

# mr Liam Hennessy comments

Page: [Draft New London Plan](#)

Section: [N/A](#)

It is noticeable that one area not included in your options list is: *Planning*.

At present in London, Planning is inherently unfair and inherently unjust: there is no requirement in the Planning system that applicants must be treated **equally, fairly, and justly**.

The Planning system is literally a lottery: two applicants for the same proposal (alterations and extension) in the same street, made to the same Local Planning Authority with the same planning policies at the time are not treated equally, nor is there any requirement that they should be treated equally. The two Planning Officers are entirely free to give diametrically opposing views and opinions - one granting approval and one refusing approval - with no recognition of Precedent in the same Local Planning Authority under the same planning policies.

Two Planning Officers are entirely at liberty to flatly contradict each other, regarding proposals for the same work in two properties in the same street, under the same planning policies of the same Local Planning Authority. There is no requirement that either should make any reference of any kind to the opposing opinion or decision of their colleague. In the current Planning system, that is regarded as professional conduct.

This is entirely unfair and unjust.

An applicant can make an appeal to the Local Planning Authority and/or the Planning Inspectorate, but neither the Local Planning Authority nor the Planning Inspectorate recognise Precedent as a valid basis of appeal, nor do either the Local Planning Authority or the Planning Inspectorate recognise any requirement that applicants to the same Local Planning Authority, under the same planning policies, for the same proposal in the same street should be treated equally.

The only way an applicant can try to get equal treatment in the Planning system is to appeal to the legal courts. For small scale alterations and extension to a domestic property, that is way out of proportion, and can not be afforded.

I believe that the Planning System should be fair and just, and that it should treat applicants equally. At present it most definitely does not treat applicants equally, fairly, and justly.

“Precedent is central to legal analysis and rulings in countries that follow common law like the United Kingdom” – but unfortunately not in planning law. In consequence, planning law is inherently unfair and unjust, as it does not treat applicants equally. The concept of Equal Justice is not recognised.

The requirement that the Planning system **must treat applicants equally, fairly, and justly** needs to be set out in writing, very clearly and unambiguously, **please**.

Page: [Policy GG1 Building strong and inclusive communities](#)

Section: [N/A](#)

Building strong and inclusive communities is entirely laudable.

But there is no mention of Councils such as Southwark Council which seems determined to destroy strong and inclusive communities in its area - first by evicting more than 1000 lower income families/households from their homes on the Heygate Estate and away from their community on the Heygate Estate, and now has embarked on the eviction of 778 lower income families/households from their homes on the Aylesbury Estate and away from their community on the Aylesbury Estate.

Southwark Council is also determined to forcibly evict leaseholders from their homes on the Aylesbury Estate, against their will, by means of Compulsory Purchase Orders. The second public hearing into Southwark Council's **disgraceful** conduct is ongoing.

Can the GLA **please** include measures to **stop** Councils such as Southwark Council systematically destroying existing strong and inclusive communities, and evicting many hundreds of lower income families/households from their homes and from their communities?

**It is beyond an outrage.**

Page: [Policy GG3 Creating a healthy city](#)

Section: [N/A](#)

Creating a healthy city is entirely laudable. But one area that I see no mention of: Private open or external space for existing flats. Private open or external space in new flats is rightly compulsory. But what about people who live in existing flats? This issue is of major significance across London. How many residents have no private open space of any kind? Has any survey been carried out? The numbers are likely to be in the hundreds of thousands. That should not be acceptable, for Londoners' health and wellbeing.

In just one street that I investigated in north London - Fermoy Road in Maida Hill - there are about 50 first and second floor flats with no private open space of any kind. So about 100 people in that situation, in just one 'average' street.

Please see that planning rules are changed to make creating balconies and/or roof terraces far easier - to be seen as **positive** additions to the city, not negative. Most balconies or roof terraces can be created where there is already lots of overlooking, so that should not be an acceptable excuse to deny people private open space. The health and well-being of hundreds of thousands of Londoners depends on it. Londoners live in a metropolitan city, not some imaginary rural idyll.

Promoting private open or external space for **all** Londoners may be the simplest change Mayor Sadiq Kahn can make, with the greatest positive impact, for the greatest number of people. And he should take all the credit.

