homes are likely to be in flatted development and therefore without private gardens. However, as the guidance encourages the redevelopment of small sites, this is likely to increase the delivery of housing overall and help to tackle housing availability and affordability.
- 3.6. Several respondents to the consultation made comments concerning potential equality impacts arising in relation to the guidance, on the following issues:
- The LPG should include text stating that local authorities should consider an area's needs for community-led housing and Gypsy and Traveller accommodation.
 - The GLA should develop London-wide design guidance or design codes for Gypsy and Traveller accommodation.
- 3.7. The potential negative/positive equality impacts raised above have led to several amendments to the LPG. These include the incorporation of additional text in the guidance to highlight the importance of considering the wider needs of an area, such as Gypsy and Traveller accommodation, as part of a borough's design-coding work. The full EqlA report for the Design and Characterisation LPGs is included in Appendix F1. The Mayor should have regard to the contents of this EqlA report in deciding whether to agree the recommendations within this report.

Optimising Site Capacity: A Design-led Approach LPG

- 3.8. The sections of the EqlA undertaken for this guidance showed positive impacts related to age, disability, pregnancy, and race or ethnicity. The LPG requires site capacity work to be informed by opportunities to enhance permeability and access to local services, employment and social infrastructure. This aims to provide better access for disabled and younger Londoners to education and employment opportunities. It also aims to improve access for older Londoners to services such as shops, open spaces, public transport and community uses. The requirement to consider noise may also benefit older Londoners too.
- 3.9. The EqlA was published as one of the documents for comment as part of the consultation exercise for this LPG. No significant comments were made on the EqlA relating to this LPG. The full EqlA report for the Design and Characterisation LPGs is included in Appendix F1. The Mayor should have regard to the contents of this EqlA report in deciding whether to agree the recommendations within this report.

Housing Design Standards LPG

- 3.10. The sections of the EqlA undertaken for this guidance showed strong positive impacts related to age, disability, gender, low incomes, and race or ethnicity. In particular, the LPG promotes improvements to walking and cycling networks, the 'Healthy Streets' approach, cycle parking and other interventions that may help to increase levels of independent mobility for children and young people. The guidance also has specific housing standards on inclusive and accessible design. This includes standards on the provision of secure and convenient storage for mobility scooters and wheelchairs; wider corridors; air quality; specialised housing for older people; and safety in the public realm. Several respondents to the consultation made comments on the following issues:
- Supportive of the dedicated study room that the LPG advocates for, as this would benefit those working from home – including a greater proportion of women, children, those with disabilities and over-65s.

- The LPG should ensure inclusive and accessible wording is included throughout the document.

3.11. The potential equality impacts raised above have led to additional inclusive and accessible wording being added to the LPG. The full EqlA report for the Design and Characterisation LPGs is included in Appendix F1. The Mayor should have regard to the contents of this EqlA report in deciding whether to agree the recommendations within this report.

4. Other considerations

Risks and issues

- 4.1. Care has been taken to ensure that the guidance contained within the four LPGs does not create or amend policies contained within the London Plan 2021; and falls within the legal powers and follows a considered process used to produce such guidance. This will mitigate the risk of any legal challenge to the LPG documents following adoption.
- 4.2. Historically, the issuing of SPGs has not always been as successful as envisaged, due to the length of the documents and a lack of focus on how their requirements should be implemented in the planning system. To mitigate this risk, we have sought to write the new LPG documents in a clearer and more direct manner, without unnecessary related information. Each of the four LPG documents clearly sets out, at the start, the types of planning applications to which it should be applied, and how it relates to boroughs' development plan documents (as relevant). The relevant London Plan policy, and who the guidance is for, is also explained at the start of each document.
- 4.3. No one involved in the drafting or clearance of this form or the preparation of the LPG has any conflict of interests that might arise as a result of the adoption and implementation of the LPG.

Link to Mayoral strategies and priorities

- 4.4. While the London Plan 2021 was developed and subject to examination in public prior to the Mayor's target for London to be carbon-neutral by 2030, it remains a sound spatial development strategy for London and part of the statutory development plan for Greater London. Furthermore, the provisions that implement the spatial aspects of the Mayor's Transport Strategy, as required by subsection 334(4)(a) of the GLA Act, remain up to date and highly relevant in addressing the challenges of climate change and tackling damaging air quality. The suite of LPGs will support the priority of delivering high quality homes and inclusive neighbourhoods as set out in the Mayor's Housing Strategy. In addition, the guidance on characterisation and growth strategies will support a greater understanding of London's culture and heritage assets in line with the priorities of the Culture Strategy. The guidance will also support London as a 24-hour city.

Consultation and impact assessments

- 4.5. Consultation was undertaken in accordance with section 32 of the GLA Act. This included a bespoke engagement process in order to realise Good Growth objective GG1 A, which requires early and inclusive engagement with stakeholders.
- 4.6. A consultation on the draft guidance documents was held between 11 February and 27 March 2022. Details of the consultation are set out in the consultation summary report attached at Appendix E1.

Engagement – Design and Characterisation LPGs

- 4.7. A second public consultation was carried out on four Design and Characterisation LPGs. This followed a first public consultation on the Good Quality Homes for All Londoners guidance (as set out in paragraph 1.5 – 1.6). Engagement on the four Design and Characterisation LPGs was undertaken entirely online due to COVID-19 considerations. Webinars were carried out between 4 March and 16 March 2022. The engagement included six virtual events held through the consultation period; an online consultation webpage; and direct notification of those signed up for email notifications and via the planning newsletter. There were 394 attendees to the virtual events at which people could learn

more about the document and ask questions and 2,353 views of the consultation webpage. A total of 142 responses were received, with 59 using the online survey and a further 83 via email. A summary of the responses for each LPG is included below.

