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New London Plan
GLA City Hall
London Plan Team
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Dear Mr Mayor

Thank you for the opportunity to respond to your proposals in the New London Plan.

I would like to comment in general terms on the following issues, then more structured comments:

(1) GENERAL COMMENTS

The removal of protection for back gardens

The existing policy 3.5 has been successful in protecting much garden land from development. It would, therefore, be a retrograde step to now remove that protection. The loss of back gardens has a huge impact on biodiversity and local character and flies in the face of the NPPF.

Policy 3.5 should, therefore, be reinstated to maintain the current level of protection for back gardens.

The removal of the density matrix, which sets limits on housing density

The density matrix should be re-instated to ensure that new development suits local character and is at an appropriate level for the surrounding area.

The vague guidance that is now being proposed will allow developers to have free rein in the development of sites, without reference to character or suitability.

The removal of targets for family homes

The New London Plan fails to make sufficient provision for new family homes of three and four bedrooms. This is especially concerning in the context of the removal of the 36% family homes target from the draft Housing Strategy. This will result in there being no policy to encourage family homes.

It is vitally important that there is a target for family homes, otherwise developers will be tempted to predominantly build smaller units that are cheaper and do not provide for communities of tomorrow.

The SHMA methodology should be reviewed in order to ensure that the correct quantities of family housing are being provided. Furthermore, policies that promote two bedroom units as family housing and the use of space standards as a maximum should be resisted, otherwise

there will be a dramatic reduction in the production of family homes which will ultimately lead to poor living conditions for future families.

A reduction in parking standards and the insistence that new developments near transport hubs should have zero parking provision

Policy T6 should be removed as it is impractical to make many types of new development 'car free'. We are already seeing an exponential increase in on street parking that is causing huge problems in many suburban areas. People will continue to own cars but they will be forced to park them elsewhere, causing resentment and disharmony within existing and future communities.

The targets within the current London Plan are already stringent and should be left in place and not tinkered with.

An increase in housing targets

The newly proposed annualised housing target of 64,935 homes per year across London, has led to a dramatic increase in the 10-year housing targets. Croydon's 10-year target has been increased from 14,348 to 29,490. In comparison, Bromley have been increased from 6,413 to 14,240 and Sutton from 3,626 to 9,390. Croydon have just had their housing targets assessed as part of the examination in public of the Croydon Local Plan. These targets have been subject to the latest scrutiny and found to be sound by the Planning Inspector. These are the targets that should, therefore, be incorporated in to the New London Plan.

Croydon has also been achieving challenging targets in housing supply for many years now. The availability of brownfield sites is becoming much more difficult. Other boroughs have not produced anywhere near the same quantity of housing as Croydon, and perhaps it is time for those boroughs to step up to the plate.

Once again the methodology behind the SHMA appears to be unsound and should be re-examined to ensure that appropriate targets are being set.

(2) STRUCTURED COMMENTS:

Chapter 3 Design

Policy D4 Housing quality and standards

Private outside space

9) A minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. This does not count towards the minimum Gross Internal Area space standards required in Table 3.1.

10) The minimum depth and width for all balconies and other private external spaces should be 1 .5m.

Comment:

What is the status of SPG Housing 2016 and the statement at Standard 26 and para 2.3.32 which states?

Private open space

Standard 26 - A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant.

2.3.31 Private open space ... This space does not count towards the GIA used in calculating the internal space standard 24.

2.3.32 'In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with

additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA. ... '.

Presumably this relaxation in 'exceptional circumstances' is now not an allowable dispensation.

Recommendation:

The New London Plan Policy D4 should clarify whether the SPG Housing 2016 Standard 26 still applies or whether an additional Gross Internal Area (GIA) to offset the absence of the required Private Open Space is or is not now allowable.

Para 3.4.11:

3.4.11 The following qualitative aspects should be addressed in the design of residential developments:

- public, communal and private open spaces relate well to each other and the wider neighbourhood
- communal open spaces provide sufficient space, are easily accessed from all related dwellings and are designed to support an appropriate balance of informal social activity and play opportunities for various age groups.

