

The London Plan: Spatial Development Strategy for Greater London Draft for public consultation, December 2017

Response from Friends of the Earth England, Wales and Northern Ireland

Introduction

Friends of the Earth England, Wales and Northern Ireland welcomes the opportunity to respond to the consultation on the Draft Spatial Development Strategy for Greater London.

We believe that everyone in London has the right to breathe clean air, to have access to nature and to benefit from clean energy. Our vision for London is one that through making it a city that is “walkable”, “green” and running on solar will mean cleaner air, healthier people, safer streets, and a more sustainable place to live. We have taken these principles as a starting point in considering the London Plan. Below we set out our response. Please note we have adopted the convention of showing suggested amendments as **bold underline** (proposed additional text) and ~~strikethrough~~ (proposed deletions).

The London Plan contains some positive aspirational policies, such as those on building strong, inclusive communities (Policy GG1), making the best use of land (Policy GG2), creating a healthy city (Policy GG3), increasing efficiency and resilience (Policy GG6), minimising greenhouse gas emissions (Policy SI2) and local green and open space (Policy G4).

The sheer scale of development the Plan proposes, and infrastructure projects, such as Heathrow airport expansion (which we understand the Mayor opposes) and Silvertown Tunnel will make achieving these policy aspirations extremely challenging. We consider that stronger policies are needed on transport, air quality, energy efficiency and renewable energy, especially solar, for the Mayor’s aspirations to become a reality.

Detailed comments

Chapter 1 Planning London’s Future (Good Growth Policies)

Policy GG2 Making the best use of land

We agree that it is important to make the best use of land, however, we query that 'best use' automatically translates to high density development or intensification: some places may benefit from redevelopment and renewal and in some circumstances the best use of some land will be to remain undeveloped as a park or green space.

We suggest criterion A be amended by adding the words 'environmentally sustainable' as follows:

“Prioritise the **environmentally sustainable** development of Opportunity Areas, brownfield land, surplus public sector land, sites which are well-connected by existing or planned Tube and rail stations, sites within and on the edge of town centres, and small sites.”

We agree that it is important to understand what is valued about existing places and for this to inform their future. We suggest an amendment to Criterion C as follows: "Understand what is valued about existing places and use this as a catalyst for growth, **renewal** and place-making, strengthening London's distinct and varied character."

We support criteria D to E "Protect London's open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening" and E "Plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth."

Policy GG3 Creating a healthy city

We strongly support *Policy GG3 Creating a healthy city* which sets out criteria those planning new development are expected to meet, to improve Londoners' health and reduce health inequalities.

Some aspects of the Plan, such as the sheer scale of development proposed and major infrastructure projects, such as Heathrow airport expansion (which we realise the Mayor opposes) and the Silvertown Tunnel are likely to make achieving the policy aspirations challenging. It is therefore crucial that healthy city criteria are clearly and consistently reflected in policies throughout the Plan if there is to be a possibility that they will be achieved in practice.

Criterion A "Ensure that the wider determinants of health are addressed in an integrated and co-ordinated way, taking a systematic approach to improving the mental and physical health of all Londoners and reducing health inequalities." There is a mismatch between the kind of homes that London needs and those that are built. As a result, commuting worsens and the city becomes more socially polarised. The London Plan should require range of size, types and tenures of housing to be provided which reflect identified needs. This will ensure a greater level of equity in housing provision. This means ensuring new homes are genuinely affordable to those on low and average incomes and built to high standards of design utilising sustainable building materials and techniques, energy and water conservation measures, and provision for refuse recycling. We believe that running costs, eg for water, energy and heating should be taken into account in defining what is 'affordable' and that all residential areas should have green spaces and sites of nature conservation value given their role in promoting mental and physical wellbeing. Addressing these matters will reduce health inequalities and achieve broader plan objectives, such as the commitment to building strong and inclusive communities set out in Policy GG1.

Criterion B Promote more active and healthy lifestyles for all Londoners and enable them to make healthy choices This will require careful planning to maintain and improve access to a range of local facilities – jobs, homes, services, leisure, green space, preferably on foot but also by bicycle and public transport.