Characterisation and Growth Strategy LPG

- 4.8. Overall, respondents expressed broad support for the guidance and its ambitions. The main issues raised during the consultation related to:
- a request for an increased focus on the social and cultural elements of character
 - clearer differentiation between 'character areas' and 'character types'
 - the need for greater clarity on the sensitivity assessment in Stage Two
 - a suggestion to split the 'level of change' assessment from the capacity for growth assessment
 - specific amendments to the tall buildings section of the document to ensure that the process is robust.
- 4.9. The guidance has been updated to reflect issues raised in the consultation and as a result of the EqIA. This includes adding further detail on the social and cultural elements of character; moving the 'character area' section to Stage One; and revisions to the sensitivity assessment, capacity for growth and tall buildings section.

Small Site Design Codes LPG

- 4.10. Overall, respondents expressed strong support for the guidance and its ambitions. The main issues raised during the consultation related to:
- providing additional clarity on how area-wide design codes should be brought forward
 - a request for clarity on consideration of the wider needs within the plan area (such as Gypsy and Traveller accommodation)
 - the view that, when considering coding coverage, practitioners should take account of conservation areas and the settings of heritage assets.
- 4.11. The guidance has been updated to reflect issues raised in the consultation, and as a result of the EqIA. This includes adding further detail on the planning process (and documentation) under which area-wide design codes should be brought forward. The guidance has also been updated to clarify the consideration of the wider needs of an area when undertaking an area-wide design code.

Optimising Site Capacity: A Design-led Approach LPG

- 4.12. Overall, respondents expressed strong support for the guidance and its ambitions. The main issues raised during the consultation related to:
- providing additional clarity on how design parameters should be brought forward
 - comments and concerns about design parameters being overly prescriptive
 - minor revisions to some of the wording within the guidance.
- 4.13. The guidance has been updated to reflect issues raised in the consultation, and as a result of the EqIA. This includes the addition of guidance on how a site's design parameters should be brought forward. Clarity on the involvement of specialists in urban design, such as heritage and conservation officers, has also been added.

Housing Design Standards LPG

- 4.14. There were a number of detailed responses to many of the standards. These ranged from strong support to concern about some of the standards. The main issues raised during the consultation related to the following:
- explicit reference of the impact of the COVID-19 pandemic on housing standards is welcomed
 - broad support for the LPG and standards contained within it
 - concerns that the standards are either overly flexible or prescriptive
 - concern about covered outside decks, and questions around their effectiveness and desirability
 - further explanation and illustration of dual aspect definition would be useful
 - some illustrations would be useful in the document.
- 4.15. The guidance has been updated to reflect issues raised in the consultation, and as a result of the EqIA. This includes the introduction of a set of illustrations and greater clarity on the 'dual-aspect' definition. The guidance has also amended the standard on deck access and a number of the other standards.

5. Financial comments

- 5.1. There are no direct financial implications for the GLA arising from this decision.

6. Legal comments

- 6.1. There is no statutory power that expressly deals with the development of the LPG in the GLA Act (as amended). However, the LPG is developed in accordance with the general power in section 30 of the GLA Act,³ which gives the GLA the power to do anything that it considers will further any one or more of its principal purposes, namely promoting economic development and wealth creation in Greater London; promoting social development in Greater London; and promoting the improvement of the environment in Greater London. The LPG will further all three principal purposes to some extent, in particular promoting social development and the improvement of the environment. In addition, section 34 of the GLA Act contains a general power to do that which "is calculated to facilitate, or is conducive or incidental to, the exercise of any functions of the Authority". The LPG is developed under these general powers.
- 6.2. The High Court has confirmed⁴ that planning guidance issued by the Mayor of London is capable of being a material planning consideration in the same way as local Supplementary Planning Documents at borough level – that is, through supporting the policies in the relevant Plan.
- 6.3. The LPGs have been subject to legal advice. The Mayor and the GLA are subject to the public sector equality duty; this is considered in detail in section 3.

7. Planned delivery approach and next steps

- 7.1. This is the final stage of the LPG development process for these pieces of guidance. There is further guidance on other London Plan subject areas in different stages of development.

³ [GLA Act](#)

⁴ [McCarthy and Stone Retirement Lifestyles Ltd & Ors, R \(on the application of\) v Greater London Authority \[2018\] EWHC 1202 \(Admin\) \(23 May 2018\)](#)

- 7.2. The LPGs will be applied to the local plan-making process, and to relevant planning applications by decision-makers, taking into account the guidance as a material consideration. As a result, boroughs will consider the guidance (where relevant) when developing local plans; and it will be taken into account by the GLA when assessing the general conformity of boroughs' local plans with the London Plan.

Activity	Timeline
Notification of the adoption	May 2023
Publication (including supporting documents)	May 2023

Appendices and supporting papers:

- Appendix A1 - Characterisation and Growth Strategy London Plan Guidance
- Appendix B1 - Small Site Design Codes London Plan Guidance
- Appendix C1 - Optimising Site Capacity: A Design-led Approach London Plan Guidance
- Appendix D1 - Housing Design Standards London Plan Guidance
- Appendix E1 - Design and Characterisation Consultation Summary Report
- Appendix F1 - Design and Characterisation EqIA

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Alan Smithies has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Phil Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Jules Pipe has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 15 May 2023.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:

D. Gane

Date:

18/05/2023

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

Signature:

D. Bellamy

Date:

15/03/2023