

**Leader of the Council**  
**Councillor Teresa O'Neill OBE**



Sadiq Khan  
Mayor of London  
New London Plan Team  
GLA City Hall  
The Queen's Walk  
London SE1 2AA

Civic Offices  
2 Watling Street  
Bexleyheath  
Kent DA6 7AT  
020 3045 5280  
councillor.teresa.o'neill@bexley.gov.uk

Dear Sadiq

Thank you for the opportunity to comment on your draft new London Plan. The London Borough of Bexley has reviewed the document and our detailed comments are enclosed, which were agreed at Public Cabinet on 26 February 2018. The Council fully appreciates the importance of this document and the challenge of balancing a host of competing demands for land within a world city. Difficult choices need to be made in the context of the best information available. The principles for good growth as set out in the plan are fully supported as the best way to secure sustainable development whilst the polycentric approach to growth is also a sensible solution to ensuring the best use is made of development opportunities in appropriate locations. However, beyond these high-level principles, the Council does not believe that the Plan sets out an appropriate or deliverable approach to housing and employment growth, particularly in outer London where specific challenges demand bespoke solutions rather than the prescriptive approaches currently presented.

Local councils have a right to decide what is best for their area, not only because they are best placed to understand local needs and circumstances, but also because they have legal responsibilities to their residents. Legislation requires that local councils, as local planning authorities, proactively plan their area.

The draft Plan instructs London boroughs to a level of detail that oversteps the boundary between what should be addressed in the spatial development strategy for London, which focusses on the Capital's strategic issues, and what should be managed by boroughs themselves.

In addition, London is not an island and homes and jobs can be supplied outside of its boundary; indeed this is already the case today. Doubling annual housing delivery targets, or in some cases, such as Bexley, *tripling* the target (including an eight fold increase from small sites), is unachievable and will only lead to planning by appeal, as those who understand how planning legislation works will capitalise on its loopholes. This is the perfect recipe for bad planning which is in no one's interest.

Bexley has spent much time considering what is right for its area, working in partnership with the GLA, and recently adopted its Growth Strategy. In this document, the Council sets out an ambitious vision for what sustainable growth in Bexley looks like and how it can be delivered. It is based on a thorough local evidence base and clear understanding of what is possible locally. In this context, it has garnered cross party support and provided a framework for discussion with developers.

The document is clear that growth can happen, but not without a commitment from the Mayor and from government to invest in Bexley's infrastructure. In this context, it will need to be properly planned and phased to ensure an appropriate transition that ensures the continuing coherence of existing communities and the proper integration of new arrivals.

The Council is clear that Bexley has areas, particularly underused or surplus employment land, town centre sites and rundown residential estates near to existing infrastructure, which can be put to better use. As new infrastructure is delivered, these areas can become even more compact, providing people with new sustainable neighbourhoods, rather than urban sprawl. The boroughs substantial areas of employment land away from these growth hubs are also ripe for intensification if connectivity enhancements, specified in the Growth Strategy, can be secured. By concentrating development in these areas, significant regeneration benefits can be secured and economic development opportunities realised whilst also crucially ensuring that the best of Bexley's existing character is preserved, including its popular, family friendly residential neighbourhoods and network of green spaces.

Essential to the realisation of this vision is improved connectivity and the Council welcomes the prioritisation in the plan of the Crossrail extension east of Abbey Wood to Ebbsfleet. This will form part of a comprehensive transport approach that demands interventions at the local and neighbourhood level and these should not be overlooked. In this way, we can drive down car dependency by offering people a real, high quality alternative. However, the Council is clear that this will take time and a premature move to car free development in some areas will prove disastrous. High public transport accessibility levels in outer London mask significant issues in terms of the quality, choice and reliability of services. Pushing through such developments will certainly result in parking free schemes but cars will still use them, creating chaos on local roads, misery for residents and costly delays to local business.

In fact, overly restrictive policies cause a number of issues within the Plan. As well as the detailed prescriptions on parking and employment land, inflexibility on open space designations will also limit the ability of Councils to deal with issues of poor quality open space in highly connected locations. The development, reshaping or remodelling of such sites may in some instances offer the best solution for the future of the area, rationalising boundaries, improving accessibility and enabling improvements in the quality of spaces for the benefit of all. Bexley stands ready to work with the GLA, to plan for and deliver good quality growth for its residents and businesses. The current draft London Plan undermines existing good work and imperils future cooperation across a range of initiatives. I would urge you to fundamentally reconsider the approach taken in the plan to housing and employment development in particular and enable us to go forward together in planning the future of our great city for the benefit of all Londoners.

Yours sincerely

A handwritten signature in black ink that reads "Teresa". The signature is written in a cursive, flowing style.

Councillor Teresa O'Neill OBE  
Leader, London Borough of Bexley

## London Borough of Bexley response to the Mayor of London's draft new London Plan – general and detailed comments

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Please see the covering letter to the Mayor of London for a summary of the matters that London Borough of Bexley considers to be of fundamental importance. The following general and detailed comments are provided as an appendix to the letter to the Mayor. Draft London Plan Policies and Paragraphs, and other key references, are highlighted in **bold text**.

### General comments

The draft new London Plan is a departure from the current Plan in that it is simultaneously both far more prescriptive and more directive in some matters, whilst in others provides huge discretion to the boroughs with little strategic direction. The ambition of the draft Plan, alongside associated, unachievable draft housing targets runs the risk that decisions will be taken on appeal. The lack of a funding package for any new infrastructure is also deeply concerning.

The high level of policy detail is a departure from the essence of the primary legislation that the plan should be strategic only, as the draft Plan now reads like a local plan. This is because the Mayor is seeking to secure the projected demand for housing and jobs within his own boundary whilst protecting Strategic Industrial Land and the Green Belt. On a number of issues, ranging from provision of sports and recreation facilities to the protection of public houses, the draft Plan differs from its predecessor by setting out detailed development management-style policies that are likely to be directly quoted in planning decisions. The London Plan should instead be focussed on setting out broad strategies, with appropriate flexibility to be implemented differently in different parts of the capital, depending on local context.

At the same time, there are other issues, such as the definition and location of tall buildings, on which the draft document provides little strategic direction and instead instructs the boroughs to address the issue with local strategies. Whilst the ability to reflect local distinctiveness is welcomed in this context, this needs to be within a strategic framework otherwise confusion and inconsistency may arise with regard to the principles to be applied. The Council is concerned that the level of work being required of London boroughs on specific matters raises significant resource issues and prejudices their ability to take forward locally important work strands. It is imperative that boroughs are able to make informed judgements about priority activities in the context of strategic and local considerations. The Council is also concerned that development management decisions, taken before boroughs have the opportunity to produce these strategies, will not be able to secure the best possible development for a given site or locality.

The level of prescription also contrasts with a distinct lack of flexibility in some policies, which is particularly worrying as much of the draft Plan is premised on unsecured funding or assumptions about the impacts of policy changes. The draft Plan is clear that the level of growth proposed is not supported by funding for the required infrastructure, yet there is no indication of what will happen if this funding is not secured. Moreover, the amount of housing from small sites also relies largely on a change in London Plan policy prompting a change in

developer behaviour with again no contingency set out should this not occur due to other legitimate factors such as viability and the availability of genuine sites to bring forward.

As a document, the draft Plan suffers from sections where the narrative breaks down. The wording of some policies is particularly obscure, with even experienced planners and other technically qualified officers finding it difficult to follow. One example of this is **Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function**. The policy is three pages long, with proposed measures in **Part E** addressing all processes set out in **Parts B, C and D** and it is not clear which measure relates to which process. In addition, a number of sections introduce, within the supporting text, an approach or requirement that does not appear to be supported by the language within the policy itself, or appears to be an additional requirement to those set out in the policy proper. For example, **Paragraph 5.3.6** considers the need for special educational needs and disability provision, but this need is not referred to within **Policy S3 Education and childcare facilities**. The supporting text in **Paragraphs 11.1.8 to 11.1.67** considers funding and other delivery issues, whereas policy **DF11 Delivery of the Plan and Planning Obligations** itself focuses on securing planning obligations.

Finally, there are numerous cases of repetition between policies, which provide opportunities to condense and combine them. For example, **Policy D11 Fire safety** could be incorporated as one part of **Policy D10 Safety, security and resilience to emergency**. Whilst it is understood that the creation of a separate policy places an emphasis on the importance of a particular ambition, the Council is conscious that planning documents should be understandable and accessible, both for professionals and for the public. Policies should be clear but also comprehensive; having different policies address the same issue raises the possibility of planning decisions failing to give due regard to material considerations. It also makes the document rambling and confusing in places, and thus inaccessible to the public, meaning that local people have yet another barrier to overcome to engage effectively with the planning system.

Whilst it is acknowledged by the Council that this is a plan for London, it must also be acknowledged by the GLA that London is a very diverse city in every sense, with differing levels of investment and opportunity. Bexley, for instance, as an outer London borough, suffers from a lack of connectivity stemming from under investment in public transport infrastructure.

#### Comments on specific policies and supporting text, by chapter

### **Chapter 1 – Planning London's Future (Good Growth Policies)**

1.1 The Council broadly supports the overarching objectives of the draft London Plan set out in the six Good Growth policies. Planning for good growth is identified as sustainable growth that works for everyone, which is a laudable principle and is also the foundation of the Council's own recently adopted Growth Strategy. The policies are intentionally high level; however, this leads to the principles set out that, in some cases, are purely aspirational as it is unclear how they will be deliverable, and even if they are realistic. These principles are fundamentally undermined by the detailed policies that follow later in the draft Plan that, by their prescriptive style, seriously expose the stark contradictions that will naturally be created when trying to meet every demand made on London within an inflexible constraint-driven framework.

- 1.2 One matter in particular is the consideration of London's distinctive character. This is included as a key principle in **Policy GG2 making the best use of land**, but undermined later in the draft Plan, particularly in **Paragraph 4.2.5**, which states that there is a need for the character of some neighbourhoods to 'evolve' to accommodate additional housing. However, **Policy SD10** does not support this approach within areas for regeneration, with justifying text in **Paragraph 2.10.6** stating that places and spaces particularly valued by residents are identified, protected and promoted. In the case of Bexley's residents, it is the character of their residential neighbourhoods that is particularly valued, and often why they have chosen to live in Bexley. Through its **Growth Strategy**, the Council is committed to retaining the authenticity of its neighbourhoods particularly within its growth areas as they change, so that they are still recognisable as being in Bexley, rather than just becoming anonymous and generic. It is imperative therefore, that London boroughs retain the flexibility within local policy to protect and enhance the character of neighbourhoods and the many family sized homes they provide.
- 1.3 **Policy GG4 Delivering the homes Londoners need** states that all necessary supporting infrastructure needs to be planned from the outset and this is welcomed. However, it is essential that this infrastructure is not just planned for, but committed to financially, or even delivered, in advance of the levels of housing that are proposed. This is particularly relevant in Bexley where connectivity is very poor, often in areas identified for growth. 'Planned' infrastructure projects can be abandoned or significantly pushed back when they are no longer a key commitment by politicians at regional or national level. The suggestion repeatedly put forward in the draft Plan that the density of development proposals should be based on future planned levels rather than existing levels will inevitably lead to bad growth in localities with communities that will struggle economically if the planned infrastructure is never delivered.
- 1.4 **Policy GG4** also proposes that London boroughs should establish build-out milestones using all the tools at their disposal to ensure that homes are actually built after permission is granted. It is not clear what tools are being referred to and what legislation supports this approach, as government has not committed to giving local planning authorities any additional powers in this matter.

## Chapter 2 – Spatial Development Patterns

- 2.1. The shift to a reliance on outer London to deliver significant levels of new housing through intensification of its suburban neighbourhoods (**Paragraph 2.0.3**) and town centres (**Paragraph 2.0.6**) is fundamentally flawed, particularly as what evidence has been provided to support this approach is far from robust. Further detail must be provided on the methodology, including the assumptions made, which was used to reach the conclusion that these areas can accommodate the level of intensification set out in the draft Plan. **Paragraph 2.0.4** however recognises that the most significant change will be in Opportunity Areas, and that "*infrastructure is key to this delivery and will require major investment in transport... well in advance of new development.*" This is carried into **Policy SD1 Opportunity Areas** in **Parts A(1)(b)** and **A(4)**, which recognise that it is the identification of areas that will need public investment and intervention, and delivery of specific infrastructure projects assisted by the Mayor, which will unlock the area's growth potential. This recognition and support is

welcomed, although the focus in more detailed policies later in the draft Plan that suggest that infrastructure only needs to be ‘planned’ for higher density developments to come forward, renders the whole approach untenable. It must be a prerequisite that infrastructure projects, particularly in public transport, are delivered in advance, or at the very least committed to financially, prior to delivery of the high levels of growth than opportunity areas ultimately will have the capacity to achieve.