Criterion C Use the Healthy Streets Approach to prioritise health in all planning decisions. We strongly support the Healthy Streets Approach which we note is carried forward in Policy T2. We consider the Plan could go further with regard to addressing the imbalance between land given over to private vehicles (cars, lorries) versus other uses in order to make London's streets "greener and more pleasant" including identifying further measures necessary for this.

Criterion D Assess the potential impacts of development proposals on the health and wellbeing of communities, in order to mitigate any potential negative impacts and help reduce health inequalities, for example through the use of Health Impact Assessments. It is important that assessments consider air quality and measures needed to improve this and secure good air quality for all. The Plan could usefully reflect these points.

Criterion E Plan for improved access to green spaces and the provision of new green infrastructure. Greening London is essential for people's health and wellbeing. As the Plan notes in paragraph 8.4.3 the creation of new green or open space will be essential in helping to meet the Mayor's target to make more than 50 per cent of London green by 2050.

Criterion F Ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold. While this is essential, it is equally important to address shortcomings affecting London's existing properties. Planning has a role to play through regeneration, refurbishment, retrofit and area wide programmes and the London Plan should reflect this. UK housing is amongst the worst in Europe in terms of cold, damp, leaky homes, leading to some of the highest levels of fuel poverty on the continent.

Criterion G Seek to create a healthy food environment, increasing the availability of healthy food and restricting unhealthy options. It is important that the Plan sets out clear policies covering land for food growing, both protecting existing land, eg allotments, and providing new land, in view of their benefits - access to healthy food, active lifestyles, addressing climate change - and contains policies which restrict unhealthy options, such as takeaways.

Policy GG4 Delivering the homes Londoners need

This policy sets out criteria those involved in planning and development would be expected to meet in order "To create a housing market that works better for all Londoners". It is important that outdoor space is provided alongside and as an integral part of new housing. Policy GG4 is silent on outdoor space, yet this needs to be factored in from the outset when planning new development schemes otherwise provision can be overlooked or tokenistic. While we recognise that outdoor space in new housing is considered in Policy D4 (Housing Quality and Standards), it would be helpful to have some reference to outdoor space within policy GG4 given that this is fundamental to delivering the kind of homes that Londoners need.

Policy GG5 Growing a good economy

In contrast to other policies in this section this policy reads very much as business as usual, rather than reflect any sense of priority or urgency for London to embrace innovation and demonstrate leadership in environmentally sustainable technologies and enterprise, to move away from carbon-based industry and reshape our economy so that it is within environmental limits. This will be essential if London is to become zero carbon and in order to grow a 'good economy'. We note that the supporting text to Policy E8, Paragraph 6.8.3, refers to the low carbon and environmental goods and services sector. We suggest Policy GG5 should be amended to acknowledge and highlight the important and growing role of this sector in moving towards an environmentally sustainable, resilient economy. It would also be helpful to refer to the circular economy in policy GG5, given the central role this will play in growing a good economy, and supporting text.

We suggest further text be added at the end of criterion E so that it reads:

"Ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning, **leading the way in the development of zero and low carbon technologies and enterprise.**

We also suggest a small amendment to Policy E8 criterion A as follows: Employment opportunities for Londoners across a diverse range of sectors should be promoted and supported along with support for the development of business growth and sector-specific opportunities, **such as low carbon environmental goods and services.**

Policy GG6 Increasing efficiency and resilience

This policy contains welcome elements however we consider further consideration should be given to transport, addressing fuel poverty and the form and pattern of development and the role each of these play in increasing efficiency and resilience.

