

Comments on Draft London Plan 2017

General Approach – format and content

1. The new London Plan is not a strategic plan for London it is, as stated in the document, intended as a blueprint. It has therefore over reached its statutory purpose and role. It is over detailed and prescriptive. It has left very limited scope for the local plans of the boroughs to properly reflect local priorities and address issues important for their areas. It eliminates any room for local distinctiveness. It totally removes the need for local plans other than to insert local place names.... “to join up the dots/colour in the spaces”.
2. No-one is arguing for a return to the Nicholas Ridley approach in the 1989 version of RPG3 but it should be far more concise and sharply focused with proper strategic directions and appropriate policies expressed in a strategic way. It should be more comparable in form and clarity to the approach taken by the 1996 version of Strategic Planning Guidance for London – RPG3.
3. The new London Plan claims that it is more accessible and user friendly than before. However, this is far from the case. The extent and plethora of detail means that anyone approaching development in London will face an unusable morass of different tiers and levels of planning policies. This will consist of the National Planning Policy Framework, the 500 odd pages of the new London Plan, a borough local plan and in some cases a neighbourhood plan.
4. The extensive detail of the policies create a lack of clarity and also raise conflicts within and between policies and it is not clear what takes priority in such instances.
5. The new London Plan should be rejected as not fit for purpose and it should be required for it to be streamlined in the extent and detail of its coverage and policies to be expressed in a strategic form.

General Approach – planning for growth

6. The underlining assumption and basis of the Plan is that it should accommodate growth. It embraces a total demand led approach. There is no visible indication of considering other options such as constraining and limiting growth in varying degrees. Instead meeting a market led demand is cloaked with the slogan of “good growth” (defined in paragraph 1.07).
7. Like perhaps no other city in Europe London dominates the country in respect of its economy and most aspects of social and cultural life. This overwhelming historic and ever growing dominance over many years has resulted in an overheated London economy and housing market with public transport and other infrastructure that cannot simply cope.
8. This has led to totally unrealistic targets for housing, the delivery of which are not supported or justified by the allocated sites in the SHLAA or any

realistic yield from small sites, house conversions, change of use or windfall sites. The pursuit of these targets is going to take place by increasing the contribution from outer London boroughs and rammed through by the removal of numerical density guidance (Policy D6), presumption in favour of residential development (Policy H2D) and the acceptance of the destruction of local character of areas to accommodate this growth (Policy H2 B(1)).

9. Substantial amounts of housing have been delivered in London over the past 10 years but an insufficient proportion of this has been to meet genuine housing needs. Instead much of such housing has stayed vacant, been used for corporate accommodation, pseudo apart hotels, air bnb and investment. This has can be seen from much of the development that has taken place along the Thames riverside particularly in the boroughs of Wandsworth, Lambeth, Greenwich and other parts of east London.
10. A recent news paper article (Guardian 27/1/18) has highlighted this in detail:
11. <https://www.theguardian.com/business/2018/jan/26/ghost-towers-half-of-new-build-luxury-london-flats-fail-to-sell>
12. There is a total absence of the analysis of how housing need has been addressed through the development that has taken place and the policy implications from this. For example there has been no assessment of the effectiveness of Opportunity Areas in the delivery of their objectives however, yet even more are being proposed.
13. In this context it is worth looking at the example of the Nine Elms/Battersea Opportunity Area in what it has achieved in contributing to meeting housing needs. The EIP should specifically examine this in respect of various issues. Firstly what housing needs are being met by the housing being built. Secondly what type of environment is being created and thirdly what are the impacts of the development of this area on adjoining communities. This is all relevant as development of this area is an example in practice of the likely effect of the new London Plan's policies.
14. The questions are whether this is a worthwhile approach to roll out elsewhere; and whether the creation of an area dominated by tower blocks of flats ranging in height from at least 12 storeys to 50 storeys with a sterile environment, alienated from adjoining communities is a price worth paying in pursuit of unrealistic housing targets.
15. This area can be taken as an example of how the fundamental approach of good growth proposed in the new London Plan would work including having a policy without density figure guidance. For in reality the density guideline figures in the current London Plan were set aside when individual developments on the various sites in this Opportunity Area were considered. Instead a so-called design led approach was applied.

16. The people of London as a whole have not been consulted whether they consider this growth led is acceptable. Consultation that has taken place has been limited to primarily sectors involved in development and various public bodies. The Plan represents a fundamental democratic deficit.