Comment:

What does 'Public, communal and private open space relate well to each other ...' actually mean? There could be many interpretations of this policy requirement and none could sustain a challenge. The policy wording is much too subjective.

The minimum allocation of 'Communal Open Space' in hectares per resident, should be specified as aggressive developers will NOT provide adequate communal open space appropriate for their development proposals, in order to maximise profit. The statement 'sufficient space' is too subjective and open to various interpretations that could not withstand a challenge.

Recommendation:

The London Plan should specify the 'MINIMUM' allocation of 'Communal Open Space' (in Hectares) per resident for new residential development proposals.

Policy D6 Optimising housing density

Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

- 1) the site context
- 2) its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
- 3) the capacity of surrounding infrastructure.

Proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.

Comment:

The Policy D6 statement 'Proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused' is subject to interpretation and cannot be enforced as there are no defined parameters to define the methodology of 'optimising housing density'... There is no quantifiable measure of optimising the housing density.

Recommendation:

In the absence of the Density Matrix, detailed guidance on housing density relative to local character, current and proposed PTAL, is required to be defined in the New London Plan if this policy statement is to have any meaning.

Reinstate the Density Matrix.

Policy D6 Optimising housing density

The following measures of density should be provided for all planning applications that include new residential units:

- 1) number of units per hectare
- 2) number of habitable rooms per hectare
- 3) number of bedrooms per hectare
- 4) number of bed-spaces per hectare.

Comment:

D 2)

Many new residential developments have open plan accommodation for kitchen area, breakfast room, dining area and lounge accommodation etc.

This allows usable development area savings on partitioning and doors and can improve the living environment for occupants. It is not therefore possible to indicate the distinct number of 'habitable rooms' in such situations. In these circumstances, the actual habitable living area in square metres per residential unit should be provided.

Recommendation:

It should be a requirement that all proposed developments should include the actual 'habitable living area' in square metres per residential unit and that this parameter be included in Table 3.1 - Minimum space standards for new dwellings.

Para 3.6.1:

3.6.1 For London to accommodate growth in an inclusive and responsible way, every new development needs to make the most efficient use of land. This will mean developing at densities above those of the surrounding area on most sites.

These built form and massing measures should be considered in relation to the surrounding context to help inform the optimum density of a development.

Comment:

This statement will allow aggressive developers to ignore local character; the only measure of density of the surrounding area is units per hectare as the residential density (habitable rooms per hectare) for the locality is unknown. What would be considered as an appropriate measure of increase in housing density above that of the surrounding area would be acceptable?

How can the local housing density be determined by an agreed methodology?

Recommendation:

A methodology of determining a local area of specified radius or area to allow calculation of the local housing density/hectare for that area should be determined such that an acceptable percentage increase for new developments could be determined for that locality. Without guidance this policy statement at 3.6.1 is meaningless.

Reinstate the Density Matrix.

Para 3.6.9:

3.6.9 Housing density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in

Tower Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant.

These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

Comment:

Adjacent areas of open space are for existing local residents' usage and should not be considered as part of a proposed development if not included within the site boundary. The site area, in hectares, is determined by the ownership of the site and as defined by Land Registry. Any proposed development on such a site is constrained by the actual boundaries of ownership. Thus, the density of any residential dwelling(s) within that site is restricted by those boundaries and should not be influenced by adjacent or local open green space. The character of an area is defined ostensibly by the housing density of the locality. This can be ascertained by the actual area as defined by the street boundaries as configured and the number of dwellings within that bounded area, related to that area in units per hectare. What percentage increase in housing density would therefore be appropriate for a suburban residential location at a specific PTAL?

Recommendation:

Define the acceptable percentage density increase in units/hectare as related to the surrounding locality density in units/hectare in order to retain some semblance of the character of a locality.

Reinstate the Density Matrix.

Policy D9 Basement development

D9 Boroughs, particularly in inner London, should establish policies to address the negative impacts of large-scale basement development beneath existing buildings.