Criterion A. Seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050. We strongly support the aim of London becoming zero carbon by 2050, though we suggest the target date should be sooner, given the UK Climate Change commitments. We support the move towards a circular economy. As with our comments on policy GG3, it is important that the London Plan as a whole is consistent with and reflects the principles set out in Policy GG6. In that regard, the Plan needs a stronger focus on renewable energy and would benefit from a policy commitment to facilitate, support and promote the uptake of solar energy both in new build and existing buildings (retrofit) from small scale domestic to public buildings and large scale commercial and residential schemes. Globally, solar is the fastest growing form of new energy. There is potential for the Plan to act as a catalyst for innovation with the ultimate goal of widespread adoption of solar energy, thereby achieving or exceeding aspirations set out in the Mayor's Solar Action Plan (www.london.gov.uk/sites/default/files/draft_solar_action_plan.pdf).

Criterion B Ensure buildings and infrastructure are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, and avoiding contributing to the urban heat island effect. We agree that buildings and infrastructure should address all these matters. We suggest this list also include 'addressing fuel poverty', since this will be essential for London to become more resilient. Homes (and other properties) built to the highest standards of sustainable design and construction have minimal fuel requirements and there may be potential for some schemes to be net generators of energy thereby benefiting occupants, the community and environment. In future, community owned and led renewable energy schemes may play a greater role and it would be helpful to acknowledge this within this policy and section.

Chapter 3 Design

Policy D2 Delivering good design

This policy would be significantly improved by the addition of a section on sustainable design and construction and a requirement for these principles to be integral to all new development proposals. Chapter 9 (Paragraph 9.2.10) includes a statement that "The Mayor may publish further planning guidance on sustainable design and construction" and we suggest a reference is made to this guidance within the design chapter.

Policy D6 Optimising housing density

We agree that it is important to make effective use of land however, in our view this policy has serious shortcomings. In reaching a view on the optimal density of development, availability of facilities, including public transport, is an important factor. Care needs to be taken to avoid overdevelopment and the knock on effects this has on the public realm (eg, sunlight, daylight, green space), services and the quality, and character and identity of neighbourhoods. The policy is silent on these important matters. We query the upper end of the density guidelines proposed in this policy and call for these to be reduced. We suggest the idea of what constitutes 'human scale' development remains an important guiding principle which should inform the scale, height and massing of the vast majority of new development. Locational characteristics, prevailing form - built and unbuilt - play a crucial role – typified by leafy, green aspects, parks and open spaces in many neighbourhoods: qualities that could be irreparably lost as a result of rigorous application of a policy such as this.

Friends of the Earth recommends that minimum acceptable density levels are specified, alongside minimum provision of public, accessible green space. Density should not be at the expense of accessible green space and the quality and character of an area.

We suggest the policy be amended by adding text to criterion A) 1) Site Context add **'and locational characteristics'** and further explanation in supporting text regarding the need to ensure that in **'optimising density care should be taken to avoid overdevelopment and ensure that development schemes enhance and are sensitive to the distinctive qualities and characteristics of London's diverse neighbourhoods.'**

We welcome the reference to urban greening in **Policy D7 Public Realm**. However, this should include a broader commitment to, and requirement for conserving and restoring urban nature, including as an integral part of and alongside new development, rather than the current common approach to installing trees in concrete or tubs and planting of low nature value. We suggest the policy refer to the need to retain 'mature trees'.

Chapter 4 Housing

Policy H5 Delivering affordable housing

Housing equity is a vital part of the sustainable development of London. We note that the Strategic Housing Market Assessment assesses London's affordable housing requirement over the 10-year period at 65% of the total requirement of 66,000 homes a year. However, this policy sets a target of 50% affordable housing. We consider that the affordable housing target should be increased in order to better reflect the evidence on need.

Policy H10 Redevelopment of existing housing and estate regeneration

To ensure the success of redevelopment and regeneration schemes, that these genuinely respond to the needs of communities they are intended to serve, it is important that local communities are actively involved and play a leading role in plans and decisions. We suggest this policy be amended to encourage and require community-led planning as an integral part of all estate regeneration and redevelopment programmes. Estate regeneration also offers an opportunity to raise environmental standards in existing properties and this could be usefully highlighted in this section.