- 2.2. **Part B(5) of Policy SD1**, which sets a requirement to both support and sustain Strategic Industrial Locations within opportunity areas, does not provide the flexibility necessary for an area to achieve its full potential. This requirement becomes even more restrictive when reading the descriptions of individual opportunity areas. **Paragraph 2.1.54** for Bexley Riverside, for example, is required to play a significant role in industrial and logistics uses and a Planning Framework for the area “*should ensure that there is not net loss of industrial floor space capacity, and that industrial uses are retained and intensified.*” **Paragraph 2.1.51** for Thamesmead and Abbey Wood uses similarly restrictive language. It is considered that these statements should be removed from the requirements for Opportunity Area Planning Frameworks, as boroughs will be assessing industrial floor space across their areas as a whole and designating land for specific uses within their Local Plans, not within individual Planning Frameworks. Requiring no net loss of industrial floor space also fails to take account of **Paragraph 22 of the NPPF**, which seeks to avoid the long term protection of employment sites where there is no reasonable prospect of the land being used for that purpose, and permitted development rights within **Class P** of the **GPDO 2015**, which allows a change of use from B8 (storage or distribution) to residential.
- 2.3. **Figure 2.7 Thames Estuary** shows figures for housing and employment growth for each of the opportunity areas in this part of London over the Plan period. The figures for **Bexley Riverside** vary dramatically from the figures for this opportunity area in the current London Plan, and do not reflect the Council’s aspirations for how, where and when development will come forward in the borough. The Council’s approach is set out in the adopted **Bexley Growth Strategy**, a document that was prepared in partnership with the GLA and is based on robust evidence.
- 2.4. The figures in the Growth Strategy are wholly predicated on the delivery of key public transport infrastructure in order for a step change in connectivity for the borough. When comparing these propositional growth figures to the ones in **Figure 2.7** in the draft Plan there is a mismatch with fewer homes and more jobs in the draft Plan; the Growth Strategy proposes a release of employment areas, particularly where they are underused and relatively close to public transport links. There is also an expectation in the Growth Strategy that development will start slowly initially as public transport projects are committed and pick up significantly when they become operational. Without this commitment, Bexley will remain a relatively lower growth area in the capital, to ensure that growth is aligned with necessary infrastructure.
- 2.5. The Mayor’s support in **Paragraph 2.1.53** in seeking a government-led extension of the Elizabeth Line to Slade Green and beyond is particularly welcomed. The requirement to explore levels of growth based on ‘significantly enhanced bus services and priority measures’ should specifically ensure these schemes are committed or delivered. This paragraph should refer to the potential DLR extension into Bexley Riverside that is needed to support high-density development and access to areas of

employment growth in Belvedere. A new district centre at Belvedere is proposed in the **Bexley Growth Strategy** and this should be included in the text for Bexley Riverside.

- 2.6. Given Bexley's key geographical position as an outer London borough in the Thames Estuary growth area, **Policy SD2 Collaboration in the Wider South East** is particularly relevant and the recognition that London is not an island but part of a larger network that needs to address strategic matters such as housing and infrastructure delivery is welcomed. The Council already works in partnership with its Kent neighbours and will continue to facilitate outcomes that are mutually beneficial, and it is promising to see in **Paragraph 2.3.4** that the Mayor is interested in exploring the potential to accommodate more growth outside the capital.
- 2.7. It is noted that the overall net migration into London over the 25-year period in **Figure 2.14** of 175,000 (an annual average population of 7,000). This suggests that London's growth, which is projected to reach 10.5 million in 2041, comes from the natural churn into an urban area and then out into its hinterlands, which stresses the importance of a strong partnership with the Wider South East. However, there must be a significant impact on the capital from London's existing population, given the evidence cited in **Paragraph 2.3.3** that this growth leads to the need for 66,000 additional homes a year (from the London-wide SHMA). This figure, along with the presumption that there is capacity for around 65,000 additional homes a year (from the SHLAA) needs to be better explained and justified to ensure that they are robust. This capacity figure specifically is addressed in more detail later in this response to **Chapter 4**.
- 2.8. **Paragraph 2.6.2:** The supporting text to **Policy SD6 Town centres** refers to 'high-density' development whereas the policy refers twice to 'higher-density' development. The supporting text should be changed to 'higher' in accordance with the policy as these terms are interpreted differently. There is also no definition of 'high density' in the supporting text.
- 2.9. **Policy SD7 Town centre network, Parts G(1) and G(2)** and **Annex 1** identify Erith as a centre within an area of regeneration with high residential growth potential, yet Erith currently only has a PTAL of 3 and there are no committed schemes to achieve a significant uplift. The **Bexley Growth Strategy** also identifies Erith as a regeneration area with high residential growth potential, but this is caveated by the need for key transport schemes to be delivered. It is essential that a clear distinction be drawn between potential capacity in the event of uplift in current infrastructure investment and what can sustainably be achieved within confirmed funding envelopes.
- 2.10. Future potential changes to the strategic town centre network in **Figure A1.1** in **Annex 1** should show Belvedere as a district centre in recognition of the potential commercial growth around Belvedere station. The **Bexley Growth Strategy** seeks to achieve a new town centre in Belvedere secured from the uplift in population based on securing a significant improvement in connectivity and development potential through the creation of a public transport interchange at Belvedere station. In accordance with **Paragraph 2.7.3** Bexley has undertaken robust evidence gathering

through a Retail Capacity Study to ensure that a potential new centre at Belvedere would not have a negative impact on the wider town centre network.

- 2.11. **Part C(4) of Policy SD8 Town centres: development principles and Development Plan Documents** should be revised to reflect local circumstances, for example, where there is a shortage of larger units in a town centre. See also comments about **Policy E9 Retail, markets and hot food takeaways** in the Council's response to **Chapter 5**.
- 2.12. **Policy SD9 Town centres: Local partnerships and implementation** is considered to have significant financial and resource implications for London boroughs. To produce a tailored town centre strategy for each town centre would be onerous, costly and time consuming. Many of the issues, particularly spatial issues, can be covered in local plans, supplementary planning documents and planning frameworks.
- 2.13. **Policy SD10 Strategic and local regeneration** and associated **Figure 2.19** should make clear that the locations identified on the map are a reflection of statistics rather than a land designation or remove sensitive designated areas such as Metropolitan Green Belt and Sites of Importance for Nature Conservation. A large amount of the mapped Strategic Area for Regeneration in Bexley is Metropolitan Green Belt.

### Chapter 3 – Design

- 3.1 The emphasis on design in the draft London Plan is welcomed and is, again a key feature of our own growth plans. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better.
- 3.2 **Policy D1 London's form and characteristics** serves as the basis for most of the others within the design chapter. There is, however, little reference to either London's form or its character, with the focus on the minutiae of design principles. In **Part A** there is no reference to the form and layout of a place responding to the existing character and context; therefore this should be amended to include a new criterion that states '*respond to, reinforce and enhance local identity and context.*'
- 3.3 The language in **Part B(1)** is welcomed as it encourages development design to have regard to local context, but it must be the central point of **Policy D1** and reiterate that design should have regard to the best elements of local character and identity. The shift in the text to the word *identity* before the word *character* is welcomed as identity evokes both what places look like as well as how people use places.
- 3.4 Character and context must be at the heart of any approach to design. **Paragraph 59** of the **NPPF** is clear that design policies must not be prescriptive; nonetheless, local authorities can and should ensure that the architecture and urban design of proposals is compatible with what exists, with **Paragraph 60** stating that it is *proper to seek to promote or reinforce local distinctiveness*.
- 3.5 The current London Plan recognises the importance of existing character and context, requiring development to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings, in order for that development to aid understanding of where a place has come from, where it is now and where it is going. This approach is explained in the **Shaping**



**Neighbourhoods: Character and Context SPG**, which sets out an approach to understanding character and context so that it can be considered in the planning and design process to guide change in a way that is responsive to individual places and locations.

- 3.6 Character is about more than the existing architecture. A nuanced understanding of character is one that considers the existing built environment, but also the area's history, its topography, natural landscape and natural features, mixture of uses, type and level of street activity, and other factors that combine to create a unique identity. This understanding should then inform planning policy and development decisions, to secure high-quality schemes that reinforce the best elements of that identity without being constrained by it.
- 3.7 Well-crafted character and context policies do not simply state that new development must match the existing character, but encourage development which is inspired by the best elements of that character, recognising that character is fluid. **Policy D1** fails to properly emphasise the importance of building upon local identity and context and how it should inspire development, along the lines of the approach set out in the existing SPG.
- 3.8 **Part A(2)** is less comprehensive than the current London Plan text, which refers to the facilitation of '*community diversity, inclusion and cohesion.*' Cohesion is particularly important in areas experiencing significant development, where development and management should be utilised to encourage the integration of new residents into a coherent community. For this reason, it is proposed that **Part A(2)** be amended to read '*facilitate an inclusive and cohesive community.*'
- 3.9 **Policy D2 Delivering good design** represents a departure from previous London Plan approaches to design. The draft Plan appears to return significant control to the boroughs, which will be expected to establish the most appropriate form of development for a given area based on an evaluation, and this is welcomed, although the process set out represents a significant piece of work for local authorities. Limited resources will be a key issue in this regard with delays in establishing design principles potentially leading to a significant reduction in control over small developments as proposed in the presumption in favour measure set out in **H2(D)**.
- 3.10 The supporting text (in particular **Paragraphs 3.2.2** and **3.2.3**) simply reiterates that an evaluation should be carried out, and it would be useful if guidance could be provided on the following issues:
- suggested methodologies and example evaluations;
  - discussion of what is meant by an area;
  - explanation of each of the 11 elements and how they relate to determining an area's development capacity or appropriate form of development; and
  - the types of documents that will set out the appropriate form of development.
- 3.11 it is also recommended that infrastructure provision be added as one of the elements considered as part of the evaluation. Infrastructure availability is one of the key determiners of development capacity in a given area, under an approach of sustainable development. The relationship between development capacity and infrastructure provision is encapsulated in the approach to Good Growth in particular

in **Policy GG1** that emphasises access to good quality services and amenities that accommodate, encourage and strengthen communities.

- 3.12 Practical assistance may help in undertaking evaluations. However, it is imperative that the Mayor's Design Advocates do not look to blindly impose solutions from central and inner London on a suburban context. Statistical information, including socio-economic data, housing type and tenure, and air quality and noise levels, should be packaged by the GLA and provided directly to the boroughs.
- 3.13 There is significant concern that a density matrix has not been included in the draft new London Plan. The Council considers that this is a big mistake. Although there are some issues with its operation, it does provide at least a starting point for discussion with developers. The real risk will be that in the absence of such a guide much time will be lost managing developer expectations on site capacities with a resulting delay in delivery. This will significantly increase the importance of establishing parameters at the local level in terms of scale, height, density, layout, and land uses to secure the right kinds of development in the right places, with good reference to the existing character and context. However, for this approach to be effective, it is essential that the appropriate forms of development set out by local planning authorities have a strong policy basis as the local manifestations of **Policy D2**, and are backed up in planning decisions and in appeals.
- 3.14 When the GLA considers strategic planning applications, either at Stage I/II review or when it acts as the local planning authority, its recommendations/decisions should have regard to the appropriate form of development and the relevant design parameters. Importantly, the GLA should consider the implementation of **Policy D2** in the interim period between adoption of the new London Plan and the undertaking of an evaluation and setting out appropriate forms of development by the London boroughs. In the absence of a document setting out appropriate forms of development, a site-by-site analysis should be carried out, with design expected to meet the policy requirements set out in the draft Plan.
- 3.15 Whilst the establishment of design parameters is supported, whether the draft London Plan implicitly assumes a clear and direct relationship between the capacity for growth and the appropriate form of development is questioned. **Part B of Policy D2** is subtitled: **Determining capacity for growth**; however, the policy text does not refer at all to development capacity figures, but instead to the form that the development should take. The policy or justifying text should clarify whether the evaluation and subsequent documents should set out development capacity, or should focus only on appropriate forms of development. They are distinct.
- 3.16 **Policy D3 Inclusive design** is based on existing London Plan Policy 7.2 An inclusive environment. The draft policy reiterates the requirements of inclusive design with a continuing emphasis on ensuring that development proposals enable access for all in an independent manner. Notably, ensuring dignified evacuation is now an additional inclusive design requirement, focusing on the installation of lifts that can be used safely for evacuation purposes. Whilst the right for everyone to be able to enter and exit all buildings safely and with dignity is supported, the ambition to create inclusive developments is sufficiently addressed in **Policy D1(A)**.

- 3.17 **Part B of Policy D3** sets a new requirement to include an inclusive design statement as part of the Design and Access Statement submitted with planning applications. Currently, a Design and Access Statement is one of the national requirements that is required as a submission with some planning applications. It is not required for householder applications, unless the site is within a conservation area or a Site of Special Scientific Interest. The requirement is broad to ensure that unnecessary information is not provided. By contrast, **Paragraph 3.3.7** sets out six specific elements that should be addressed in this inclusive design statement. The level of detail required is high and may not be proportionate to the scale and complexity of the application. This may represent an inappropriate new requirement for developers and as such, conflict with the government's ambition to streamline information requirements for planning applications.
- 3.18 The retention of minimum space standards for new dwellings in **Policy D4 Housing quality and standards** is welcomed. However, the Council is extremely concerned that the draft London Plan encourages space standards not as a minimum standard, but rather as a maximum. Explanatory text (**Paragraph 3.4.2**) discourages dwellings with floor areas significantly above the minimum space standards because this is considered not to constitute an efficient use of land. This is a highly simplistic understanding of design and does not allow for an appreciation of context. Providing more floor space per unit is not necessarily a zero sum exercise in which more floor space results in fewer units. In reality, different design approaches to the overall plot layout and different choices about the provision of space within the built form could allow for provision of larger dwellings without sacrificing the number of units provided.
- 3.19 Minimum space standards were developed as a minimum requirement because they are considered to provide the minimum amount of space people need to live relatively comfortable lives. Exceeding space standards is one way to improve the quality of life offered by a particular dwelling. Research has shown that providing additional space can have direct and indirect benefits to health, educational attainment, family relationships and even social cohesion<sup>1</sup>. By contrast, other research has shown that a lack of space impacts not only functional aspects of day to day life, like cooking and storage, but also social aspects, such as having sufficient space to spend time with others<sup>2</sup>.
- 3.20 Rather than encouraging a race to the bottom, the draft London Plan should encourage developers to employ creative design approaches that create more floor space per unit, consistent with the most efficient use of land. The second sentence in **Paragraph 3.4.2** should be removed. If not removed, developers will cite this text to justify providing only the bare minimum; even where an alternative design approach could result in larger unit sizes.