Page: [Policy GG4 Delivering the homes Londoners need](#)

Section: [N/A](#)

Most of the buildings in London are existing residential buildings. So when considering how to expand the residential stock, why not start at the beginning - with the existing residential stock - rather than concentrate all efforts on new buildings on new or brownfield sites?:

In one street I examined in north London - Fermoy Road in Maida Hill - 50 new flats could be added by attic conversions. The recent government proposals to allow 2 additional floors on existing buildings are welcome, but why not go much further in London - set a new 'datum' of 10-storey buildings for many areas in the city? Numerous buildings in central areas such as Mayfair and Kensington and Chelsea are 10-storey, and are not even noticed. So please change the planning rules to **encourage** people to replace small inappropriate buildings near central London with far better, denser, alternatives.

Page: [Policy SD1 Opportunity Areas](#)

Section: [Bakerloo Line extension \(11\)](#)

It is worth noting and keeping in mind Southwark Council's abysmal record when it comes to social housing: permanently destroying more than 1000 Council Homes on the Heygate Estate, and in the process of permanently destroying 778 more Council Homes on the Aylesbury Estate. The GLA's own borough assessments show Southwark Council's exceptionally dismal record.

Yes, Southwark Council's propaganda is shrill about building 11,000 new Council Homes. But their record proves they are not capable of building thousands of new Council Homes: they are far too busy permanently destroying huge numbers of existing Council Homes. The London Plan needs to factor in this reality, otherwise the London Plan risks looking as foolish as Southwark Council's propaganda.

The current proposals for the improvement of Oxford Street are very welcome.

But it is possible to go much further, and resolve its immediate neighbour - Park Lane.

At present Park Lane is an urban highway in the centre of London, and, despite its celebrated name, is a distinctly unattractive place for pedestrians or cyclists - being heavily polluted and heavily trafficked.

Back in the 1930's Park Lane had 2-way traffic in the area of the current northbound carriageway, a route which was then and still is called *East Carriage Drive*. It was part of what was called *The Ring* - for horses and carriages - which shows on Stanford's Library Map Of London 1862, so it's been the major route along 'Park Lane' for a very long time. That is the clue to the solution. For whatever reason, in the 1960's it was all mucked up, as were many other places. You can see how it looked if you Google Images: "*Park Lane, Hyde Park and Dorchester Hotel, c1930*".

If you Google "Pedestrianise Park Lane" or "*Report: Park Lane Boulevard*", you will see some outlines of the scheme to create a pedestrian and cycle friendly boulevard along Park Lane.

The scheme costs a fraction of the cost of a garden bridge, and will have a far greater positive impact on London and Londoners. It can be thought of a respite from the shopping stresses of Oxford Street, but, more significantly, as part of a green or scenic route connecting Trafalgar Square with Marble Arch and Oxford Street:

Trafalgar Square - The Mall / St. James's Park - Green Park - Hyde Park Corner - Park Lane Boulevard - Marble Arch / Oxford Street.

Page: [Policy SD10 Strategic and local regeneration](#)

Section: [N/A](#)

Neutral -

"Boroughs should:

1. identify Strategic Areas for Regeneration in Local Plans based on a *thorough understanding of the demographics of communities and their needs.*"

The above statement assumes that Boroughs are capable of a *thorough understanding of the demographics of communities and their needs.*

Southwark Council has demonstrated that it is not remotely capable of a *thorough understanding of the demographics of communities and their needs.* On the contrary, it has demonstrated and is demonstrating a complete lack of capability: permanently destroying more than 1000 Council Homes on the Heygate Estate, and in the process of permanently destroying 778 Council Homes on the Aylesbury Estate. Someone needs to force them to stop such large scale permanent destruction of our social housing. Please.

Page: [Policy D1 London's form and characteristics](#)

Section: [N/A](#)

One area that I see no mention of: Private open or external space for existing flats.

Private open or external space in new flats is rightly compulsory. But what about people who live in existing flats? This issue is of major significance across London. How many residents have no private open space of any kind? Probably hundreds of thousands. That should not be acceptable, for Londoners' health and wellbeing.

In just one street that I investigated in north London - Fermoy Road in Maida Hill - there are about 50 first and second floor flats with no private open space of any kind. So about 100 people in that situation, in just one 'average' street.

Please see that planning rules are changed to make creating balconies and/or roof terraces far easier - to be seen as **positive** additions to the city, not negative. Most balconies or roof terraces can be created where there is already lots of overlooking, so that should not be an acceptable excuse to deny people private open space. The health and well-being of hundreds of thousands of Londoners depends on it.