Comment:

Any basement developments with Kitchen, bathroom or WCs below the local services infrastructure level will require pumping and reverse flow prevention valves to connect to the local services infrastructure. These are subject to maintenance or replacement requirements and should be accessible within the proposed development from manholes and should be easily accessible.

Recommendation:

Any developments which require services below the level of supply or discharge should be avoided if possible. Any proposed development which includes below surface drainage and sewer discharge which requires pumps and reverse flow valve prevention should ensure that access manholes are provided to ensure access for maintenance and replacement of pump and valve equipment.

Chapter 4 Housing

Policy H2 Small sites

B Boroughs should:

1) recognise in their Development Plans and planning decisions that local character evolves over time and will need to change in appropriate locations to accommodate additional housing provision and increases in residential density through small housing developments.

2) prepare area-wide design codes to promote good design and to proactively encourage increased housing provision and higher residential densities on small housing developments. Design codes should provide clear guidelines and parameters for small housing developments and show how additional housing provision can be accommodated in different locations, drawing on the principles set out in this policy and Supplementary Planning Guidance provided by the GLA.

Comment:

With the removal of Table 3.2 Sustainable residential quality (SRQ) Density Matrix, no guidance is given on the amount of increase in residential densities appropriate for urban and suburban small site infills or re-developments in order to retain the character of an area. The Croydon Local Plan CLP2 does not provide any guidance in the main document DM11 or the local 'Place' descriptions within DM35 although there are proposals to provide supplementary planning guidance on the 'place' definitions for suburban and urban redevelopments and in-fill.

Recommendation:

Guidance on the acceptable density of proposals is required for applicants and local residents in order to provide application proposals which are acceptable to the local character and local communities.

Without any guidance aggressive developers will increase densities to unacceptable levels to obtain greatest profit per site area at the expense of local character if parameters and guidance is NOT provided in the planning policies.

Reference to the specific SPG should be identified if additional guidance is contained in any SPG. What is the status of previous SPGs which have not been adopted by the planning inspectorate?

Reinstate Table 3.2 Sustainable residential quality (SRQ) Density Matrix.

Policy H2 Small sites

D To deliver the small sites targets in Table 4.2, boroughs should apply a presumption in favour of the following types of small housing development which provide between one and 25

homes:

- 1) infill development on vacant or underused sites
- 2) proposals to increase the density of existing residential homes within PTALs 3-6 or within 800m of a Tube station, rail station or town centre boundary through:
 - a) residential conversions
 - b) residential extensions
 - c) the demolition and redevelopment of existing buildings
 - d) infill development within the curtilage of a house
- 3) the redevelopment or upward extension of flats and non-residential buildings to provide additional housing.

Comment:

Para 2 d) identifies increasing density of existing residential homes within PTALs 3 to 6 by 'infill development within the curtilage of a house' indicates a presumption of acceptability which is in contradiction to the NPPF para 53 which states:

"53. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."

Comment

The Policy para 2 d) does not respect the NPPF in setting out policies to RESIST inappropriate development on garden land.

The policy does not indicate by how much or what the limit of density increase is considered

appropriate.

Increasing the density of existing residential homes necessitates modification of existing dwellings. Does this mean subdivision of existing dwellings as HMOs?

Does this policy exclude in-fill and redevelopments at locations of PTAL 0 to 2?

Clarification is appropriate that the increase within the curtilage of a house is inappropriate at PTALs below 3 or greater than 800m of a town centre boundary.

LPA's need to define the exact location of a town centre boundary such that an 800m radius/distance can be determined.

Gardens provide the lungs for residential areas and therefore building on residential gardens in urban and suburban areas reduces the environmental benefits to the community from air oxygenation from garden foliage, trees and other vegetation which aids the reduction of local air pollution.

Recommendation:

Confirm that development on garden land within the curtilage of urban and suburban dwellings should be resisted, and, specifically, in residential areas at PTALs below 3 is considered inappropriate, to reflect the guidance in NPPF para 53.

LPA's need to define the exact location of a town centre boundary such that an 800m radius/distance from the Town boundary can be determined.