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<sup>1</sup> Royal Institute of British Architects. Homewise report: Space standards for homes. 2015: <https://www.architecture.com/-/media/gathercontent/space-standards-for-homes/additional-documents/homewisereport2015pdf.pdf>.

<sup>2</sup> Shelter. Living Home Standard. 2016: [https://england.shelter.org.uk/professional\\_resources/policy\\_and\\_research/policy\\_library/policy\\_library\\_folder/report\\_living\\_home\\_standard](https://england.shelter.org.uk/professional_resources/policy_and_research/policy_library/policy_library_folder/report_living_home_standard)

- 3.21 The supporting text in **Paragraph 3.4.5** expands on **Part E of Policy D4**. The second sentence of this paragraph notes that single aspect dwellings should not be permitted where they are north facing, contain three or more bedrooms, or are exposed to high noise levels. The prescriptive nature of this sentence would be better placed in the Policy and it is recommended that it be moved to **Part E of Policy D4**.
- 3.22 The **first bullet point** of the list of qualitative aspects in **Paragraph 3.4.11** suggests that applicants should consider alternative design arrangements to accommodate the same number of units and this is strongly welcomed. This is particularly relevant in consideration of applications for tall buildings, where developers should be required to demonstrate that they cannot achieve similar densities and other goals through different design configurations. The **penultimate bullet point** addresses externally accessible storage, and the word 'covered' should be added; bulky items awaiting waste collection, for example, can rarely be reused or recycled if left out in the open. A useful addition to the **final bullet point** would be to insist on appropriate waste storage inside homes (e.g. in kitchens), which encourages waste segregation at source.
- 3.23 The Council supports the intention to make the most efficient use of land by developing it at the optimal density, as required by **Policy D6 Optimising housing density**. Whilst London's housing crisis is not caused by a lack of land availability, it is clear that development proposals must make the most efficient use of developable land.
- 3.24 It is essential to differentiate between optimising housing density, and maximising housing density. The optimal density level requires a nuanced understanding of the capacity of the site, taking into account not only what is physically possible but also what is acceptable, given considerations including existing identity and context, connectivity, the capacity for infrastructure to accommodate new residents, the need for different types and sizes of residential units, and other factors. By contrast, maximising density is an exercise in developing the site with as many units as can fit. The policy must be clear that the intention is to optimise housing density, not to maximise it. The draft Plan does this implicitly by requiring consideration of a number of factors to determine appropriate density levels, but it could be strengthened with explicit language noting that the policy aim is to optimise, not maximise.
- 3.25 **Part A of Policy D6** sets out three factors that should be considered to determine the capacity with regards to context, connectivity and capacity of surrounding infrastructure. These three factors begin to reveal potential development capacity. However, other factors should also be taken into account, including the eleven elements identified in **Part A of Policy D2**.
- 3.26 The Council welcomes making explicit the relationship between infrastructure provision and development capacity. **Policy D6** should confirm that insufficient infrastructure is grounds to refuse planning applications. **Paragraph 3.6.2** indicates that local infrastructure capacity will be determined by infrastructure assessments. However, no guidance is provided on how these assessments should be carried out. The text also states that infrastructure assessments will not normally be required for minor developments, nor should permission be refused for minor developments on the grounds of insufficient infrastructure capacity. This is a problematic approach

because the cumulative effects of minor developments can place unsustainable burdens on local infrastructure. The current emphasis on ensuring that small sites make up a higher percentage of development sites will only add to this aggregate of negative impacts. This stance amounts to turning a blind eye towards a type of development that is being actively pushed for expansion. Infrastructure provision should be a factor in the consideration of all planning applications, regardless of their size.

- 3.27 It is noted that development capacity is based on future planned levels of infrastructure, rather than existing. However, development should only be allowed where there is a strong degree of certainty that future infrastructure will be provided, or else it carries the risk of being unsustainable development. This aligns with the approach set out in the **Bexley Growth Strategy**, which seeks a phased approach to development across areas that would benefit from the extension of the Elizabeth line as well as other infrastructure, provided that these are *committed or even delivered prior to the increase in development capacity*.
- 3.28 The recognition that the Elizabeth line extension will significantly increase development capacity is welcomed. The Bexley Growth Strategy sets out a vision for how improved infrastructure provision such as the Crossrail extension will allow Bexley to meet its need for new homes and jobs. However, it would be wholly inappropriate to approve development at higher density levels, which would be appropriate when the infrastructure is in place, prior to any firm financial commitment.
- 3.29 **Part C of Policy D6** suggests that the level of scrutiny given to a design will be directly proportional to the proposed density. It sets out that a strategic planning application will be required to submit a management plan if the proposed density is above a certain number of units per hectare. It is recommended that management plans include details of day-to-day servicing and deliveries, longer-term maintenance implications, and potential running costs and service charges. It is also recommended that management plans be required for most schemes of 25 units or more.
- 3.30 **Part D of Policy D6** sets out four different means of measurement that should be provided for all planning applications with new residential units. An additional three measurements should be provided for all major planning applications. Each of these measurements offers a different approach to understanding density. The relative benefits and drawbacks of the different measurements were considered in detail by a report<sup>3</sup> produced as part of the GLA's 2016 Density Review, which forms part of the evidence base to the draft London Plan. However, requiring all seven measurements for every major application will contribute to information overload. It is considered that all seven measurements may not be required for every major planning application. Rather, applicants should be required to describe the density of the proposed development in terms of the number of units and at least one other measurement, and the local planning authority should have the discretion to require the developer to describe the density using any other measurement as appropriate.

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<sup>3</sup> LSE. London Plan Density Research Project 1: Defining, Measuring and Implementing Density Standards in London. 2016.

[https://www.london.gov.uk/sites/default/files/project\\_1\\_defining\\_measuring\\_and\\_implementing\\_density\\_standards\\_in\\_london.pdf](https://www.london.gov.uk/sites/default/files/project_1_defining_measuring_and_implementing_density_standards_in_london.pdf).

- 3.31 There appears to be a typographical error in **Policy D6(D)(3)**. The text reads ‘number or bedrooms per hectare;’ it should be amended to read ‘number of bedrooms per hectare.’
- 3.32 **Policy D7 Public realm** is a more detailed policy than its iteration in the current London Plan (Policy 7.5 Public realm). In this respect it is a counterpart to **Policy D1** and it seeks to ensure that the conditions are created to support a number of desired results. The policy lists 13 ambitions that development plans and development proposals should accomplish with regards to public realm. These represent a strong recipe for the creation of safe, comfortable, and vibrant spaces which serve the varying needs of a range of people throughout different times of the day and the year. It is recommended that two additional ambitions are considered: to create and retain natural features; and, to have regard to existing identity and context, which should inform and inspire the way public realm is designed and how it functions.
- 3.33 The means by which **policy D8 Tall buildings** seems to return a significant level of control over tall buildings to the boroughs is welcomed. Notably, **Part A of policy D8** states that London boroughs through their Development Plans should define what is considered a tall building. This is important because the word ‘tall’ is a highly relative term; a building which might be considered tall in Bexley or other parts of outer London could be perceived as the norm in the City of London. The **Bexley Growth Strategy** sets out that the tall buildings of choice in Bexley are mansion blocks of typically four to eight storeys in height. This building type is considered a means of increasing density without overwhelming the distinct suburban character of Bexley. These types of buildings will meet the right needs, integrate well into the existing streetscape and enhance the skyline, so that they, amongst other things, provide a strong contribution to the public realm.
- 3.34 Each London borough’s definition of a tall building will be irrelevant to whether an application is of potential strategic importance and therefore referable to the Mayor. Currently, an application is referable by means of its height if it meets any of the criteria set out under **Category 1C of the Mayor of London Order (2008)**, which presumably will remain in force with regards to whether a building is referable, and that those buildings considered tall under a borough definition but not under these criteria would not be referable. If a proposal comes forward that meets a London borough’s definition as a tall building, Development Plan policies (e.g. Local Plan and London Plan) relating to tall buildings will become a material consideration in determination of the application, even if the building is not considered tall under the definition in the Mayor of London Order. When considering referable planning applications, the GLA’s Planning Decisions Unit must apply any relevant London Plan and Local Plan policies on tall buildings, even if the proposal does not meet the criteria for a tall building as set out in the Mayor of London Order.
- 3.35 **Part B of Policy D8** sets out that London boroughs will also be able to identify on maps in Development Plans the locations where tall buildings will be appropriate. Further explanation should be given on the relationship between this exercise and the evaluation proposed by **Policy D2**, which will inform the appropriate forms of development within an area, including height.

- 3.36 The **Bexley Growth Strategy** sets out that towers of up to approximately 15 storeys are only appropriate in focussed clusters where they are needed architecturally for way finding or to significantly enhance the skyline, taking into consideration the character of the area, including its topography. There are a very few locations within Bexley which are appropriate for these types of tall buildings. Unfortunately, however, there are some towers in inappropriate locations, either historical relics from the mid-20<sup>th</sup> century or more recent developments allowed on appeal. Subsequently, developers use these existing buildings to argue that a precedent has been set. To address this issue, it is essential that **Policy D8** state that existing tower blocks do not necessarily set precedents for additional tall towers.
- 3.37 **Part C** of **policy D8** sets out a number of potential impacts that local planning authorities should consider when assessing applications for tall buildings. The language in this section represents an improvement on the current London Plan Policy 7.7 Location and design of tall and large buildings because it shifts the focus from demonstrating a lack of harm and mitigation of harm to demonstrating a positive contribution. For example, **D8(C)(1)(b)** does not just require proposals to have no adverse impact on the spatial hierarchy of the local and wider context, but to positively reinforce that spatial hierarchy. This approach should be reflected in each of the considerations; it is currently not reflected in the line on World Heritage Sites and in the line on strategic or local views along the River Thames.
- 3.38 The draft Plan is absolutely correct to note in **Paragraph 3.8.1** that '*high density does not need to imply high rise.*' In fact, for many schemes, broadly the same number of units could be achieved through mid-rise solutions, through a more efficient use of the plot. These mid-rise solutions are often much more appropriate in both form and function, but are often not even considered because developers are intent on a high-rise design approach. The adopted **Bexley Growth Strategy**, for instance, considers that mansion blocks of four to eight storeys to be an appropriate typology for the borough, based on extensive evidence prepared that supports the strategy. Therefore, it is recommended that **Policy D8** include a requirement that applicants consider alternative design approaches early in the design process. The supporting text for **Policy D4 Housing quality and standards** already suggests that applicants should consider alternative design arrangements to accommodate the same number of units; this should be a requirement when applicants submit proposals for tall buildings. Requiring an alternative design will encourage developers to think more creatively about how to achieve the most efficient use of the land. Where alternative approaches demonstrate that a proposed development could achieve similar numbers of units and bed spaces without the need for a high-rise but the applicant insists on the high-rise approach, that approach must be meticulously justified, with particular regard to issues including local identity and context, sustainability, and positive contributions to visual and functional impacts.
- 3.39 **Policy D8** states that '*tall buildings have a role to play*' in terms of meeting housing need and contributing to the legibility of the city's built form. This is certainly true of tall buildings of around four to 10 or even 15 storeys. However, very tall towers – typically considered those of 20 storeys or more in the development process – are far less justifiable. The role that very tall towers play in London's built environment should be strictly limited.

- 3.40 Very tall towers are an inefficient means of providing housing, because increased construction and maintenance costs require financial returns that encourage developments with as few as two to four units per core. As a result, increased height often does not lead to a substantial increase in units. The reality is that towers are less a response to the need for more housing, and are more usually a response to meet the preferences of a particular market segment, which is more interested in creating investment opportunities than creating high-quality homes where people live out their lives. When this is considered alongside the architectural, environmental, and social consequences of very tall towers, it becomes apparent that the role for very tall buildings in London must be strictly limited. They should be allowed where they will assist with regeneration, or where they are needed architecturally for way finding or to significantly enhance the skyline. Otherwise, very tall towers should not be allowed. **Policy D8** should therefore include a presumption against very tall buildings. It should state that tall towers must be meticulously justified.
- 3.41 **Policy D10 Safety, security and resilience to emergency** reiterates the need for design to consider how to create protection from and resilience to emergencies. **Policy D11 Fire safety** also address fire safety, with a particular emphasis on features to reduce the risk to life and to minimise the spread of fire, designing a means of escape, and ensuring access to firefighting equipment. Whilst the Council supports these ambitions, where these issues are already addressed in the Building Regulations, there should not be repetition or perhaps even contradiction in planning policy. On fire safety, for instance, the government is undertaking a review, and there is concern that the draft London Plan pre-empts the outcome of that review. Where these issues are not addressed by the Building Regulations, it is recommended that the policies related to emergencies are consolidated into one policy. Creating one policy which comprehensively addresses these issues will ensure a more consistent approach in planning decisions, and will make the draft Plan less confusing.
- 3.42 The Council supports the principle set out in **Policy D12 Agent of Change** as a tool to allow noise-producing uses to sit comfortably with residential uses. Ensuring that residential can exist side-by-side with other uses is becoming increasingly important as more residential development takes place in locations with potential noise, including town centres and employment areas. Residents who move into these settings must accept that noise levels will be greater than those found in the suburban hinterlands. Noise mitigation works are not only about soundproofing, but also about management plans to address other potential causes of noise, such as queues of people outside of nightclubs or crowds of people leaving concert venues.