Specific issues

Kingston Opportunity Area

17. The identification and justification for this largely rests on CrossRail 2. The finance and implementation for this has not yet been committed. Even if it is, the Plan states that it would be only be implemented by 2033. This date has been receding since the first proposals were announced. 2033 is at the tail end of the period of this Plan yet much of the justification for this status is based on it. The SHLAA does not demonstrate anywhere near the potential capacity for Opportunity Area levels of development (at least 2,500 net additional homes).
18. In particular the premise for the inclusion of New Malden in this Opportunity Area is not accepted. The potential for housing is not borne out by the SHLAA. There is only one site identified with a capacity of 93 homes. The construction of this is underway. Additional sites are already in the development pipeline and will probably be under construction by the time the new London Plan is in place in late 2019. There are no additional sites identified. The inclusion of New Malden in the Opportunity Area is inappropriate and should be withdrawn.

Policy D4 – Housing quality and standards

19. There is no mention of overlooking, and privacy considerations and the way that daylight/sunlight is dealt with in Policy D4 F is wholly inadequate. There is no reason why the existing approach of separation distances of 18/21 metres should not be endorsed. This has worked effectively and where it has been properly applied it has resulted in liveable and popular environments even at high levels of density and proved not to be a constraint for high densities where these are appropriate.
20. The minimum floorspace standards are strongly supported however, the outdoor space standards are again totally inadequate and without justification. The minimum private outdoor space should be at least 10 square metres and not 5 square metres. The requirement in relation to additional amounts of space is poorly expressed. It should relate to bedspaces and not occupants as it is impossible to control actual occupancy.
21. Requirements in relation to communal space should also be included. A minimum of 50 square metres is used by many boroughs and is not difficult to provide in most circumstances. This is important for a variety of reasons. When sited at ground floor level it has benefits not just for communal use but to physically maintain separation distances to provide adequate outlook, privacy, daylight/sunlight and sense of place.

22. Also there should be strong encouragement for the creation of roof gardens and amenity terraces in flatted developments.

Policy D6 - Optimising housing density

23. This policy does not provide clarity or certainty. The factors that should be taken into account in determining the intensity of development set out in the current London Plan are entirely appropriate and understandable as are the accompanying density ranges. This provides a far higher level of clarity than relying on some undefined and non objective basis of a design led approach.
24. The policy is an incomprehensible mess. For example what is the point of expressing density in 4 different manners if a numerical standard is not being applied. The justification for this in paragraph 3.6.9 in relation to boundaries and how this can allegedly distort densities is far fetched.
25. Point E of the policy adds to the confusion by stating that built form and massing measures should be considered in relation to the surrounding context. But what is the point when there are no numeric measures or thresholds.
26. The historic link between PTALs justifying higher densities is questioned. The appropriateness of higher densities should be related to the character of the area and the opportunities and benefits arising from introducing higher densities not just the one factor of public transport accessibility.

Policy D12 – Agent of change

27. This policy is very strongly supported for the reasons set out in the supporting text associated with it.

Policy H2 – Small sites

28. No evidence is presented in the Plan indicating that there have been any shortcomings in the approach in the past towards development of small sites by boroughs. In London over the past 10-15 years most non-confirming uses in residential areas have already been developed for housing. It is difficult now to come across in outer London motor repair garages, builders yards, industrial and commercial workshops in residential areas. Also in main road locations there has been a continual loss of petrol filling station sites to housing development. These trends in their own right have created problems in the availability of local services and the local employment opportunities associated with these activities. It has meant longer journeys by public transport and by car than had been necessary in the past conflicting with the objectives of sustainable development, increasing air pollution and congestion.
29. A sense of community and belonging is essential particularly in this day and age and for the future when there are such increasing pressures on life involving depersonalisation resulting in isolation and non involvement in local issues and affairs. Good planning and so-called good growth should be about creating a sense of community and identity and not destroying it. The approach to small sites proposed through insistence on the acceptance that the character of local areas will need to change through the acceptance of transformative increases in density combined with a presumption in favour of housing is unacceptable. This is repeating the mistakes of the 1960s and 1970s, which saw so many parts of London destroyed through inappropriate redevelopment of established areas with vast housing estates. The extent of the harm that this caused has still not been repaired.
30. This approach will result in the destruction of local character and the reasons that make places popular.
31. There is no need for this policy and the harm it would cause. It should be deleted together with Table 4.2 specifying targets for small sites and the current approaches to small sites should continue.