Chapter 6 Economy

Policy E2 Low-cost business space and Policy E3 Affordable workspace

We support these policies which aim to ensure the continuing availability and retention of low cost and affordable workspaces in London. As well as B1 uses, we suggest B2 and B8 uses are also included within these policies.

Chapter 8 Green Infrastructure and Natural Environment

Policy G1 Green infrastructure

We support this policy, in particular criterion A that “London’s network of green and open spaces, and green features in the built environment such as green roofs and street trees, should be protected, planned, designed and managed as integrated features of green infrastructure.” We welcome the recognition in the supporting text of the multiple benefits of green infrastructure. As the supporting text rightly notes, green infrastructure should be seen as an integral element and not as an ‘add on’.

Policy G2 London's Green Belt

We welcome the Plan’s approach to protecting and enhancing London’s Green Belt set out in Policy G2 and the recognition of its multiple benefits and functions.

We are concerned, however, that the policy may be insufficiently strong to prevent councils allowing GB to be built on and encroached upon, such as appears to be taking place in Hounslow. Any loss of Green Belt will make it very hard for the Mayor to realise his ambition of making London more than 50 per green by 2050. We therefore suggest additional text be added to the policy which states that **'proposals that lead to any loss of or reduce the extent of the Green Belt will be opposed'**.

Policy G3 Metropolitan Open Land

We welcome this policy, in particular criterion A) that Metropolitan Open Land (MOL) should be protected from inappropriate development: 1) development proposals that would harm MOL should be refused, 2) that boroughs should work with partners to enhance the quality and range of uses of MOL and B) The extension of MOL designations should be supported where appropriate.

We are concerned by the reference to land swaps set out in paragraph 8.3.2. This could result in land being substituted of a lesser quality; undermine the permanent, open nature of Metropolitan Open Land (as set out in the NPPF); and create a loophole to be exploited by developers.

In order to achieve the target of making London 50 per cent green, and for the wider benefits these bring, not least to quality of life in London, we consider the Plan should set out a clear presumption against the loss of Metropolitan Open Land and Green Belt.

Policy G4 Local green and open space

This is potentially a good policy to address lack of provision in places which lack green space or where quality is poor. We particularly support criterion A "that local green and open spaces should be protected". We consider that it would be helpful to include within this policy a requirement to plan for these as part of any significant new development. With regard to green space assessments referred to in Criterion C, we suggest the policy should also acknowledge the need to consider the quality of the green space and the importance of maintaining and enhancing this.

Local green spaces face pressure in the drive to build and increase the density of development. Paragraph 4.2.9 states that 'Loss of existing biodiversity or green space as a result of small housing developments, should be mitigated through measures such as the installation of green roofs, the provision of landscaping that facilitates sustainable urban drainage, or off-site provision such as new street trees in order to achieve the principle of no net loss of overall green cover'. It is important that such mitigation does not encourage or lead to the loss of locally accessible green space. We suggest text be added to make clear that green roofs and sustainable drainage schemes while worthwhile features in themselves, are not a substitute for accessible green space (para 4.2.9) and in many instances loss of a local green space would be entirely inappropriate.

Policy G5 Urban greening

We support this policy, in particular criterion A that "Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage."

G6 Biodiversity and Access to Nature

It is important to protect and enhance SINC's and green corridors. We suggest this policy be strengthened to include a requirement for major development schemes to incorporate measures to protect and enhance biodiversity. We believe everyone should have an opportunity to experience nature close to where they live. We suggest therefore that further consideration be given to ways in which the policy could facilitate improved access to nature for Londoners.

Policy G7 Trees and woodlands

We support the reference to protecting trees and woodlands. We suggest the policy would be improved by adding a reference to protecting mature hedgerows.

Policy G8 Food growing

We support this policy as we believe that everyone should be given the opportunity to grow their own food. This will bring benefits in terms of access to fresh, healthy food, food security and active lifestyles. We feel however, the policy would benefit from being strengthened. For example, a further criterion B should set out how food growing opportunities should be identified as an integral part of major development proposals and regeneration schemes and how planning applications which would result in a loss of such opportunities will be opposed. We suggest further consideration be given in the plan to acknowledging the role of agriculture, city farms and community food growing enterprises in the capital, and the benefits of these, contributing to resilience and food security, health and wellbeing, and ways these activities might be supported and encouraged through the planning system.