## Chapter 4 – Housing

- 4.1 The Council recognises the challenge presented by the current housing crisis, in particular the issues of delivery and affordability. It is essential that housing provision is tackled in a realistic and achievable way taking into account the opportunities and challenges within individual boroughs.
- 4.2 Bexley's adopted growth strategy, prepared in partnership with the GLA, sets out how a significant but sustainable increase in housing can be achieved in the borough. A highly propositional document, the **Growth Strategy** considers what can be achieved with a significant uplift in infrastructure investment. This document looks at growth



over a 30-year timeframe and as such, the first ten years, which correspond with the 10-year housing target period in the draft London Plan, would still only see relatively modest levels of uplift in supply, as the necessary infrastructure will take time to be put in place.

- 4.3 The imposition of a London-wide approach, set out in **Paragraphs 4.1.1 to 4.1.4**, without regard to local character, infrastructure and markets is doomed to failure and will inevitably make matters worse. Policies need to reflect different markets and address the issues of affordability in central and inner London rather than driving demand into outer London where meeting local need is already an issue. The Council is carrying out its own local **Strategic Housing Market Assessment (SHMA)** to provide a sound evidence base for the emerging new Local Plan for Bexley. The intention is to provide a report tailored to the unique characteristics and needs of the borough and the role it has within the London Housing Market.
- 4.4 Following on from the Growth Strategy, and informed by the new local SHMA, a Housing Strategy for Bexley is to be produced with a focus on the positive impact of housing growth on the health and well-being of residents, the economy of the borough, and the local environment. In this context, the Council is taking steps to ensure Bexley plays its part in securing quality homes in the right places using a robust local evidence base and deep knowledge of the local area. Viability for schemes in Bexley is a key issue as low land values and high build costs combined with the need to provide other essential infrastructure means that bringing sites forward for residential development can be complex. There is a pressing need for significant infrastructure investment to enable the development of sites at higher densities as part of liveable, lifetime neighbourhoods. As such, the rate of housing delivery suggested in **Paragraph 4.1.3** will not be achievable.
- 4.5 In terms of improving skills, capacity and building methods, the Council is developing proposals for a new **Place and Making Institute** in east Thamesmead, in partnership with Peabody and London South East Colleges, to address the critical skills, training and recruitment shortages in the built environment sector. Working closely with businesses, the Institute will help to provide a workforce with the skills essential to delivering good growth, generating new learning and employment opportunities for local residents and people across the region in roles related to civil engineering, construction, architecture and landscaping.
- 4.6 As suggested in **Paragraph 4.1.5**, The Council has established its own development company, BexleyCo, as a vehicle for securing much needed quality local housing in the borough. BexleyCo is working towards bringing forward plans for around 500 homes in its first two years of operation. This includes developing land already in the Council's ownership as well as acquiring new sites for development.
- 4.7 The current Local Plan for Bexley identifies Bexley's Opportunity Areas and its main town centres in the rest of the borough as the sustainable locations for growth in its overarching strategic policy CS1. This policy is in line with **Part B(1) of Policy H1 Increasing housing supply**, including making provision for the development of appropriate windfall sites. The housing capacity achieved from identified sites in these locations is in line with current London Plan housing supply targets, which have

been set by the GLA in partnership with Bexley from the **2013 SHLAA**, considering the lack of good public transport connectivity.

- 4.8 The capacity figures for large sites in these areas, updated in the **2017 SHLAA**, show that with current infrastructure investment commitments, Bexley can make a modest increase to its current London Plan target of around 25%. This includes a realistic assumption on the amount of genuine small sites coming forward using the small sites methodology that had been consulted on prior to the SHLAA exercise taking place. However, this increase in supply is less than half of the proposed housing target for Bexley set out in **Table 4.1** of the draft Plan, and the small sites allowance is less than an eighth of that envisaged in **Table 4.2**. The reference in **Paragraph 4.1.7** that the targets are based on the 2017 SHLAA is misleading; the small sites allowance proposed for London boroughs was generated using a methodology that was created *after* the main study was completed, and that was *not developed in consultation with the boroughs*. This is addressed further in paragraphs 4.18 to 4.23 below.
- 4.9 It is noted that this is no longer a housing *supply* monitoring target, but target for net housing *completions*. As the Mayor is no doubt aware, the granting of planning permission for development does not necessarily lead to the development being built, and at the moment, local planning authorities have no powers to force developers to build.
- 4.10 The types of sites put forward in **Part B(2)(a) to (e)** of **Policy H1** may not contribute to any significant capacity in Bexley unless they are in a location identified for sustainable development in the Local Plan, given the lack of any real options other than for car-based transport. Proposals for higher density buildings in Bexley around railway stations and major town centres will need to be balanced with the impact on the surrounding area and sufficient space being available for any identified infrastructure required. Bexley's town centres lack the existing or planned transport capacity to support higher levels of housing density. Similarly, the transport hubs in the borough are very limited in reality and cannot be compared to others in central and inner London— even with relatively high PTAL levels, places such as Bexleyheath suffer from poor transport choice and a lack of resilience and reliability. Enabling infrastructure support is key, otherwise new development will be disconnected and all that means for social mobility and economic prosperity.
- 4.11 Employment sites (**Part B(2)(f)** of **Policy H1**) are located in Bexley's Opportunity Areas and have been identified for potential release within the **Bexley Growth Strategy**, a proposition that will be considered in more detail within Opportunity Area Planning Frameworks for Thamesmead and Abbey Wood and Bexley Riverside. Balancing competing demands by co-locating and integrating different uses within buildings, sites and neighbourhoods will be extremely challenging especially given the nature of existing industrial activities. In Bexley, the role of retained employment land is likely to continue to focus on waste and warehousing and distribution with limited scope for sector shift unless there is a significant uplift in accessible transport connectivity. No examples have been provided of satisfactory typologies that effectively integrate these uses vertically without affecting quality and amenity. It is doubtful whether a truly satisfactory solution can be found without compromising the residential element. In this context, densification of remaining employment areas is

considered to hold significant potential thereby allowing release in the best-connected locations. This matter is considered further in comments on Chapter 6 – Economy.

- 4.12 The Council considers that the housing target for Bexley has not been prepared with robust evidence and is therefore unrealistic and undeliverable. Many areas in the borough do not yet have committed, or even planned, new sustainable transport infrastructure to allow the high-density and mixed-use development needed to support the housing supply target that has been set for Bexley in **Table 4.1**.
- 4.13 The Council is in principle supportive of the sustainable intensification of existing residential areas on identified sites in appropriate, accessible locations and sets out the conditions and areas for growth within its adopted Growth Strategy. Fundamental to the approach set out is that investment in infrastructure supports the increase in population and that the development is particularly sensitive to the existing character and context. Identified development capacity is concentrated within Bexley's underused but well-connected employment areas near transport hubs and through the intensification of town centres, and not through a hugely damaging and undeliverable densification of existing residential areas across the borough.
- 4.14 There are a number of design solutions that allow higher density developments to fit well with the existing suburban context. Examples includes terraces of houses punctuated with small blocks on either end, maisonettes or small blocks of flats that have the appearance of semi-detached houses, or stacked maisonettes. This type of development is successful where it provides many of the reasons people value suburban living – including privacy, back gardens, and entrances directly onto the street – at densities that optimise the use of the site whilst retaining the character of the area.
- 4.15 A key objective of the current Local Plan is to
- “Create a borough of contrast and choice of living styles, through preserving and enhancing the best areas of family housing and encouraging high quality, compact, mixed use and higher density development in locations with good public transport.”*
- 4.16 There is some current capacity to provide additional housing through some suburban intensification, including in-fill sites, but again in sustainable locations. However, the draft London Plan policy shift in **Policy H2 Small sites** will not encourage the huge increase in applications or completions that would be required to meet the small sites element of the housing target.
- 4.17 The economics of small-scale development are difficult and there is no real evidence of significant market demand for such schemes. An overreliance on these developments to meet housing targets will lead to an inability to identify an appropriate supply of deliverable land, undermining the five-year supply of housing land and resulting in planning by appeal, which will imperil safeguarded land and critically undermine the London boroughs' efforts to plan their areas effectively. Small sites are also unlikely to make any meaningful contribution to any new infrastructure, including school places, required when struggling with viability in the context of low land prices and increasing build costs whilst the incremental impact of such densification on the character of the area would be significant.

- 4.18 There is a striking and alarming increase in the small sites element of the housing supply for Bexley. The annual target for net housing completions on small sites is 865 for Bexley, set out in **Table 4.2**, which represents an eightfold increase from the existing small sites element of the current target. We are clear that the borough-level small sites targets are reliant on an unsound methodology, and based on an unrealistic assumption about the level of future potential growth in existing residential areas.
- 4.19 The small sites methodology was determined without consultation between the GLA and the London boroughs. The SHLAA methodology consultation stated that
- 'additional scenario testing on small sites will also be undertaken to explore the potential for trends in housing completions in terms of delivery and density to be increased as a result of planning policy changes in the London Plan and Government reforms, for example, the scope for suburban intensification and whether the use of brownfield/small sites registers and permission in principle might increase housing delivery. The methodology and approach to scenario testing small sites 'windfall' assumptions will be developed in more detail at a later date and will be shared with boroughs for comment.'*
- 4.20 However, this information was not shared before the consultation closed in January 2017, depriving boroughs of the opportunity to comment on the detailed assumptions. Furthermore, boroughs were not made aware of the final methodology until the targets were distributed in September 2017. The GLA failed to reach out to boroughs to see if the proposals are deliverable. As a result, it has produced a draft London Plan with undeliverable small sites targets.
- 4.21 The GLA small sites methodology assumes a 1% annual growth in existing residential areas with PTALs of 3 to 6 or within 800m of a railway station or tube station or a town centre. This growth is expected at a net growth factor of 2.2 units in areas of semi-detached or detached houses and 1.3 units in areas of terraced housing. The methodology reduces its assumptions regarding the level of growth in conservation areas and excludes existing flats, maisonettes, apartments, and listed buildings.
- 4.22 The 1% assumption is not based on evidence. It is a wildly optimistic aspiration, unsupported by the change in policy. The 2017 SHLAA report simply states, at Paragraph 6.24, that the *'1% assumption is considered to provide a reasonable estimate for the level of net additional housing that could be provided in view of the potential impact of the proposed policy changes in the draft London Plan'* with no justification for why it is considered a reasonable estimate. In fact, the assumption is entirely unreasonable. This methodology results in a small sites target that far exceeds what has previously been achieved.
- 4.23 The increase required is substantial. The GLA has not revealed the current rate of growth within existing residential areas. However, figures from the London Development Database show that, in the eight financial years from 2007/08 to 2014/15, 22,143 net residential units were delivered on small sites. This is approximately 2,768 per annum over that period. By contrast, the London-wide draft small sites target in **Table 4.2** is 24,573 per annum; this is an 880% increase on what

is currently achieved on these sites. Determining the quantitative impact of any planning policy is necessarily guesswork.

- 4.24 It is clear that **Policy H2** is wholly inadequate as a mechanism for driving such a change whilst also raising significant concerns around the quality of any development that does result. Paragraph 4.2.1 makes the assumption that London boroughs' Local Plans do not currently have policies in place, with the statement that '*achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.*'
- 4.25 Whilst the current London Plan does not include a small sites policy, Bexley's Local Plan does. Saved UDP Policy H8 is highly permissive of development of small sites. Even on the most constrained types of small sites – new dwellings to the side or rear of existing dwellings and sited on gardens or incidental open space – the policy simply sets out four additional criteria that proposals must meet:
1. adequate and safe access for vehicles and pedestrians is provided, with no adverse effects on the amenities of adjacent dwellings and their gardens;
  2. the proposed dwellings are adequately separated from other dwellings in terms of their amenities, light, privacy and garden space;
  3. there is no adverse effect on the character of the area, including cumulative effects; and
  4. nature conservation features of interest, such as trees, hedgerows and ponds, should be preserved.
- 4.26 Under this policy, the Council approved more than half of all applications on small sites between FY2011 and FY2016<sup>4</sup>. Similarly, the Council approved over two-thirds of all applications for conversions between FY2011 and FY2016<sup>5</sup>. Where applications were refused, issues other than the site constraint were often to blame. This demonstrates that the existing policy framework is amenable to small housing development.
- 4.27 **Policy H2** proposes a presumption in favour of small housing developments, where, in the absence of local design coding, applications will be approved unless it can be demonstrated that it would give rise to '*an unacceptable level of harm to residential privacy, designated heritage assets, biodiversity or a safeguarded land use...*'. Confusingly the explanation for the policy at **Paragraph 4.2.8** also states that schemes should achieve '*good design and ensure that existing and proposed homes benefit from satisfactory levels of daylight and sunlight.*' It is wholly unclear whether these requirements are relevant to the presumption in favour of small sites in the absence of a design code. As the policy stands, where no design code exists, there are only four relevant considerations and these exclude requirements to: achieve good design, avoid loss of sunlight or overshadowing, preclude the creation of overbearing structures that create poor outlook and ensure safe access to the site by

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<sup>4</sup> Dataset comprised of all applications for new build developments of 10 units or less on sites of 0.25ha or less (Type 13, with manual removal of units created through extensions or conversions).

<sup>5</sup> Dataset comprised of all applications for changes of use (Type 18) and where units of accommodation may have formed part of a mixed development (Type 20).

pedestrians, cyclists or car drivers. The consideration of car access is relevant as **Policy T6 Car parking** allows London boroughs to set minimum parking standards in areas of PTAL 0-1. However, the presumption in favour of small housing sites precludes any ability to implement this approach.