Policy H2 Small sites

E For the purposes of part D, the presumption in favour of small housing developments means approving small housing developments which are in accordance with a design code developed in accordance with part B. Where there is no such design code, the presumption means approving small housing development unless it can be demonstrated that the development would give rise to an unacceptable level of harm to residential privacy, designated heritage assets, biodiversity or a safeguarded land use that outweighs the benefits of additional housing provision.

Comment:

"... the presumption means approving small housing development unless it can be demonstrated that the development would give rise to an unacceptable level of harm to residential privacy..."

This statement does NOT give sufficient or appropriate guidance. What is the definition of "unacceptable level of harm"?

Without definition, planning officers could not refuse an application such that it could withstand a challenge to the Planning Inspectorate.

Recommendation:

The appropriate parameters of 'unacceptable harm' should be defined.

Para 4.2.5 Incremental Intensification.

Incremental intensification of existing residential areas within PTALs 3-6 and within 800m of a Tube station, rail station or town centre boundary is expected to play an important role in meeting the housing targets for small sites, particularly in outer London. This can take a number of forms including new build, infill development, conversions, demolition and redevelopment or extension of existing buildings, where this results in net additional housing provision. Within these areas, there is a need for the character of some neighbourhoods to evolve to accommodate additional housing.

Therefore, the emphasis of decision-making should change from preserving what is there at the moment towards encouraging and facilitating the delivery of well-designed additional housing to meet London's needs.

Comment:

Interpretation of this policy statement indicates that Incremental Intensification is inappropriate at locations of PTAL below 3 and greater than 800m of a Tube station, rail station or town centre boundary.

Recommendation:

As para 4.2.5 does NOT include incremental intensification within urban or suburban areas with PTALs of 0 to 2 (i.e. below 3), densities at urban and suburban locations at PTAL levels below 3 should therefore retain the existing levels of density to reflect the local character.

Para 4.2.8

4.2.8 Small housing developments are envisaged to be within close proximity to existing homes. These should be carefully and creatively designed to avoid an unacceptable level of harm to the amenity of surrounding properties in relation to privacy, for example through the placement and design of windows and the use of landscaping. Environmental and architectural innovation should be supported and schemes should achieve good design and ensure that existing and proposed homes benefit from satisfactory levels of daylight and sunlight. All homes must meet the housing standards in Policy D4 Housing quality and standards, including the provision of private open space.

Comment:

The reference to Policy D4 Housing Quality, does not include any parameters for small housing developments in relation to the acceptability of privacy and overlooking e.g. distance of separation between facing windows etc.

If these parameters are not defined, any proposal offered which is considered unacceptable could not be refused and subsequently withstand a challenge as there is no defined parameter by which an inappropriate proposal could be confidently refused.

These statements are all subjective and open to various interpretations and could not withstand a challenge on appeal.

Recommendation:

As Policy D4 Housing quality and standards do not provide adequate guidance or parameters to cover these issues, definition is needed of the privacy and overlooking parameters which define acceptable limits of privacy and overlooking.

Policy H4 Meanwhile use

A Boroughs are encouraged to identify opportunities for the meanwhile use of sites for housing to make efficient use of land while it is awaiting longer-term development.

Comment:

The duration of 'meanwhile use' developments should be limited to a prescribed period, otherwise 'meanwhile' could extend to 'permanent'.

Recommendation:

Define the limiting duration of 'meanwhile' to prevent extension to unacceptable durations.

Chapter 9 Sustainable Infrastructure

Policy S4 Play and informal recreation

Development proposals for schemes that are likely to be used by children and young people should:

1. increase opportunities for play and informal recreation and enable children and young people to be independently mobile
2. for residential developments, incorporate good-quality, accessible play provision for all ages, of at least 10 square metres per child that:
 - a. provides a stimulating environment
 - b. can be accessed safely from the street by children and young people independently

- c. forms an integral part of the surrounding neighbourhood
- d. incorporates trees and/or other forms of greenery.
- 3. incorporate accessible routes for children and young people to existing play provision, schools and youth centres, within the local area, that enable them to play and move round their local neighbourhood safely and independently
- 4. for large-scale public realm developments, incorporate incidental play space to make the space more playable
- 5. not result in the net loss of play provision, unless it can be demonstrated that there is no ongoing or future demand.