It may be the simplest change Mayor Sadiq Kahn can make, with the greatest positive impact, for the greatest number of people. And he should take all the credit.

Page: [Policy D2 Delivering good design](#)

Section: [N/A](#)

Design Review Panels sound great, but... consider this evidence:

For the Aylesbury Estate regeneration, there were two reviews by Southwark Council's allegedly "independent" Design Review Panel. Despite over 40 names on the list, just 2 Design Review Panel members showed up for the first review of one of the largest planning schemes ever proposed in the Borough. Just 3 Panel members showed up for the second review - the same first 2, plus one other.

One of the 2 (and 3) "Independent" Design Review Panel members reviewing this major scheme was/is a director of a company - Tibbalds Planning and Urban Design - that on two occasions was paid by Southwark Council to provide training for its planning officers. Southwark Council's planning officers played a major role in developing the proposals for the Aylesbury Regeneration. So this member of Southwark Council's "Independent" Design Review Panel was passing judgement on a scheme developed by people that her own company had helped to train.

That is what passes for an "Independent" Design Review Panel, which Southwark Council endlessly trumpets.

And in the case of the Aylesbury Regeneration, Southwark Council is the promoter of the proposals, Southwark Council is the arbiter of those proposals via its own Planning Committee, and Southwark Council is the controller of its own allegedly "Independent" Design Review Panel - by its *Group Manager, Design and Conservation, Regeneration and Neighbourhoods*.

But: No minutes of the meetings of the "Independent" Design Review Panel are published. No record of who attended is published. No record of what material was presented to the "Independent" Design Review Panel is published, and no record of the comments or recommendations of the "Independent" Design Review Panel is published.

Of course, unsurprisingly, the Planning Officer's report states that the Design Review Panel approved the proposals...

That's what passes for *transparent* and *independent* in Southwark...

And outsiders can think: *Isn't it great that Southwark Council has an Independent Design Review Panel....*

Page: [Policy D4 Housing quality and standards](#)

Section: [N/A](#)

### 3.4.6

**Private open space** should be practical in terms of its shape and utility, and care should be taken to ensure the space offers good amenity. All dwellings should have level access to one or more of the following forms of private outside spaces: a garden, terrace, roof garden, courtyard garden or balcony. The use of roof areas, including podiums, and courtyards for additional private or shared amenity or garden space is encouraged.



It is not clear if this proposal is intended solely for new dwellings, or for all dwellings? It would be spectacularly good if it is intended for **all** dwellings.

As I mentioned in an earlier comment, it would make the greatest difference to the greatest number of Londoners - in my opinion - if balconies and/or roof terraces were to be **promoted** rather than discouraged, as they are at present, so that as many Londoners as possible have access to private open space, for the benefit of their health and wellbeing.

It will cost no money, but will have a major positive impact.

Mayor Sadiq Khan could and should take credit for improving the lives of hundreds of thousands of Londoners.

Page: [Policy D4 Housing quality and standards](#)

Section: [N/A](#)

I don't see a section on Fire Safety.

There is an argument that Fire Safety in residential buildings is being **downgraded** in London. Post Grenfell, that may seem to be not credible, but:

Fire Safety in a residential building with **an alternative means of escape in case of fire** must be higher than the level of fire safety in a residential building with **no alternative means of escape in case of fire**.

But in London, right now, residential buildings with alternative means of escape in case of fire are being replaced with residential buildings with no alternative means of escape in case of fire. The so-called "regeneration" of the Aylesbury Estate is a prime example.

Fire safety in the buildings of the existing Aylesbury Estate is based on the hugely important premise that, in the event of a fire, there is ALWAYS an alternative means of escape. With a minimum of two staircases – even if one staircase is not accessible due to a fire - occupants can always move away from the source of a fire, and leave the building via another staircase.

Fire Safety in the proposed buildings on what are called *Plot 18* and the *First Development Site* - the next phases of the Aylesbury 'regeneration' - is based on the premise that there is NO ALTERNATIVE MEANS OF ESCAPE in case of fire: from any given flat, in the event of a fire, just one staircase can be used.

Fire Safety in the proposed residential towers replacing the Elephant & Castle shopping centre is also based on the premise that there is NO ALTERNATIVE MEANS OF ESCAPE in case of fire.