- 4.28 The Council is very concerned that in the absence of a design code – which as set out in the response to **Chapter 3 - Design**, will be a significant piece of work, with major resource implications that will take time to undertake – poor quality development will emerge that will result in poor living environments, for new and existing residents, and inadequate access. Moreover, as previously stated, changing the character of popular residential areas will undermine people’s support for and confidence in the benefits of change.
- 4.29 In conclusion, the reliance on small sites creates a significant risk that the replacement London Plan borough housing targets are unachievable. The draft London Plan does not meet objectively assessed need because it relies on an optimistic assumption about small sites, not an evidence-based calculation of development capacity. Forcing unrealistic targets on boroughs almost creates the certainty that they will be unable to meet these targets, which could then result in planning refusals allowed on appeal, and the inability to progress sound Local Plans, thereby undermining the approach to sustainable development that is at the heart of the draft London Plan.
- 4.30 Two other policies are inconsistent with **Parts G and H of Policy H2**, which address developments of 10 units or fewer. **Part G** allows for no M4(3) homes, even though **Policy D5** requires that 10% meet this requirement. A development of 10 units should therefore potentially deliver one unit at the M4(3) standard. It is recommended that this policy conflict be corrected. **Part H** supports boroughs in applying an affordable housing requirement to developments of 10 or fewer units where this is the main source of housing supply and play an important role in contributing to affordable housing delivery. **Paragraph 4.2.12** sets out further detail, including encouraging boroughs to include policies in their local plans requiring an affordable housing cash in lieu contribution from sites of 10 units or fewer.
- 4.31 **Parts G and H of Policy H2** address developments of 10 units or fewer and the measures proposed in these parts could be considered inconsistent with other policies in the draft Plan. **Part G** allows for no M4(3) homes, even though the accessible housing **Policy D5** requires that 10% meet this requirement. A development of 10 units should therefore potentially deliver one unit at the M4(3) standard. It is recommended that this policy conflict be corrected. **Part H** supports boroughs in applying an affordable housing requirement to developments of 10 or fewer units where this is the main source of housing supply and therefore plays an important role in contributing to affordable housing delivery. **Paragraph 4.2.12** sets out further detail, including encouraging boroughs to include policies in their local plans requiring affordable housing from sites of 10 units or fewer. However, the affordable housing Policy H5 makes no mention of the importance of small sites in the delivery of affordable new homes across London. Given the importance the draft Plan places on small sites in providing the capacity to meet housing need, it is surprising that Policy H5 makes no direct link to Part H of Policy H2. Part B of Policy H5 mentions cash in lieu contributions in ‘*exceptional circumstances*,’ and a footnote linked to Paragraph

4.5.6 is the only reference back to Policy H2 (and even here, the reference is incorrect; Part F is referenced instead of Part H). Perhaps it is that the Mayor is perfectly aware of the dilemma posed from both encouraging small sites to come forward and from seeking 50% affordable housing from all new homes. Smaller developments in outer London will be less likely to be viable if an affordable housing contribution is required, so he is leaving it to the boroughs to put it in Local Plans.

- 4.32 **Table 4.3 Proximity to town centres** also identifies on the map 800m circles from a London Underground Station. It should be noted that there are no London Underground Stations in Bexley. The blue circles in Bexley represent 'heavy rail' stations, with as few as six trains an hour into London at the peak morning commute, in stark contrast to a train every two minutes on the Tube.
- 4.33 Several of the statements in **Policy H3 Monitoring housing targets** need clarification. **Part B** of **Policy H3** notes the contribution of the delivery of small sites towards the small sites targets in **Table 4.2**. However, it should be clarified that this target is a subset of the overall housing target set in **Table 4.1**, and therefore the delivery of housing on small sites also contributes to this target. In addition, **Paragraph 4.3.1** states that both housing completions and approvals will be monitored when assessing progress against the housing targets. Does this mean that planning approvals will count as meeting the defined target of '*net housing completions*'?
- 4.34 Whilst the principle of **Policy H4 Meanwhile uses** is welcome, there is concern that including housing as a meanwhile use could cause distress to people occupying these homes; especially if evicting them from the temporary accommodation would mean that, they would become homeless. Even the most well intentioned residential meanwhile use could end up in the courts, with residents unwilling to leave and the subsequent impact being the delay to the longer-term development. The inappropriate growth of small HMOs is an example of the scope to exploit this type of policy. It is recommended that meanwhile uses on development sites be for uses other than housing.
- 4.35 The proposed strategic affordable housing target set out in **Policy H5 Delivering affordable housing** is undeliverable. Over the past three reporting years, affordable homes have not exceeded 15% of total housing approvals in London and it is unlikely that any of the specific measures in the policy will alter this performance significantly. Insistence on such an unrealistic target will ultimately be counterproductive, dissuading development from coming forward and reducing the supply of housing overall. In addition, it is unclear from the wording in the policy if the 50% is over the life of the Plan, or an annual target.
- 4.36 **Part B** of **Policy H5** notes that contributions as off-site or as cash-in-lieu are only to be provided in exceptional circumstances. The only reference to this being the preferred approach to affordable housing delivery on small sites is provided as a footnote to **Paragraph 4.5.6**, and this incorrectly references the wrong part of **Policy H2 (Part F** is referenced instead of **Part H)**. It is recommended that the affordable housing contribution that can be made from small sites be directly set out in **Policy H5**.

- 4.37 Bexley's Local Plan policy *aspiration* is to achieve 50% affordable housing as a proportion of all provision *over the plan period as a whole*, with provision delivered on-site and off-site contributions only accepted in exceptional circumstances. However, historically low land values and high build costs combined with the need to provide other essential social infrastructure on sites means that delivering affordable housing is extremely challenging in Bexley.
- 4.38 The approach set out in **Policy H6 Threshold approach to applications** broadly reflects the approach taken to viability appraisals by London Borough of Bexley, which has a Local Plan policy defined minimum target of 35% from private developments of more than 10 units. The proposal to set a threshold level of affordable housing at 50% for public sector land and Strategic Industrial Locations, Locally Significant Industrial Sites and other industrial sites deemed appropriate for release for other uses will be extremely challenging for many schemes in Bexley due to viability issues. Low land values and high build costs combined with the need to provide other essential social infrastructure on sites, means that there is little choice but to accept lower levels of provision or defer contributions until later phases in the expectation of capturing subsequent uplifts in value. **Paragraph 4.6.6** makes an assumption about the difference in values between industrial and residential development leading to an expectation in the delivery of 50% affordable housing on industrial sites released for housing. In Bexley, the value of land in industrial use in some areas can be equivalent to land in residential use, making a 50% requirement for affordable housing unachievable.
- 4.39 **Paragraph 4.6.3** sets a requirement for the affordable housing on a scheme to be presented as a percentage of total residential provision in habitable rooms, units and floor space to enable comparison. However, this does not enable comparison with the market units on the scheme. Therefore, all housing, of all types and tenures, should have the requirement, to enable a full comparison of all housing on a scheme.
- 4.40 **Paragraph 4.6.5** states that, where there is an agreement with the Mayor to deliver at least 50% affordable housing across a portfolio of sites on public sector land, then the 35% threshold should apply to individual sites to be considered for the Fast Track Route. **Part A(3) of Policy H5** requires affordable housing providers with agreement with the Mayor to deliver at least 50% affordable housing across their portfolio, but no individual site requirement has been set.
- 4.41 The Council is carrying out a local SHMA as evidence supporting a new Local Plan, and a new Housing Strategy for Bexley. This will be produced with a focus on the positive impact on the health and wellbeing of residents, the economy of the borough, and the local environment. The Council considers it essential that a clear understanding of local need is obtained in order to inform locally specific policies on housing and enable the better interpretation of London wide policies at the local level and it should be left to the individual authority to identify the best way of doing this.
- 4.42 The flexibility on affordable housing tenures set out in **Policy H7 Affordable housing tenure** is welcomed as a tailored approach across the borough is appropriate, and agree this will aid regeneration of such areas, which are often mono tenure in nature. The challenges of estate renewal and the necessity to generate sufficient value from market development means that flexibility on affordable housing tenures is essential



to deliver regeneration schemes that achieve mixed and balanced communities. **Paragraph 4.7.10** provides the ability of boroughs to set other eligibility criteria that reflects local need, and presumably, this can include homes for essential workers. In this it is disappointing that this local criteria cascades out to London-wide eligibility criteria within three months.

- 4.43 Estate regeneration needs to take account of the specific circumstances of each site, local housing need, viability and the nature of the surrounding area. Bexley still has mono tenure estates at Arthur Street and Thamesmead. A no loss of affordable housing approach, as set out in **Policy H10 Redevelopment of existing housing and estate regeneration**, whilst welcome in helping to meet our significant homelessness challenges, also reduces the potential to create more mixed and sustainable communities as well as potentially affecting the viability of schemes in the first place. A more flexible approach is required in such circumstances acknowledging the difficulties of making schemes work and the broader benefits of such proposals.
- 4.44 **Policy H12 Housing size mix** sets out, in **Part A(8)** and **(9)** measures to protect family housing. These measures are welcome; however they conflict with **Part D(2)(a) to (c)** of **Policy H2**, which requires boroughs to apply a presumption in favour of proposals to increase density of existing residential homes through conversions, extensions and the demolition and redevelopment of existing homes.
- 4.45 The Council is carrying out a local SHMA, and a new Housing Strategy for Bexley will be produced with a focus on the positive impact on the health and well-being of residents, the economy of the borough, and the local environment. This assessment will consider dwelling sizes for all tenures, which includes market and intermediate housing. The requirement therefore in **Part C** of **Policy H12** is inappropriate. Being able to set a mix of housing types across all tenures allows for positive planning of mixed and balanced communities. Supporting **Paragraph 4.12.2** is particularly unhelpful in that it fails to recognise that housing need is about more than low cost rented units. All housing, whatever the tenure, meets a housing need. A comprehensive new local SHMA will consider the needs of all Bexley's residents and housing tenure and type will be set accordingly. Individual schemes can still vary the mix of sizes and tenures, as long as there is consideration of the overall needs of residents across the borough, set by the local assessment.
- 4.46 The Council has recently completed a study considering the correlation of anti-social behaviour with poor housing standards within the private rented sector and in particular those relating to HMOs. This work has provided the evidence to support the introduction of licensing schemes for Bexley.
- 4.47 The provision of a definition, in **Policy H13 Build to Rent**, and guidance for a planning covenant to cover specific planning permission for rental development with clawback arrangements if units are sold outside of the rental market is welcomed. Clarity on how affordable housing will be delivered in Build to Rent development models, including guidance on management is also welcomed.
- 4.48 **Policy H14 Supported and specialised accommodation** sets a requirement in **Paragraph 4.14.1** for boroughs to undertake assessments of need. The Council is carrying out a local SHMA, and a new Housing Strategy for Bexley will be produced

with a focus on the positive impact on the health and well-being of residents, the economy of the borough, and the local environment. The new local SHMA will identify the needs for supported and specialised housing in the borough and the intention is to create specific surveys targeting specific groups, which go beyond that which desktop research can provide. This will identify the needs across Bexley for specific types of housing including supported and specialised accommodation (including those types falling under C2, C3(a) and C3(b)). A key priority is to provide options for individuals to move to more appropriate accommodation that meets their requirements and enables them to access the housing and support they need to remain independent.

- 4.49 The new local SHMA will also address the housing needs of older people, which is a key issue for Bexley. The population of Bexley is ageing; life expectancy at the age of 65 is above the national average and there has been a significant rise in the number of people aged 65+ in the borough. Changing aspirations and the fact that people are living longer, more active lives means that different levels of graduated care are needed. It is important that new development expand the choice for existing and future generations of older people in places where they are well connected and can live independent lives. The clear definitions of the use class of types of specialist housing in **Policy H15 Specialist older persons housing** and in **Paragraph 4.15.3** is welcome. In 2017, the Council undertook a targeted consultation exercise looking at older persons housing and specifically the access into some form of sheltered accommodation.
- 4.50 The requirements set out in **Policy H16 Gypsy and Traveller accommodation** are noted, along with the acknowledgement in **Paragraphs 4.16.2** and **4.16.3** that this policy is not consistent with government's current planning definition. The definition and provision of affordable student accommodation set out in **Policy H17 Purpose-built student accommodation** is welcomed. The new local SHMA, currently in preparation, will assess Gypsy and Traveller accommodation in the borough, and the requirement for student accommodation.
- 4.51 Policy H18 Large-scale purpose-built shared living provides a clear definition of this type of housing, and sets out details including that, schemes should only be supported where they meet a local need, which the Council supports. Clarity on cash in lieu affordable housing payments and guidance on scheme management is provided, and this is welcomed, although there is no direct reference in the affordable housing Policy H5; it is only in a footnote to paragraph 4.5.6 where the link to Policy H18 is made. A direct reference in Policy H5 would be more appropriate. The new local SHMA will identify the local need for this Sui Generis market housing.

## **Chapter 5 – Social Infrastructure**

- 5.1. The Council welcomes the emphasis placed on the importance of social infrastructure in the draft Plan in dedicating an entire chapter to this important element of sustainable development. **Paragraph 5.1.3** indicates that the policies in **Chapter 5** will be supported with forthcoming Supplementary Planning Guidance (SPG), further emphasising its importance. The provision and safeguarding of social infrastructure is at the heart of creating and supporting sustainable and inclusive communities.