Chapter 9 Sustainable Infrastructure Air Quality

Making London's air fit to breathe requires pollution to be tackled from all sources, whether from infrastructure, transport or new buildings.

Policy SI1 Improving air quality

We welcome the reference in Policy SI1 Criterion A that London's air quality should be significantly improved and that exposure to poor air quality should be reduced (and particularly for vulnerable people). This is important and consistent with the requirements of the High Court ruling in

November 2016, in the Client Earth case which states: “the Secretary of State must aim to achieve compliance by the soonest date possible, that she must choose a route to that objective which reduces exposure as quickly as possible, and that she must take steps which mean meeting the value limits is not just possible, but likely.”¹

We consider that the intentions of this policy need to be spelt out more clearly. Air pollution limits apply throughout an Air Quality Zone, London in this case, and air quality must not be worsened if already over limits anywhere in the Zone. Moreover, in our view, air pollution must not be taken from under to over legal limits anywhere in a Zone. It is not adequate to assess whether a scheme would cause a Zone to go from compliance into non-compliance ie for the first time. This position is confirmed in a letter of clarification from the European Commission Environment Directorate (190214) to Clean Air London.² This states that “...Limit Values must indeed be complied with throughout the territory of any given air quality zone”. The letter goes on to state that “where air quality is already good, Article 12 of the Directive applies. This provision spells out in legal terms the “non-deterioration” principle, according to which Member States shall not only maintain the levels below the limit values, but also “endeavour to preserve the best ambient air quality compatible with sustainable development”.

We suggest Policy SI1 be strengthened by amending criterion A to address this point:

- A. London’s air quality should be significantly improved and exposure to poor air quality, especially for vulnerable people, should be reduced:
 - 1. Development proposals should not:
 - a) lead to further deterioration of existing poor air quality **anywhere in London, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits**
 - b) create any new areas that exceed air quality limits **anywhere in London, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits**
 - c) reduce air quality benefits that result from the Mayor’s or boroughs’ activities to improve air quality
 - d) create unacceptable risk of high levels of exposure to poor air quality

Advice on the approach planning authorities should take with regard to the Air Quality Directive 2008/50/EC is set out in the Legal Opinion of Robert Macracken QC, paragraph 42 which states “Article 13 (1) states that its limit values apply to member states ‘throughout their zones’. This must be interpreted to mean in every part of the zones rather than in all the zones. This is the natural meaning of the quoted words. The purpose of these limit values is to protect human health (see for example, Preamble Recitals 1 and 2 and the heading of Article 13). It would not be consistent with

¹ (Conclusions, paragraph 95, i) (<https://www.documents.clientearth.org/library/download-info/high-court-ruling-on-clientearth-no-2-vs-ssefra-uk-air-pollution-plans/>)

² http://cleanair.london/legal/clean-air-in-london-obtains-qc-opinion-on-air-quality-law-including-at-heathrow/attachment/cal-304-letter-of-clarification-from-the-commission-190214_redacted-5/

that purpose simply to average out levels of pollution within these zones. Very heavy, life threatening pollution could then be tolerated in particular, unfortunate localities.”³

Macracken goes on to state that “Article 13 requires measurement in accordance with Annex III(B)(1)(a). This expressly directs that sampling points be placed both in representative locations and in areas where the highest concentrations occur to which the population is exposed for significant periods. This is directed towards ensuring that both the general and most serious risks to groups of people are actually noted. It does not state or imply that other locations which are not sampling points do not have to comply with the limit value” (paragraph 45).⁴ Macracken also makes clear the implications for new development, ie that permission should not be granted for development that would significantly increase non compliance without measures being put in place before the development is undertaken to ensure compliance (Paragraph 50).⁵