Policies H5 & H6 – Delivering affordable housing/threshold approach

32. Experience over the last 10 years and the policy of the current London Plan clearly demonstrates that over ambitious approaches seeking to achieve over ambitious levels of affordable housing are bound to fall far short within the current system. Though the approach in the London Plan seeks to address this in a way by seeking 35% threshold level. However, it is considered that this will still fail as it will not change land and hope values. This in turn will be reflected in viability appraisals, which will conclude that the inclusion of these levels of affordable housing is not viable. The incentivisation of providing 35% affordable housing to avoid the need for a viability assessment is flawed. In any case viability assessments where a minimum of 35% affordable housing is being provided might well be required for other purposes so this is not really a realistic incentive.

33. Therefore it is considered that a more effective approach would be to set the required amount of affordable housing at a lower level – 25% but to make this a mandatory requirement. Simply development would not be approved unless it included at least 25%. No extenuating construction or other costs would be accepted to allow for exceptions. This would directly effect land values and result in schemes being viable. Overall this should lead to higher levels of affordable housing being actually delivered.
34. There is no justification for the two tier approach requiring the inclusion of 50% on publicly owned land. Public bodies require to raise value from their land assets to finance their activities and services which are for public good and sources of funding have been heavily cut over the last 5 years and more. There is no reason why they should be penalised in the way proposed. In addition developments on publicly owned land often include community and public benefits that are not part of private developments so the costs can be higher. Due to the lower profitability it could well result in lower quality development whereas affordable housing should be of high quality and not distinguishable from private sector housing. Therefore the minimum threshold for publicly owned sites should be the same as for privately owned. If there are opportunities to increase this the public bodies are quite capable of realising such opportunities where it is appropriate.
35. The way it is proposed to measure the proportion of affordable housing is unnecessarily complicated. There should be a single measure. This should be homes and not rooms because that is what is needed to provide accommodation.

Policy H12 – Housing size mix

36. Part A and part C of the policy conflict. It is not possible to provide a clear and consistent approach without boroughs setting out size mix requirements. These reflect local needs and priorities and where a borough considers that there is a clear and justified need for such an approach it should be able to do this rather than being required to take an ad hoc approach as proposed in part A.
37. Paragraph 4.12.5 is supported. It is expressed as if it is supposed to be a policy rather than supporting text. This should be rectified.

Policy H13 – Build to rent

38. Build to rent proposals are not supported as when they are built on a large scale they can undermine the social character and fabric of local communities. They inevitably involve a large amount of short stay occupants and result in their transitional character undermining community life. This is different to the character of affordable housing where occupants do generally not move on such a continuing short term basis due often to their links with an area but also primarily because of their financial inability to do so.

39. A similar approach should be taken as in the case of affordable housing that there should be a mix of tenures and that there should be a limit of 35% of build to rent accommodation in any development of over 25 homes.

Policy S5 – sports and recreational facilities

40. Actions and policies to support the provision of sports and recreational facilities are strongly supported however, there is a need for recognition that sports activities in particular play a very important role in maintaining the quality, public accessibility, use and the public safety of green open spaces including Metropolitan Open Land.

41. This is evident throughout London even in inner London boroughs. In many cases in order for outdoor sports to take place they require supporting facilities accommodated in buildings. Together with these there is also a need for buildings to accommodate sports activities directly related to outdoor sport for training purposes, practices and for enabling such sport participation to take place all the year round. For example indoor tennis, 5 a side football, hockey and gyms and swimming pools associated with the type of training that cannot be done outdoors. These facilities would not include provision for large-scale spectator accommodation.

42. Part C of Policy S5 states that the policy to determine appropriateness of facilities on existing open space should be the same for smaller non-strategic open space as for Metropolitan Open Land. The functions and role of undesignated open land are different from MOL and should be treated differently as well.

43. However, there is conflict between this policy and paragraph 5.5.3 of the supporting text. This states that built sports facilities should only be accommodated on green open space if the area has been identified as surplus to requirements as per open space strategy whereas Part C of Policy S5 essentially states that such development would be acceptable as long as it did not amount to unacceptable development.

44. In addition to this conflict paragraph 5.5.3 is expressed as a policy.

45. This paragraph therefore should be deleted as it conflicts Part C of Policy S5.

46. There is a strategic issue which for whatever reason has been totally overlooked and is a glaring omission from the Plan. This relates to sports stadiums. This is extraordinary in view that the Plan over extensive and over prescriptive coverage of issues. All there is a very brief reference in paragraph 5.5.5 and fleeting references to spectator sports elsewhere in paragraphs 7.5.1 and 7.6.1. However, there are many sports stadiums in London for cricket, rugby, hockey and football. They play an immensely important role in the London economy, its social and community life. Many of the clubs associated with these stadiums also have extensive sport in

the community schemes involving a wide age range. This promotes active participation in sport and healthy living as well as opening future career pathways.