- 5.2. The chapter does not include a definition of social infrastructure. The definition in the **Glossary** provides examples of the types of facilities that are considered social infrastructure, but notes that the list is not exhaustive and that other facilities can be included as social infrastructure. This approach is welcomed because it gives London boroughs the flexibility to identify a particular facility as social infrastructure on a site-by-site basis, meaning that the social infrastructure policies in a borough's Development Plan can be used even when the type of facility in question may not be in the list of examples in the **Glossary**. The **Bexley Core Strategy** has a broad list of the types of services that can be considered community infrastructure: education; cultural; social; neighbourhood; health, and emergency.
- 5.3. **Part F of Policy S1 Developing London's social infrastructure** sets a presumption against development proposals that would result in a loss of social infrastructure in an area of defined need, and **Part G** requires that redundant social infrastructure is considered for reuse, where appropriate, as another form of social infrastructure. However, both of these parts include qualifications, which could be used as loopholes by developers to push through proposals that would result in the loss of social infrastructure where it is still required. In **Part F**, the presumption against proposals that would result in a loss of social infrastructure only applies in '*an area of defined need.*' However, '*defined need*' is not explained in the policy or the supporting text. Under **Part G**, social infrastructure can be lost if 1) it is redundant and 2) it has been considered for full or partial use as another form of social infrastructure. If this qualifying wording is not removed from **Policy S1**, then the forthcoming SPG must provide further detail on how to establish defined need and set out assessment criteria to ascertain redundancy. Similarly, the SPG should set out what evidence should be provided to demonstrate that a landowner/developer has genuinely considered alternative uses for the site as social infrastructure.
- 5.4. **Part D of Policy S1** encourages co-location of social infrastructure. The forthcoming SPG should provide guidance on co-location, including how to identify opportunities for co-location and how to make it work.
- 5.5. **Paragraph 5.2.4** in the supporting text to **Policy S2 Health and social care facilities** refers to Sustainability and Transformation Plans. However the initiative has recently been named by some NHS organisations as Sustainability and Transformation Partnerships. The correct term should be clarified and used in the Plan.
- 5.6. **Part A of Policy S3 Education and childcare facilities** sets out how local authorities can ensure a sufficient supply of education and childcare facilities. However, the policy and supporting text address a number of issues that are outside the purview of planning, including the quality of educational facilities. In terms of planning, the only real power available to London boroughs is to identify need and to identify land. Direct provision of new schools is not within the boroughs' power, and if new schools are needed then appropriate organisations must be willing to take action. Boroughs can use evidence about the need for new schools to encourage developers to provide new sites for schools, including by setting out the need for schools within a certain area through masterplans or other development frameworks. This is how the Council was able to secure the provision of a school as part of the ongoing Erith Quarry development.

- 5.7. The Council strongly supports children and young people having access to space for play and activity, as set out in **Policy S4 Play and informal recreation**. The existing requirements are used frequently in development decisions, with the result that recent development offers a variety of space and facilities to meet the needs of children and young people. **Part B** represents a departure from the existing London Plan Policy 3.6 Children and young people's play and informal recreation facilities by prescribing that residential developments incorporate at least 10 square meters of play provision per child. Whilst very young children should have access to some sort of open space within their development, it is not always appropriate to assume that on-site provision is the most appropriate. Developments with small child yields may be better served through off-site contributions to nearby facilities than through the provision of tiny, unusable spaces within the development itself. The level of detail included in **Policy S4** is better left to the Mayor's current **Play and Informal Recreation SPG**, which sets out robust methodologies for determining the appropriate level and type of play space for different developments.
- 5.8. **Part A(3) of Policy S5 Sports and recreation facilities** states that boroughs will be responsible for maintaining and promoting the Walk London Network. This seems to imply that responsibility for these assets will transfer to the Council. If so, it is inappropriate for this decision to be made in and announced by a strategic planning document. There are three Walk London Network routes partially within Bexley: the Green Chain, the Thames Path and the London Loop. Currently, TfL maintains the London Loop. Shifting responsibility to the Council could create significant resource issues. Further detail should also be provided on what exactly is expected of boroughs, in terms of their responsibilities regarding signage, fencing, maintenance of the footway, graffiti removal, and other issues. There should also be greater certainty regarding the extent of the responsibility, including whether boroughs would be expected to maintain the routes only on public land or whether this would extend to parts of the routes where the land is in private ownership.

## Chapter 6 – Economy

- 6.1 **Policy E1 Offices** supports the consolidation of offices where appropriate and locally identified, or their expansion where viable, and this is welcomed by the Council. Bexley contains a relatively small amount office stock, with the majority of this space clustered in and around town and district centres. The borough is not currently viewed as a particularly good office location, with poor public transport connectivity and a lack of critical mass constraining the ability to attract and sustain larger office occupiers compared to nearby office locations. Local commercial agents have noted that there is currently insufficient demand to warrant speculative development in Bexley, and this is unlikely to change over the short to medium term, particularly while vacant office space remains available in nearby locations. There is concern that without the necessary investment in public transport improvements in the borough, Bexley will continue to underperform in the higher value office-based sectors and fail to deliver the much needed office capacity to 2041 as set out in **Paragraph 6.1.2**.
- 6.2 **Paragraph 6.1.6** raises concerns over the loss of offices through Permitted Development. The introduction of Permitted Development rights for the change of use from office to residential has started to have an impact in Bexley and the Council will

clearly need to carefully monitor the future loss of office space. The resources required to implement Article 4 Directions should not be underestimated by the Mayor. Significant evidence gathering and the formation of a robust case is required in order to satisfy the Secretary of State that intervention is necessary.

- 6.3 The Council supports the principles behind providing and protecting a range of B1 business space set out in **Policy E2 Low cost business space**. There is however concern that given the low rental values in the borough, developers may struggle to provide subsidised floor space, because it could undermine the viability of schemes. Bexley has a reasonable amount of space specifically designed for small and start-up businesses. The Thames Innovation Centre already provides 50,000sqft of high quality modern office, meeting and conference space for hire and is located within Veridion Park in between Thamesmead and Belvedere. It is aimed at small to medium enterprises looking for a flexible space for growth. It is important to note that this was only viable due to government grant. Local commercial agents have reported that local SMEs are currently well served by the existing provision, and that the level of latent demand is currently insufficient to require any new enterprise centre/serviced office style accommodation. There may however be scope in the future for additional small scale provision of flexible work space to accommodate both start-ups and expansion of Bexley's growing SME business base, for example co-located with libraries, particularly in light of strong anticipated growth in the borough's population.
- 6.4 **Part B.3 of Policy E2** refers to relocation support. Clarity is sought on the burden of responsibility for this support. The Council does not have the resources to act as a commercial property agent, assisting in relocations, intervening in arrangements and monitoring relocations in relation to the commencement of new development. The Council raises strong concerns on how this is practical and enforceable. **Paragraph 6.2.4** states that '*Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration.*' This is not explicit from the policy wording in **Policy E2** and it should be amended to make this clearer.
- 6.5 The principle of **Policy E3 Affordable workspace** is supported and the Council welcomes the flexibility to consider local policies on affordable workspace in light of local evidence. However, as noted in paragraph 6.3 above, land values have traditionally been lower in Bexley, and in fact, the relatively low land costs are a considerable selling point for the borough. There is a need to balance this against requirements to secure below market rates in Bexley where rents are already among the lowest in London, without impacting on viability. The flexibility in **Part C of Policy E3** is therefore important to allow for local circumstances. Industrial rental values in Bexley are relatively competitive within the context of the wider East London and Thames Gateway area, at just under £9psf (per square foot) for prime industrial accommodation and £5psf for secondary stock. The borough offers a cost advantage over locations such as Beckton and the Royal Docks to the west and Stratford to the northwest, which are more central commercial centres.
- 6.6 The Council supports the 'planned, monitored and managed' approach to the provision of industrial capacity in **Part C of Policy E4 Land for industry, logistics and services to support London's economic function**, however there are strong

concerns regarding the principle of no net loss of industrial floor space capacity in overall terms across London. Bexley has historically not released industrial land to other uses in excess of London Plan monitoring benchmarks. The planned and managed release of industrial land, particularly in the north of the borough is *essential* to unlocking growth in Bexley. This is recognised in the current **London Plan**, the **Bexley Core Strategy**, and is a fundamental part of how sustainable growth can be delivered in the **Bexley Growth Strategy**. When compared with the sector breakdown in London, the borough is significantly over-represented in employment terms in wholesale and transport, construction, and manufacturing, while being significantly under-represented in such higher-value sectors as professional services and finance and insurance.

- 6.7 However, if the Mayor insists on pursuing the key objectives of the draft Plan, then the Council provides the following comments about release of industrial land. There are three boroughs in the 'Limited Release' category (all in the Thames Gateway) as set out in **Table 6.2** where industrial land vacancy rates are currently well above the London average. There is scope in these selected boroughs for limited release of industrial land in SIL and/or LSIS through a plan-led approach to reduce these vacancy rates and support the re-use of surplus land and floor space for other uses. The Council strongly considers that Bexley, also a Thames Gateway borough that includes one of the largest Opportunity Areas in London, shares the same characteristics of the boroughs that are earmarked for limited release, including an above average vacancy rate, and should therefore be in the limited release category as per Paragraph 6.4.8. Bexley is in the 'managed release' category in the current London Plan and the Council considers that this should remain the case. Therefore, **Table 6.2** will need to be revised to reflect this change.
- 6.8 Paragraph 2.2.3 of the Mayor's **Industrial Land Supply and Economy Study** (2015) states that in Bexley, vacant industrial land, as a per cent of all core and wider uses, is 12.9%. This is above the guideline frictional vacancy rate of 8%. Figure 2.15 of the Study shows that Bexley has released a *fraction* of its industrial land to other uses, over the time period from 2001 to 2015. This means Bexley has consistently released less than the SPG benchmark release figure.
- 6.9 Paragraph 3.7 of the Mayor's **London Industrial Land Demand Study** (2017) states that Bexley has a vacancy rate of above 10%. At table 13.3 (Industrial land release by borough 2016-2041), it shows that the surplus from excess vacant land is 48.8ha, and when demand is factored in, there is a net release of 15.9ha. Appendix 4 of the Study sets out the *Intensification & Substitution Scenario by Component of Demand*, which shows that Bexley is capable of a net release of 128ha. Clarity is sought on the workings behind this calculation and the assumptions used in order to assist the Council in its ambitions for growth and determining the appropriate release category in the draft London Plan.
- 6.10 The Council questions why the principle of no net loss of floor space capacity does not apply to sites previously used for utilities infrastructure or land for transport functions that are no longer required as per **Paragraph 6.4.5**. The use of such land for industrial uses is likely to be appropriate in some locations, given the inherent characteristics of these types of sites and this will allow the release of industrial land for mixed or residential uses to achieve their maximum potential.

- 6.11 It is noted that there is no longer the distinction between Industrial Business Parks (IBPs) and Preferred Industrial Locations (PILs) that is in the current London Plan. This policy served to direct 'dirty' industrial uses to appropriate locations and protects the higher value sectors based in IBPs. The removal of this distinction could put pressure on the higher value B1 uses to relocate should 'bad neighbour uses' move into such areas. This distinction should therefore be reinstated.
- 6.12 The Council has strong concerns regarding the 65% plot ratio used in **Paragraph 6.4.5**. This states that:
- 'Floor space capacity is defined here as either the existing industrial and warehousing floor space on site or the potential industrial and warehousing floor space that could be accommodated on site at a 65 per cent plot ratio (whichever is the greater).'*
- 6.13 Local evidence prepared for the Bexley Growth Strategy finds that in the borough, a plot ratio of 40% has been applied to industrial (B1c, B2 and B8) floor space so that a 1ha site would be needed to accommodate a footprint of 4,000sqm of employment floor space. This has been calculated by applying appropriate plot ratio assumptions to the floor space estimates using a number of assumptions and local adjustment factors to reflect the pattern of development that is anticipated to occur in the borough. Bexley's plot ratio is much lower at 40% due to necessary landscape buffering, environmental designations (SINCs), flooding and a primarily logistics, distribution and warehousing sector which requires lower plot ratios to accommodate sufficient access, servicing and parking (required due to very low PTALs). It is noted that logistics users (who drive the majority of demand in the north of the borough) tend to require a good amount of yard/ancillary space, which may restrict the density of new development. The use of a 65% plot ratio as a baseline is therefore not appropriate for Bexley in light of local evidence as it, in effect, places an additional industrial floor space requirement on the borough.
- 6.14 The Council agrees that London boroughs should define SIL boundaries, as set out in **Part B of Policy E5 Strategic Industrial Locations (SIL)**. This approach is in line with current London Plan policy. It is noted that Bexley's SILs remain the same, as set out in the draft Plan **Table 6.3**. The Council supports the approach to releasing SIL through a strategically co-ordinated process of consolidation.
- 6.15 As noted in paragraph 6.13 above, the Council is concerned about the loss of the distinction between IBP and PIL. Office uses should be allowed in SILs where they are appropriate and as determined locally. **Policy E5** is silent on office uses in SILs, which causes uncertainty over office uses as part of proposed industrial developments. It appears that such proposals are to be refused because office uses are not included in the list of acceptable uses in **Part C of Policy E5**. Greater flexibility is required in this policy.
- 6.16 **Policy E6 Locally Significant Industrial Sites** sets out the requirement for London boroughs to designate LSIS and the Council welcomes the opportunity to define boundaries according to local evidence. Concerns however are raised regarding the draft Plan's approaches of intensification, co-location and relocation. This is expanded upon below in the Council's response to **Policy E7**.