We note that the Mayor has signed up London to the World Health Organisation (WHO) Breathe Life initiative, including meeting WHO standards, and has set out how London currently fails WHO standards for Particulate Matter air pollution (which are tougher than EU ones).⁶ The draft London Environment Strategy refers to WHO standards. We suggest it would be helpful to refer to these standards in the London Plan.⁷ In light of our concerns raised above, we suggest Paragraphs 9.1.1 and 9.1.2 be amended as follows:

9.1.1 **Poor air quality** is a major issue for London which is failing to meet requirements under legislation, **and World Health Organisation health based Air Quality Guidelines, which London is signed up to meet.** Poor air quality has direct impacts on the health, quality of life and life expectancy of Londoners. The impacts tend to be most heavily felt in some of London’s most deprived neighbourhoods, and by people who are most vulnerable to the impacts.

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 **anywhere in London (the Air Quality Zone). They must also not ~~or~~ worsen air quality anywhere in London,** or delay the date at which compliance will be achieved, in areas that are currently in exceedance of legal limits. 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.

Policy SI2 Minimising greenhouse gas emissions

We broadly support the energy hierarchy set out in this policy and strongly support the statement in criterion A that Major development should be net zero-carbon, the requirement for developers to

³ https://cleanair.london/legal/clean-air-in-london-obtains-qc-opinion-on-air-quality-law-including-at-heathrow/attachment/cal-322-robert-mccracken-qc-opinion-for-cal_air-quality-directive-and-planning_signed-061015/

⁴ See footnote 3

⁵ See footnote 3

⁶ www.london.gov.uk/press-releases/mayoral/every-londoner-is-exposed-to-dangerous-toxic-air

⁷ <https://www.london.gov.uk/WHAT-WE-DO/environment/environment-publications/draft-london-environment-strategy>.

produce an energy strategy (criterion B) and the zero carbon target (criterion C). In order to fully realise the benefits of this policy though the Mayor should seek to work with the Boroughs to ensure all developments are zero carbon, not just 'major' ones.

We object to the statement in criterion C "Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided: 1) through a cash in lieu contribution to the relevant borough's carbon offset fund, and/or 2) off-site provided that an alternative proposal is identified and delivery is certain." We suggest this text should either be deleted or prefaced by '**in exceptional circumstances**' and an explanation given in supporting text that in the vast majority of circumstances the mayor expects this target capable of being met in full and that offsetting and payment in lieu are to be considered a last resort, not a get out clause.

Policy SI3 Energy infrastructure

We would like to see the Plan adopt a more rigorous, encouraging and enabling approach to renewable energy. This would make sense given the Mayor's ambition for London to become zero carbon, help to achieve a more sustainable, resilient economy and better health and quality of life for those living and working in London.

Given the increasingly prominent role that renewables will play, it would make sense to include within this policy a specific reference to renewable energy infrastructure, including solar technologies: at present there is none. Paragraph 9.2.3 states that Boroughs should ensure that all developments should maximise opportunities for **on-site electricity** and **heat production** from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This paragraph would carry more weight expressed as policy rather than supporting text and we suggest that it be added to Policy SI3.

We suggest that text be added to the Plan which highlights the role of passive design in heating, cooling, shade and light in creating comfortable buildings which reduce energy consumption, pollution and running costs. These points should also be picked up in Policy D2 Delivering Good Design. Micro-generation and community energy schemes have the potential to benefit communities and contribute towards sustainable energy infrastructure and we suggest that the Plan encourages these.

Policy SI4 Managing heat risk

We broadly support this policy, however would note that the aim should be to achieve thermal comfort and therefore space heating, as well as cooling, and ways that energy use this can be minimised through passive design are key considerations which this policy should require schemes to address. Due to the UK climate, space heating is likely to continue to be required for the foreseeable future in winter, particularly in homes, notwithstanding temperature increases and the 'heat island' effect. We suggest a broader policy which looks at thermal comfort in the round, ie heating and cooling, would be more helpful.

Policy SI5 Water infrastructure

We suggest this policy could be improved by the inclusion of specific references such as '**encourage and require grey water recycling and rainwater harvesting as part of new development schemes**'.