47. There are currently 12 stadiums used for football league soccer in London. Five of which are in the Premiership. In addition there are a further 5 in the National league and many more in the lower levels of the non league football pyramid and of course Wembley stadium.
48. Many of these football stadiums have had to face the issue of modernisation and changes in capacity to reflect current needs and provide for those in the future. Currently there are proposals relating to the stadiums of Tottenham Hotspur (under construction); Chelsea (planning permission 2017 for £500 million investment to expand capacity by 20,000 to 60,000); Fulham (current planning application); Crystal Palace (pre-application discussion); QPR looking for new stadium as is Brentford; AFC Wimbledon (planning permission for new stadium through enabling development after torturous 2 year planning application process); Millwall (various redevelopment issues relating to ground and surrounding area).
49. Most of the proposals dealing with sports stadiums have had to wrestle with a wide range of policies which are not directly related to such projects and it has resulted in difficulties for decision makers and communities adjoining such facilities.
50. As this is such an important part of the economy, social and community life there is a need for a clear policy supporting in principle developments for sports stadiums setting out relevant considerations to make sure that they are appropriate and acceptable in their location. It should address issues of supporting enabling development as well impacts on infrastructure especially public transport and car parking and the way other policies in the Plan would interact in their requirements with such proposals. For example if a stadium was being facilitated by enabling housing development should the full requirement or a different requirement for affordable housing apply.
51. In the past Government policy on acceptable uses on Green Belt in PPG17 recognised that sports stadiums could be appropriate as an open-air activity.
52. The NPPF paragraph 89 also allows for this stating “provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.”
53. The policy in the Plan should acknowledge the possibility for this on MOL and Green Belt where there are sound and beneficial community and environmental reasons for such development in sustainable and accessible locations.

Contradictory approaches to hot food takeaways (Policy E9) and protecting public houses (Policy HC7)

54. Policy E9 places restrictions on the location of hot food takeaways on health grounds yet it supports the protection of public houses. Recent studies have shown that the consumption of alcohol has wide ranging damaging impacts on the quality of health and longevity. This not only relates to alcoholism and the damage to liver and other organs but also mental capacity and onset of dementia. It has also been linked to the development of cancers.
55. The use of hot food takeaways and public houses is a matter of personal choice. The Plan proposes to interfere with this in an uneven way. There are entirely suitable and appropriate land use ways of exercising controls over hot food takeaways. This policy should be deleted. Also it is not a strategic issue and the London Plan should not be addressing such a matter.

Policy G2 – London's Green Belt

56. Part B of the policy says (with incorrect spelling) that de-designation of the Green Belt will not be supported. This is in conflict with the NPPF.
57. Paragraphs 83 and 84 allow for this stating:
58. "Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
59. When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary."
60. London Plan policy should therefore be amended to align with the approach in the NPPF.

Policies T6, T6.1 and Table 10.3 – Car parking

61. The approach in these policies and the standards in Table 10.3 are totally unreasonable and not acceptable in respect of Outer London. The poor levels of Public Transport Accessibility in Outer London are clearly indicated in Figure 4.2 in stark contrast to the CAZ and Inner London.

62. There are certain limited hotspots of high levels of accessibility such as Croydon but these are very limited and there is a steep/cliff fall off from these peaks into the adjoining areas. Also applying this approach to Opportunity Areas in Outer London is completely wrong. In the case of the Kingston Opportunity Area this is entirely predicated on CrossRail 2. Funding for this and final approvals have not yet been committed. Also if CrossRail 2 goes ahead, according to the London Plan it will only be completed in 15 years time. Based on the experience of such projects there is great likelihood that slippage will take place. The benefits of CrossRail 2 in the Kingston Opportunity Area outside of Kingston town centre will be very limited.
63. On street parking stress is a major issue in many parts of the borough of Kingston in particular New Malden. Residents have been consulted on the introduction of controlled parking zones and these have not been supported.
64. On street parking stress causes many environmental and highway safety issues as car drivers cruise around in low gear looking for spaces and concentrating less on other traffic and pedestrians. This leads to higher levels of pollution than if there was a guaranteed parking space in a set location.
65. Car ownership levels are high in Outer London areas for a variety of reasons in addition to the much poorer levels of public transport quality. These include having to travel to jobs at unsociable hours when there is little or minimal public transport provision.
66. Table 10.3 should be amended merging PTALs 2, 3 and 4 at one space per unit.