- 6.17 **Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London’s economic function** is considered to be too long, too detailed and in places unworkable. The policy should be refined to be strategic in nature and subsequent details should be provided in the supporting text or in a supporting SPG.
- 6.18 The main thrust of **Policy E7** is the assumption that intensification and co-location can actually be achieved across the whole of London and that this is desirable. As noted previously, the borough has one of the lowest commercial rent values in London and the Council has strong reservations regarding some of the assumptions on intensification of business uses. Low values do not necessarily support the viability of the intensification options as suggested in **Part A of Policy E7**; boroughs should be allowed to define the nature or form of intensification as appropriate to their local areas and economic profile. In doing so, boroughs are enabled to proactively manage growth in its opportunity areas due to the ‘no net loss’ principle attributed to industrial floor space in the draft Plan. It is noted that the evidence of the concepts of intensification, co-location and relocation in the Mayor’s **Industrial Primer** document cover examples primarily in Inner London where values are higher. .
- 6.19 The Council considers that the majority of industrial uses will inevitably clash with residential uses. This compromises the ability of the borough to plan for co-location. **Paragraph 6.5.1**, which is supporting text to **Policy E5**, is in direct contradiction with the Mayor’s approach to co-location of employment areas with residential uses set out in **Policy E7**, when it states that:
- ‘SILs are given strategic protection because they are critical to the effective functioning of London’s economy. They can accommodate activities which – by virtue of their scale, noise, odours, dust, emissions, hours of operation and/or vehicular movements – can raise tensions with other land uses and particularly residential development.’*
- 6.20 The Council strongly agrees with this statement and has strong concerns regarding the ostensible contradiction with the Mayor’s approach to co-location with residential uses. Indeed, local evidence in the form of an Inspector’s decision<sup>6</sup> supports the Council’s view that in the majority of instances, industrial uses cannot thrive when located alongside residential uses. Proposed residential uses, through their location in close proximity to established businesses would adversely affect the living conditions of future occupiers. Furthermore, the introduction of residential uses within established industrial estates has the distinct potential to adversely affect existing established business uses, which could in the long-term result in the loss of these employment uses. This is contradictory to the purpose of draft Plan **Policies E5** and **E6**. Further local evidence on Bexley’s strategic industrial land is set out below.
- 6.21 Crayford Ness Industrial Area accommodates a mix of industrial and storage occupiers, as well as some sui-generis activities, that can largely be characterised as ‘bad neighbour uses’ that would struggle to find a suitable site elsewhere. These heavy industrial uses generate significant noise and pollution externalities that

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<sup>6</sup> Appeal Ref: APP/D5120/W/17/3172765



contribute to a poor environment in the industrial area, whilst the condition of the premises at the site is poor to fair. Manor Road North Industrial Area has reasonable levels of occupancy and use despite the lower grade buildings, while the existing uses at the site do add to the heavy and dirty character of the area. The Wheatley Terrace industrial estate has neighbouring waste recycling activities at the Manor Road North site, which creates air quality and noise issues for the area, and makes future changes of use at the site less suitable. Thames Road Industrial Area contains a waste recycling depot and a scrap metal yard; creating a dirty character of the environment.

- 6.22 While several bus stops are located along the A2016 and within the Crabtree Manorway North Employment Area that provide some bus services to workers in the employment area, for the most part, employment sites in this area have limited public bus services. Together with the large distance of the employment sites to Belvedere train station, the Belvedere Riverside sites can be characterised as relatively isolated and poorly served by public transport, and therefore not suited for co-location, although intensification of this employment area is a possibility through additional connectivity.
- 6.23 **Paragraph 6.7.2** reiterates the requirement for industrial sites delivering housing to meet the 50% affordable housing threshold set out in **Paragraph 4.6.6**. As stated in paragraph 4.38 of this response, this requirement makes an assumption about the difference in values between industrial and residential development. In Bexley, the value of land in industrial use in some areas can be equivalent to land in residential use, making a 50% requirement for affordable housing unachievable.
- 6.24 Part E of Policy E7 is poorly written, in that the measures set out in this Part are attempting to address all of the processes in Parts B, C and D. It is unclear which measure relates to which process. For example, London boroughs need to be able to plan for no net loss across their plan period, and as such there is a concern in Part E(3) which states that all intensification of industrial areas need to be completed and operational in advance of any residential component. Whilst this may be appropriate for co-location sites, it could be interpreted as a strategic requirement for intensification of all industrial land.
- 6.25 **Part F of Policy E7** requires London boroughs to consider relocation as part of a planned process of consolidation and intensification. The majority of authorities adjoining Bexley are characterised by significant constraints to employment development in future, and do not have large amounts of employment land available to accommodate growth requirements flowing from the wider South East London/M25 area. Whilst this means they are unlikely to be able to compete to attract investment away from Bexley, they face similar capacity issues with regards to planning for business growth and will continue to face increasing pressures on employment land from higher value uses, most notably residential. The concept of relocation is therefore considered unworkable. It is highly unlikely surrounding authorities will accept Bexley's industrial uses.
- 6.26 With regard to **Part E of Policy E9 Retail, markets and hot food takeaways**, Bexley already has a large number of small units in its town centres and previous retail studies have shown the need for larger units to encourage more retailers into the town

centre. This policy does not allow for local specificity. Vacancy rate surveys show that the majority of vacancies in Bexley's town centres are in smaller units. **Part E** should therefore be amended to allow for local circumstances.

- 6.27 With regard to **Part F** of **Policy E9**, if the surplus retail space is out of centre it conflicts with **Part B(8)** of **Policy E9**, which encourages out-of-centre retail to be developed for housing. **Part F** therefore should be amended to include '*within town centres*' when considering ground floor uses when surplus retail space is redeveloped.
- 6.28 The Council supports Policy E10 Visitor infrastructure for managing short-term lets in order to not compromise housing provision. However, this is difficult for the Council to monitor and manage given that most of these short-term lets are available online through a number of providers.

## Chapter 7 – Heritage and Culture

- 7.1. **Policy HC1 Heritage conservation and growth**, which echoes the requirements of the National Planning Policy Framework and related guidance to record and protect heritage assets and their settings, is welcome. London's hugely diverse range of heritage makes it not only a great place to visit but also to live. From internationally significant World Heritage Sites to attractive historic buildings that dot neighbourhoods across the capital, heritage adds to the richness of everyday London life. Bexley's historic and cultural assets are testament to its rich history and provide a vital benefit to residents and visitors. In Bexley, there are over 150 listed buildings and structures on the National Heritage List for England, nearly 400 on the Council's Local List, and 23 conservation areas. Bexley's heritage sites are well loved and well used by both local residents and visitors from much further afield.
- 7.2. It is important, however, that development that affects heritage assets not just conserve these assets, but also enhance them. Therefore, it is recommended that **Part C** of **Policy HC1** be amended to include the term 'enhance.' Development that affects heritage assets should not just attempt to do no harm, but should in fact do good. Development often provides an opportunity to enhance heritage assets. For instance, development within the setting of a heritage asset that achieves high quality design, which responds to and is inspired by that heritage asset, can often enhance the setting of that heritage asset.
- 7.3. Enhancement could also be achieved through heritage gain, where a Section 106 agreement is used to pay for improvements to a heritage asset. Development could also enhance a heritage asset when the asset itself is developed, by providing it with a new lease on life as a viable building with a purpose. However, this should not encourage deliberate neglect of an asset and **Paragraph 7.1.8** supports this position.
- 7.4. **Part C** of **Policy HC1** also requires that development proposals seek to avoid harm. Development proposals that cause harm should be refused. Where there is identified harm to the significance of a heritage asset, local authorities should work with the applicant to address that harm, either through changes to design or through the payment of planning gain. This is an important and discreet element of Part C, and as such, it is recommended that this be separated into its own part of the policy.

- 7.5. **Part A of Policy HC2 World Heritage Sites** requires London boroughs that neighbour boroughs with World Heritage Sites to include policies in their Development Plans that ensure that development proposals do not have an adverse impact on the World Heritage Site, including views. Bexley adjoins Royal Greenwich, which contains the Maritime Greenwich World Heritage Site. Although Bexley borders Royal Greenwich, it is approximately 9km from the World Heritage Site to the borough boundary. Topography, including a rise in the land level and the curves of the River Thames, break off any visual relationship between the site and Bexley. The explanatory text in **Paragraph 7.2.4** lists those boroughs that should include policies in their Local Plans to protect World Heritage Sites, and Bexley is not included in this list. Therefore, the Council seeks clarification on whether there is any obligation for Bexley under **Policy HC2(A)**.
- 7.6. The Council welcomes **Policy HC5 Supporting London's culture and creative industries**. However, whilst the idea of meanwhile uses of vacant properties or land for cultural and creative activities are supported, **Parts A(4) and C(4)** will be difficult to implement. Most landlords require credible tenants and in general see the idea of pop-ups as onerous to set up for a short period of time. Ideally, a system needs to be set up that protects the landlord and their asset to enable pop up to be more effective. Business Improvement District organisations could play a role but would need support from the GLA.
- 7.7. The intention behind **Paragraph 7.5.7** to put on events and activities is supported, but the practicalities of putting on simple events are not always straightforward due to health and safety and licencing requirements that can put off enthusiastic organisers. Having a London-wide user-friendly event organisation pack that includes all licences and insurances, which is then tweaked for the local area, may help to encourage more local events.
- 7.8. It is good to see that **Policy HC6 Supporting the night-time economy** does not confine the night-time economy to central London. Bexleyheath, for example, is a centre for the night-time economy within southeast London, with restaurants, pubs, bars, and nightclubs attracting a wide range of people from across the region. The Council welcomes the identification of Bexleyheath in **Figure 7.7** as a cluster of night-time activity; however the designation as only 'more than local' significance is inaccurate. Bexleyheath has a sub-regional significance, and it is requested that it be designated as **NT2 Regional/Sub-regional** in **Figure 7.7** and also in **Table A1.1 of Annex 1**. There is also a growing night-time economy in Sidcup, which has a focus on the performing arts, and in the riverside town of Erith.
- 7.9. It is considered that **Part B(3) of Policy HC6** will be difficult to implement. Changing a local town's perception of how it operates by its users takes time. Getting this investment and commitment from shopkeepers and cafes – who are generally independents and have other commitments after daytime hours such as children and domestic affairs – so to encourage them to open late is very difficult. They may do it once or twice, but if they see no reward for their effort, they soon become sceptical. In addition, borough environmental health teams tend to resist any noise pollution late at night in town centres, which can prove frustrating when seeking to implement a positive night-time activity.

## Chapter 8 – Green Infrastructure and Natural Environment

- 8.1. The draft London Plan proposes a green infrastructure approach, recognising the value of a network of green spaces and other green features, and this is broadly supported by the Council. **Paragraph 8.13** notes the Mayor’s manifesto commitment to make London at least 50% green by 2050, and that current guidance will be reviewed and updated. The intention behind this commitment is laudable; however, measures proposed in some of the policies in the draft Plan will in practice undermine the core principle of a green city and the Mayor most certainly will be aware of this. The driving need to build as many homes as possible clearly takes precedence over other matters.
- 8.2. What appears to be almost completely lacking in the draft Plan is any reference to residential gardens, which contribute extensively, especially in outer London, to green infrastructure. Residential gardens serve as amenity, support wildlife habitats, contribute to food growing, offset the urban heat island effect, act as sustainable drainage systems, and make up 24% of London. According to a report by GIGL<sup>7</sup>, residential gardens contribute significantly to the total garden vegetated land cover, or green space, in London, including being home to approximately 2.6 million mature trees. The report states, *‘the sheer scale of the green space resource in gardens suggests that the vegetated area of gardens within the capital is a significant and strategically important wildlife habitat.’*
- 8.3. These gardens are excluded from the government’s definition of previously developed land or ‘brownfield’ land and there is *implied* protection with the reference to a ‘network of green spaces’ in **Part A of Policy G1 Green infrastructure** and **Paragraph 8.1.1**. Nevertheless, specific policy measures in the draft Plan that particularly relate to the development of small sites undermine the protection of residential gardens. In particular, **Policies GG2, GG4, D4, H1 and H2** have measures that specify intensification of small sites, including infill development within the curtilage of a house, and require little in the way of outdoor private space. Where sites are intensified, ‘green cover’ can be supplied in the form of green walls and roofs as a replacement for lost garden space. Paragraph 4.2.9, for instance, allows for the loss of biodiversity or green space as a result of small housing developments, mitigated by the types of measures above, to achieve no net loss of overall ‘green cover.’
- 8.4. What is really damaging from this approach will be the loss of the mature trees in gardens, as these are hard to replicate on a green wall or roof, even though these are presumably protected by **Policy G7 Trees and woodlands**. In the main, the policies look to afford protections to *designated* green assets, such as Metropolitan Open Land, to public green spaces, as outlined in **Policy G4 Local green and open space**, and to Sites of Importance for Nature Conservation in **Policy G6 Biodiversity and access to nature**, but not to the modest suburban London garden.
- 8.5. Whilst residential gardens barely get a mention in the draft Plan, London’s Green Belt, is given the highest importance, even though its value as green infrastructure may be the lowest of all the types addressed in **Chapter 8**. The Green Belt, as noted in

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<sup>7</sup> London: Garden City? London Wildlife Trust. 2011  
<http://downloads.gigl.org.uk/website/Garden%20Research%20Full%20report.pdf>

**Paragraph 8.2.1**, makes up 22% of London's land area (roughly the same as residential gardens), and **Policy G2** makes it clear that de-designation of any of this land will not be supported. However, the NPPF sets the requirement for local planning authorities to review Green Belt boundaries along with the criteria on how this should be carried out. Therefore, the Council will be carrying out a review of Green Belt in Bexley as part of the preparation of the new Local Plan, and adjust boundaries if appropriate. It is important to note that Green Belt does not mean greenfield; certainly, development and brownfield land exists in the Green Belt.