Policies SI7 Reducing waste and supporting the circular economy and SI8 Waste capacity and net waste self-sufficiency

We support the policy aspiration to reduce waste, move towards a circular economy and achieve zero-waste self sufficiency. We note that paragraph 9.8.11 states "To support the shift towards a low-carbon circular economy, all facilities generating energy from waste should meet, or demonstrate that they can meet in future, a measure of minimum greenhouse gas performance known as the **carbon intensity floor** (CIF). Achieving the CIF effectively rules out traditional mass burn incineration techniques generating electricity only. Instead, it supports techniques where both heat and power generated are used, and technologies are able to achieve high efficiencies, such as when linked with gas engines and hydrogen fuel cells. More information on how the CIF has been developed and how to meet it can be found in the London Environment Strategy."

Incineration is not a sustainable way to manage the capital's waste. It is an inefficient way of generating energy; destroys valuable materials that could be recycled into new products; and provides no incentive for reducing waste. For these reasons, we suggest that the Plan should set out a moratorium against incineration.

Policy SI11 Hydraulic fracturing (Fracking)

We strongly support this policy which sets out that Development proposals for exploration, appraisal or production of shale gas via hydraulic fracturing should be refused. This will be essential in order for London to become zero-carbon by 2050 and to avoid the harmful impacts on communities and the environment associated with this technology.

Policy SI13 Sustainable drainage

We support this policy, in particular the requirement that "Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source". We agree that 'Development proposals for impermeable paving should be refused' however suggest that 'where appropriate' be deleted from Criterion C. We support Criterion D that 'Drainage should be designed and implemented in ways that address issues of water use efficiency, river water quality, biodiversity, amenity and recreation'.

Given the challenges London faces from flooding and ageing sewerage infrastructure, we consider this policy would benefit from explicit mention of SUDs techniques, such as Swales, Basins, raingardens, trees, permeable surfaces and an expectation stated in this policy that the Mayor expects SUDS techniques to be employed in all new developments. A cross reference in supporting text to the Mayor's Sustainable Drainage Action Plan would also be helpful.

Chapter 10 Transport

Policy T2 Healthy Streets

We welcome the Healthy Streets approach set out in Policy T2. This should deliver health benefits as traditional types of urban transport are put aside in favour of sustainable modes.

We would note, however, that it is not only car dominance that needs addressing (criterion B1), but the dominance of private motorised vehicles. This includes large lorries which can have a devastating effect on many London's streets which struggle to cope due to the size and number of vehicles.

London's street trees help address air and noise pollution, providing shelter from rain and sun and habitats for wildlife. The policy would benefit from an acknowledgement of the important role

street trees play in creating healthy streets. We suggest the following text added to the policy, as a second sentence to Criterion A, drawing on paragraph 10.2.4 “Measures which improve Londoners’ experience of individual streets, such as **tree planting and other forms of greening**, should be embedded within new development”.

Policy T3 Transport capacity, connectivity and safeguarding

We support criterion A that “Development Plans should develop effective transport policies and projects to support the sustainable development of London and the Wider South East as well as to support better national and international public transport connections” and in criterion B the reference to “Development Plans and development decisions should ensure the provision of sufficient and suitably-located land for the development of the current and expanded public and active transport system to serve London’s needs”.

We welcome the Healthy Streets and active travel section set out in Table 10.1, including ‘Borough-led traffic reduction strategies (including workplace parking levies)’, ‘Road pricing: existing schemes reviewed’, and other active travel and public transport measures.

We support most of the measures in Table 10.1 to upgrade public transport. We are, however, concerned by the inclusion of road schemes, such as Silvertown. For other potential crossings at Gallions Reach and Belvedere listed in this table it is unclear whether these are public transport or road schemes. If the latter, it would make more sense to put them in a separate section entitled ‘road schemes’.