Post Grenfell, this strategy is being called into question, as it should be:

On 19th October 2017, the Royal Institute of British Architects (RIBA) submitted “*evidence and recommendations to the Independent Review of Building Regulations and Fire Safety*”.

Recommendation number seven of these is as follows [with RIBA text emphasis]:

**“R7 Introduction of a requirement for more than one means of vertical escape from new multiple occupancy residential buildings of more than three storeys in height, and no use of compensatory features for omission of a staircase or alternative means of escape.”**

A building – particularly a residential building - should be designed on the basis that it will go on fire, and that the worst case scenario should always be planned for. In the case of a building designed with sprinklers, part of the worst case scenario is that the sprinklers, for whatever reason, either don't work at all or don't function as they were intended to.

Grenfell Tower didn't have sprinklers, but that didn't cause the great loss of life.

The fire spreading up the cladding of the tower at speed was unexpected, but if robust fire safety measures had been in place (even excluding sprinklers) all the residents of Grenfell Tower should have been able to escape to safety. Tragically, robust fire safety measures (excluding sprinklers) were not in place, and there was no alternative means of escape.

Building residential towers with NO ALTERNATIVE MEANS OF ESCAPE in case of fire should, post Grenfell, be very strongly called into question.

Even if residential towers with no alternative means of escape are accepted, they should only be built with the most robust fire safety measures (excluding sprinklers), to give residents the greatest chance of surviving a fire.

Although I'm not a Fire Safety expert, I do have experience building buildings with very high Fire Safety requirements. In my view, residential towers with no alternative means of escape in case of fire should - at a minimum - have 2-hour fire separation lobbies to the single staircase, at every floor level. The results of the Grenfell inquiry are not yet available, but it is very significant that Grenfell Tower did **not** have a 2-hour fire separation lobby to the single staircase, at any floor level.

The proposed residential towers on the Aylesbury Estate and at Elephant & Castle Shopping Centre (to cite just two examples) do **not** have 2-hour fire separation lobbies at every floor level. It seems to me that the GLA should call in all proposals for residential towers in London, to be satisfied that they meet very robust Fire Safety standards. The examples cited do not.

Page: [Policy D6 Optimising housing density](#)

Section: [N/A](#)

It would be good to see something included regarding existing densities in London, and where they can be increased.

Some of the best parts of London are the most dense, so promoting increased density in existing areas should be examined: for example, there are numerous single-storey or two-storey supermarkets, big stores, and warehouses, not far from central London. The owners of these types of properties and sites should be encouraged to change them to ten-storey buildings, say, with lots of new housing above the commercial or other premises.

Page: [Policy H2 Small sites](#)

Section: [N/A](#)

London has a **chronic housing crisis**.

London doesn't have a housing *shortage*: if you have enough millions in your back pocket you can purchase far more residential properties than you could ever possibly need. Just get your agent to pick up a copy of the Evening Standard on wednesday - if your agent agrees to stoop that low - look through the hundreds of property offers, and buy, buy, buy. Too posh for that: ok, get your agent to check out the thousands of properties online.

That is part of what is causing London's housing **crisis** - the fact that housing is a commodity for rich and foreign investors. I am not an economist, so I don't have a simple solution to this part of the problem - maybe requiring people to live in any property they buy would be a start? But there are much more significant causes of London's housing crisis for which I do have suggestions:

A much more significant **cause** of London's housing crisis: Planning.

(Notice again that the word *Planning* is not available in the list of topics options. Maybe because the list was compiled by planners...?)

Unlike large property developers such as Barratts, if you are a small property developer or an owner of a flat or flats in a converted house, say - as many hundreds of thousands of property owners in London are - the existing planning system specifically discriminates **against** you:

house owners can extend their properties by permitted development. Owners of flats can not do the same. In a north London street which I investigated - Fermoy Road in Maida Hill - about 50 new flats could be created by means of roof extensions. So far, no new flats have been created. Several substantial roof extensions have been built by the owners of houses - large enough to be a new flat, but of course they are not new flats because they are house extensions. But if the owner of a flat next door in the same terrace proposes precisely the same roof extension, he or she will be refused permission, because the extension is 'out of character' or some similar trumped-up excuse. Even though they could do so, the planners never try to stop the house-owners building the same 'out of character' extension. This is highly unprofessional, and highly damaging for Londoners.