Comment:

For residential developments, the provision of 'Play Space for Children' should not be at the expense of the allocation of 'Communal Open Space'.

Recommendation:

For residential development proposals, applicants should identify the number of children likely to be accommodated in their proposed developments so that the appropriate allocation of 'Play Spaces' can be determined.

Policy S11 Improving air quality

Para 9.1.2:

9.1.2 The aim of this policy is to ensure that new developments are designed and built, as far as is possible, to improve local air quality and reduce the extent to which the public are exposed to poor air quality. This means that new developments, as a minimum, must not cause new exceedances of legal air quality standards, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits [116]. Where limit values are already met, or are predicted to be met at the time of completion, new developments must endeavour to maintain the best ambient air quality compatible with sustainable development principles.

[116] Air Quality Standards Regulations 2010, or subsequent revisions thereof.

Para 9.1.8

9.1.8 Air Quality Focus Areas (AQFA) are locations that not only exceed the EU annual mean limit value for nitrogen dioxide (NO₂) but are also locations with high human exposure. AQFAs are not the only areas with poor air quality but they have been defined to identify areas where currently planned measures to reduce air pollution may not fully resolve poor air quality issues. There are currently 187 AQFAs across London. The list of Air Quality Focus Areas is updated from time to time as the London Atmospheric Inventory is reviewed and the latest list in the London Datastore should always be checked.

Comment:

Air quality monitoring should be performed regularly at residential locations affected by the South London Waste Plan (SLWP) Beddington Lane Incinerator, which discharges into the local atmosphere, to ensure air quality does not breach the limits stated in the air quality standards.

Recommendation:

If air quality is found NOT to meet the air quality standards, the local incineration of waste should NOT continue to be performed until the air quality improves to acceptable standards. Procedures for shutting down the Beddington Lane Incinerator should be specified.

Policy T6 Car parking

B Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('carlite').

Policy T6.1 Residential parking Table 10.3

Comment:

A reduction in Parking Standards with an insistence that new developments that are (or planned) near “well connected by public transport” should have zero parking provision is inappropriate without a clear definition of what is meant by “well connected by public transport” and the relationship with local PTAL.

Recommendation:

Define what is meant by ‘well connected by public transport’ otherwise any Bus Stop could be considered a point ‘well connected by public transport’. If at a single route bus stop, it might not provide any local occupant with a route they require and therefore private transport (i.e. a car) may be necessary.

Table 10.3 allows car parking provision at various PTAL’s but case officers could argue that random (undefined) closeness to a local Bus Stop indicates that a development should be ‘Car Free’ when in fact such a decision would be inappropriate.

CONCLUSION

1 The removal of protection against ‘Back Garden Development’ is contrary to National Policy (NPPF para 53).

2 The removal of the Density Matrix removes any guidance on allowable urban or suburban densities at various PTAL’s. This will allow aggressive developers to increase densities, out of character with localities, in low PTAL urban and suburban residential localities given the presumption of allowing developments. The Density Matrix was tried and tested over a decade and was the only available guidance on defining the character of an area. This has been erroneously removed as guidance which will now allow aggressive developers to ignore local character and local densities.

3 Chapter 8 Green Infrastructure and Natural Environment claims to increase “Green Belt Protection” but the measures announced do not change existing protections.

4 Croydon’s housing targets have been massively increased compared to other Outer London Boroughs who have much more open space than Croydon e.g. Bromley. Croydon’s contribution to housing targets should be reduced accordingly and other Boroughs with greater areas of open spaces should be increased accordingly.

5 In conclusion Mr Mayor I would urge you to re-consider the policy areas that have been outlined, otherwise the proposed policy changes will encourage the loss of existing family housing and its replacement with blocks of flats with little or no parking provision, causing a huge impact in existing character.

Yours sincerely

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