Table 10.1 refers to the Ultra Low Emission Zone (ULEZ). Friends of the Earth believes this should be London-wide for all types of vehicle, and come into operation sooner. Consultation for expanding the ULEZ is ongoing, and some stakeholders are calling for a London-wide ULEZ for all vehicle types. This in our view is a more robust and justified approach. We therefore suggest that text in Table 10.1 be amended as follows:

“ULEZ in central London

ULEZ expansion beyond central London

ULEZ in inner London

~~ULEZ London-wide for buses, coaches and HGVs”~~

Policy T4 Assessing and mitigating transport impacts

We support Criterion A “Development Plans and development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity”. We suggest it would be helpful to add “**with priority given to extending choice and options for active travel for all groups**”.

Criterion C states that “Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address any adverse transport impacts that are identified.” We consider that in circumstances where adverse transport impacts are identified in connection with development proposals then mitigation would be expected and therefore ‘where appropriate’ should be deleted. If it is the Major’s intention to keep the text ‘where appropriate’ then the supporting text should explain what this means in practice. Otherwise there is a risk that schemes proceed without addressing adverse transport impacts because a decision maker views this as not

'appropriate'. With no clear rationale, the policy may be subject to differing interpretations and the potential to achieve positive outcomes in practice will be diminished.

Criterion D refers to circumstances "Where the ability to absorb increased travel demand through active travel modes has been exhausted," We suggest the policy needs to make clear the importance of identifying ways to increase active travel modes before concluding the ability to absorb through active travel has been exhausted.

Criterion E states "The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated." It is essential to take into account cumulative impact, however, the policy should make clear that in circumstances where impacts are not able to be mitigated then development should not proceed. Further, the aim should be to avoid and minimise impacts in the first instance and then mitigate. We suggest the policy be amended to reflect these points.

Policy T8 Aviation

We object to Policy T8 criterion A and paragraph 10.8.4 as we do not consider additional aviation capacity is necessary for London to continue to prosper or to maintain its international status.

We suggest the following amendment be made to criterion C of this policy:

C The environmental impacts of aviation must be fully acknowledged and the aviation industry should fully meet its external and environmental costs particularly in respect of noise, air quality and climate change; any airport expansion scheme must be appropriately assessed **and meet all requirements for addressing these costs**. ~~if required demonstrate that there is an overriding public interest or no suitable alternative solution with fewer environmental impacts.~~

Friends of the Earth considers it unacceptable to allow for any increase in capacity, for instance a 3rd runway, which breached legal air quality requirements, even if there are those who take the view that there is an overriding public interest, or because there would be fewer environmental impacts than an alternative. We therefore support criterion D. We suggest the wording could be improved further by adding after '**no additional noise or air quality harm would result**' '**or worsening of existing air quality**'.

Criterion H states "increase the proportion of journeys passengers and staff make by sustainable means". A small increase in the proportion of sustainable modes would still mean a big increase in the absolute amount of unsustainable modes (because there would be nearly 50% more passengers and freight with a third runway). We suggest the policy should aim to prevent an increase in absolute terms of unsustainable modes and therefore recommend that Criterion H be amended to reflect this point.

The Mayor is right to include clear, strong criteria which would ensure that legal limits are met. However, it is also important is that air pollution already over legal limits is not worsened (materially or as per SI1). We suggest the following amendments to paragraph 10.8.6, in light of previous comments raised regarding air quality.

10.8.6 Airport expansion should not worsen existing **air quality, and must not worsen it anywhere in London where it is already over legal limits or contribute to any new** exceedance of air quality limits **anywhere in London**, nor should it seek to claim or utilise air quality improvements resulting from unrelated Mayoral, local or national policies and

actions. Airport expansion should also incorporate Air Quality Positive principles to minimise operational and construction impacts.

Policy T8 Aviation states the Mayor will oppose the expansion of Heathrow Airport unless it can be shown that no additional noise or air quality harm would result. We suggest there should be a similar requirement for all major infrastructure projects, such as the proposed tunnel at Silvertown, that no permission will be granted unless it can be demonstrated that no additional noise or air quality harm would result.

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