The people who are most likely to increase London's housing supply - ordinary small property owners throughout London - are the people most **discriminated against** in the Planning system. If the Planning system continues to favour large property developers over small property developers, London's housing crisis will never be resolved.

Please change how small property owners and developers are treated in the Planning system - particularly the owners of a flat or flats. They are the people who are most likely to resolve London's housing crisis. They need to be **encouraged**, not **discouraged**, as they are at present.

Planners must be trained to remember that planning applications in London are made in one of the most important metropolitan cities in the world, and not in some imaginary rural idyll.

The GLA must **insist** on major changes to the Planning system. If it does not, London's catastrophic housing crisis will continue.

Another significant **cause** of London's housing crisis: London Councils.

If you are a major property developer such as Barratts, supported by Southwark Council, you can build so-called homes at Blackfriars Circus, for example, where a so-called studio costs no less than £595,000. Never mind that when the Heygate and Aylesbury Estates were built, they included no *studios* - they were rightly regarded as sub-standard accommodation in new build. Southwark Council has already permanently destroyed more than 1000 spacious Council Homes on the Heygate Estate, and is in the process of permanently destroying 778 spacious Council Homes on the Aylesbury Estate. In their place, the Council is supporting the construction of sub-standard accommodation at exorbitant prices.

- A London Council demolishing thousands of Council Homes which lower income families can afford, and supporting the construction of homes that lower income families can never afford.
- A London Council forcibly evicting people from their homes, against their will, to benefit property developers, the rich and foreign investors - as Southwark Council is currently doing by means of Compulsory Purchase Orders against the leaseholders on the Aylesbury Estate.
- Courtesy of a London Council: 51 out of 51 properties sold in the first phase of the "regenerated" Heygate Estate were bought by foreign investors registered in the British Virgin Islands, according to Transparency International.

With London Councils behaving in such a shameful manner, is it any wonder that London has a chronic housing crisis?

Building more, and more, and more residential towers of UNaffordable housing will never resolve London's housing crisis. It is part of the cause of the crisis, by pushing up house prices generally. Pretending that *shared ownership* and *help to buy* are part of the solution rather than part of the problem, just adds insult to injury.

The GLA would do well to treat London Councils as a very significant part of the **cause** of London's housing crisis, before expecting them to be part of the solution.

Page: [Policy H10 Redevelopment of existing housing and estate regeneration](#)

Section: [N/A](#)

Imagine if the GLA could conjure up 778 Council Homes for Londoners. That would be a big achievement that you could and should take credit for, no?

You can do it:

On the Aylesbury Estate, Southwark Council are in the process of permanently destroying 778 Council Homes. That is what the planning applications is for - evicting the poor to make space for the rich. Literally.

There will be a permanent loss of 778 Council Homes in London. Unless:

You can stop Southwark Council permanently destroying 778 Council Homes, and evicting 778 lower income families/households off their estate and away from their community - more than one-third of all existing households.

Then you can and should take the credit for 778 Council Homes for Londoners.

The Mayor's Housing Strategy needs to be changed so that greedy developers can NOT abuse the system to permanently destroy Council Homes, as is happening right now on the Aylesbury Estate. A strategy that allows many hundreds of Council Homes to be permanently destroyed is not worthy of London.

Measuring 'affordable' housing by floor area is a disaster, as the Aylesbury Estate proves: 778 Council Homes being permanently destroyed, and 778 lower income families/households being evicted off the Aylesbury, but there is "no loss of floor area". Please look them in the face and then tell that to the 778 lower income families/households being evicted from their homes and from their communities, to make space for rich and foreign investors.

"Regeneration" ought to be something positive. For people who used to live on the Heygate Estate, and for those who still live on the Aylesbury Estate, *Estate Regeneration* is another name for being evicted from your home and being evicted from your community.

*Estate Regeneration* is a **disaster of catastrophic proportions** for people on lower incomes.

*Estate Regeneration* is a great opportunity for the rich and foreign investors. 51 out of 51 properties sold in the first phase of the "regenerated" Heygate Estate were sold to foreign investors, all registered in the British Virgin Islands, according to Transparency International.

The GLA needs to act decisively regarding estate regeneration, or these catastrophic circumstances for Londoners on lower incomes will continue.

Start with the Aylesbury Estate, please, as it is in a **real crisis**.

It is not yet too late to stop this catastrophe, but **it is closing time in the *Last Chance Saloon***.