- 8.6. Criteria has also been set in **Policy G3 Metropolitan Open Land** for the assessment of designating new MOL within London boroughs Local Plans, along with the need for evidence for proposed changes to existing MOL in **Paragraph 8.3.2**. The Council is carrying out a review of MOL as part of its assessment of green infrastructure, and will add new and/or adjust existing boundaries as appropriate as part of the Local Plan process with the Mayor and adjoining boroughs. The principle of land swaps set out in **Paragraph 8.3.2** is welcomed.
- 8.7. The focus of **Policy G4 Local green and open space** and its accompanying **Table 8.1** is on those green spaces that are publicly accessible. However, even green spaces that cannot be accessed by people still have an amenity value. Being able to look out over an area from a viewpoint, and seeing all the green from residential gardens, including mature trees, is a benefit to people's overall health and wellbeing. This needs to be acknowledged in the text in **Chapter 8**, and the vegetated land cover of residential gardens should be referenced in the first type of surface cover in **Table 8.2**.
- 8.8. The Council supports the reference in **Part A** of **Policy G5 Urban greening** to *nature-based sustainable drainage*; this will be helpful in ensuring high-quality SuDS options are chosen for developments. However, this only relates to major development, and it is recommended that this be changed to refer to all developments. In addition, the principle of introducing an urban greening factor is welcomed as set out in **Part B** of **Policy G5** and **Table 8.2**; however, it is not clear if this is just for major development as per Part A; if it is, then it is suggested that this should be more broadly encompassing. The incremental green cover that can be achieved from any new development will bring cumulative benefit, and the increased emphasis on smaller sites in the draft Plan limit the effectiveness of the policy if it is only for major development. There is also no information in the policy or text on the impact this policy may have on development viability and it is recommended that this be addressed.
- 8.9. Greening should also contribute to local and national biodiversity objectives and air quality through appropriate choice of species, and should comply with legislation relating to avoidance of invasive non-native species. Within Bexley non-native species are regularly encountered on development sites. Consideration should be given to the impact of invasive non-native species (INNS), which is one of the largest threats to global biodiversity after habitat loss and destruction. It costs the British economy an estimated £1.7 billion annually. The London Invasive Species Initiative (LISI) has been created to help address these environmental and economic problems within the Greater London area and have compiled a list of species of concern in London. The importance of this issue appears to have been missed altogether in the

draft Plan, and it is suggested that a reference be made in **Table 8.2** so that the planting of invasive species be avoided. An additional policy could also be added to **Chapter 8** that requires developers when implementing proposals to ensure that any invasive species found on site are eradicated effectively.

- 8.10. A description of brown roofs is made in the **Definitions** section of **Annex 3**, but there is no reference in **Table 8.2 Urban Greening Factors** or indeed anywhere else in the text of the draft Plan. It would be useful to add references to brown roofs in the text in **Chapter 8**, and also expand on the definition in Annex 3. Today, these are known as biodiverse roofs, which typically use commercially crushed brick and concrete with about 20% organic material. These are the most common green roofs in London, and have a greater water holding capacity to the previous brown roofs that consisted of recycled brick and concrete from local recycling plants which had limited water storage capacity and attracted 'eco-dumping' of inappropriate waste materials from contractors.
- 8.11. In order to protect London's existing biodiversity it is vital that boroughs assess direct, indirect and cumulative impacts on nature from development proposals. Reference to this should be within **Policy G6 Biodiversity and access to nature**. In **Part B(2)** a reference to sites of borough and local importance for nature conservation has not been included. Seven Local SINC's are located within Bexley, which provide access to locally significant sites. Consideration should be given to the inclusion of these locally significant sites within the wording.
- 8.12. Whilst the provision and protection of allotment/community gardening space is welcomed in **Policy G8 Food growing**, it is potentially unrealistic to expect developers to sacrifice valuable space on sites without further incentives. Consideration should be given to whether there could be scope for including community gardens as an urban greening factor to provide such an incentive.
- 8.13. Figure 8.1 from Policy G9 Geodiversity identifies a 'recommended RIGS' (North End Pit) and a 'potential RIGS' (Chalky Dell) site in Bexley. Recognition should also be given within the London Plan to the Erith Submerged Forest as a potential RIGS. This is the best place on the Thames Estuary within Greater London for viewing the Neolithic/Bronze Age submerged forest. At low tides whole tree trunks are revealed amongst the root balls and occasional nuts and seeds can also be found. Peat beds are also found on the banks above mean high tide level. At least five different ages of peat and trees have been dated ranging from approximately 3,000 years ago to over 5,000 years ago.

## **Chapter 9 Sustainable Infrastructure**

- 9.1. The Council welcomes the new Air Quality Positive requirement set out in **Part A(3)** of **Policy S11 Improving air quality**, and the requirement for Air Quality Assessments for major developments in **Part A(5)**. However, the wording of this policy does not make it clear if the requirements refer to activities because of development (e.g. construction) or the ongoing impacts of the final development, or both. There is also a lack of clarity on the proposal to allow developers to provide air quality mitigation measures off-site if it is not practicable to do so on-site. Not enough detail is provided as to what kinds of mitigation measures are acceptable. The introduction of air quality

offset funds is complex and there are concerns about applying this measure to air quality as it will mean that the ongoing issue of air pollution from developments will be difficult to improve. This policy may also enable a breach of EU obligations.

- 9.2. Whilst the establishment of a carbon offsetting fund in **Part D of Policy SI2 Minimising greenhouse gas emissions** is supported, the Council has limited resources to administer, implement, monitor and report on projects that deliver greenhouse gas reductions. The ring-fenced fund payments must therefore allow for the provision for resources. Supporting **Paragraph 9.2.1** reiterates London's objective of becoming a zero-carbon city by 2050; the current London Plan includes, in Paragraph 5.29, a strategic carbon dioxide reduction target of 60% by 2025. It is unclear why reference to the interim target has been lost in the draft Plan.
- 9.3. **Part E of Policy SI5 Water infrastructure** needs to be more explicit in what it is trying to achieve. It is unclear what '*seek to improve the water environment*' means. Is this through the use of SuDS? If so, would the improvement be to water quality, or to biodiversity, or to amenity? The reference in Part E(2) to misconnected sewers is very much welcomed.
- 9.4. Promotion of the circular economy in **Policy SI7 Reducing waste and supporting the circular economy** is a positive step and should help reduce waste, especially in the construction process, and the Council welcomes the requirement in **Part A(5)** for storage space that supports separate collection. It should be clarified here that this needs to be both internally, within the kitchen space of homes, for instance, and externally, and for all types of development. This may be difficult to enforce on smaller applications and on smaller sites so a very clear policy requirement would be useful. Bexley is the top recycling London borough (for the 13<sup>th</sup> consecutive year) and achieves 52.7% from municipal waste and the Council supports the policy requirement in **Part A(4)(a)** for 65% by 2030.
- 9.5. **Table 9.2**, which accompanies **Policy SI8 Waste capacity and net waste self-sufficiency**, increases the apportionment per cent share of London's total waste to be managed by Bexley from 5.5% to 5.6%. Whilst this seems a small uplift, the total waste arisings for London is higher and this leads to higher apportionment requirements; for example, the 2021 interim requirement for Bexley from the current London Plan is 364,000 tonnes, jumping to 456,000 tonnes for the interim 2021 requirement in the draft Plan. It would be useful to see the data that sits behind the figures set out in **Paragraph 9.8.1**.
- 9.6. Bexley responded to a consultation on the methodology used to calculate borough apportionment capacities. There is no reference to the methodology in the text of the draft Plan and this work should be published in order to comment fully on the amount of waste capacity apportioned to each London borough. Whilst the Council supports the management of London's waste within London, objects to an additional waste apportionment allocation for the borough in the draft Plan, which already has the second highest apportionment capacity requirement of all London boroughs. Further waste capacity within the borough would also undermine the borough's efforts to grow sustainably and regenerate our poorest areas through the development of a higher quality and more diverse economy.

- 9.7. **Paragraph 9.8.8** states that it is strategic industrial locations that are most appropriate for waste facilities, yet this is not referenced specifically in the criteria for considering development proposals for new waste facilities set out in **Part D of Policy SI8**. In addition, **criterion 1)** of **Part D** is vague; the '*nature of the activity*' should be linked to the proximity principle with proposals for waste facilities demonstrating how the facility will meet a local need.
- 9.8. **Paragraph 9.9.2** supporting **Policy SI9 Safeguarded waste sites** notes that any waste site release should be part of a plan-led process and this is welcomed. Bexley is part of the southeast London joint waste planning group, which pools its waste apportionment requirements. A joint evidence paper sets out the safeguarded waste facilities in the sub-region that provide the capacity to meet the pooled requirement.
- 9.9. **Part B of Policy SI12 Flood risk management** notes that boroughs should use their Surface Water Management Plan in the preparation of development plans. However, SWMPs are not legal documents. The policy should reference instead Local Flood Risk Management Strategies, as these are a legal requirement and identify risk across the area. **Part C of Policy SI12** should not just relate to development where '*specific flood risk assessments are required,*' but to all developments, as it is this that provides opportunities to reduce flood risk to the area.
- 9.10. **Part A of Policy SI13 Sustainable drainage** should remove the reference to SWMPs – see comment in paragraph 9.9 above. **Part B of Policy SI13** should remove the word '*aim.*' Development proposals should achieve greenfield run-off rates as a minimum requirement. In addition, the wording in **Paragraph 9.13.2** '*developments should aim to get as close to greenfield run-off rates as possible*' is disappointing. Lower rates of runoff are often achievable but are not offered by developers because of this wording. In some parts of London that have been developed for centuries, it is very difficult to agree what the greenfield nature of a site would be, and this becomes a theoretical exercise.
- 9.11. Whilst the Council supports the drainage hierarchy as set out in **Part B of Policy SI13**, it would greatly support a line added to the end of the hierarchy stating '*the discharge of surface water into foul sewer is not acceptable.*' The reference to refusing proposals that incorporate impermeable surfaces in **Part C of Policy SI13** is welcome, although the phrase '*where appropriate*' should be replaced with '*unless they can be shown to be unavoidable.*'
- 9.12. **Paragraph 9.14.8** supporting **Policy SI14 Waterways – strategic role** states that the River Thames should not be designated as Metropolitan Open Land, so as not to restrict the use of the river. However, it should be referenced in the same paragraph that the River Thames is a Metropolitan level site for importance for nature conservation (SINC), a designation that will have restrictions of its own.
- 9.13. **Policy SI15 Water transport** provides measures to bring the River Thames into more productive use, and this is welcomed, in particular **Part D**, which considers the opportunity to consolidate wharves as part of strategic land use change within opportunity areas. **Paragraph 9.15.7** sets criteria for assessing the viability of wharves and the Council proposes that a criterion should be added to consider the values of other land uses when assessing viability.



- 9.14. Policy SI17 Protecting London's waterways only makes passing reference to the biodiversity value of waterways; additional detail in the policy and in the supporting text should provide information on how biodiversity should be protected and improved.

## Chapter 10 – Transport

- 10.1. The Mayor's strategic target, set out in **Policy T1 Strategic approach to transport**, is based on 80% of all trips in London to be made by foot, cycle or public transport. This is one way of measuring transport but it ignores the fundamental aim of transport, which is to provide access to goods, services and opportunities. Despite Bexley being an outer London borough with no tube station or other form of light rail, the Council and its residents are particularly keen to share the same opportunities as London's inner city residents in terms of improving access to jobs and the other attractions that London has to offer and the Council would see this as the measure of a successful strategic approach to transport.
- 10.2. The aspirations of **Policy T2 Healthy streets** are laudable. However, it must be recognised that cars are an important and necessary travel mode in some areas of London, particularly in outer London boroughs such as Bexley where public transport provision is limited and connectivity with the Strategic highway network is relatively good. The suggested approach for street layouts will have significant maintenance implications, for example the increase in use of soft landscaping. This is an important issue at a time when budgets are being reduced.
- 10.3. The Council proposes that **Table 10.1** supporting **Policy T3 Transport capacity, connectivity and safeguarding** be amended to provide the DLR extension from Gallions Reach *through Thamesmead to Belvedere*. This is proposed by the adopted **Bexley Growth Strategy** and suggested by the **third bullet point** in **Paragraph 2.1.41** (also see paragraph 2.5 of this response). In addition, the text in **Table 10.1** should extend the Elizabeth line east of Abbey Wood *to Ebbsfleet*, in line with the Bexley Growth Strategy and **Figure 2.1 – The Key Diagram**.
- 10.4. The approach in **Policy T4 Assessing and mitigating transport impacts** is comprehensive and fully supported.
- 10.5. **Part F** of **Policy T5 Cycling** is too onerous. The threshold in **Table 10.2** is only 100m<sup>2</sup>, which is very modest. Also there is no threshold for B1, so in theory, even an application for a small single-room office above a shop would trigger the need for the parking of four cycles. The Council recommends that the thresholds are either increased or this part of the policy abandoned. **Figure 10.2** is difficult to interpret which areas higher minimum cycle standards apply. The area in Bexley appears to extend beyond Bexleyheath town centre.
- 10.6. The Council agrees that **Part G** of **Policy T6 Car parking** will assist with the flexible management of parking within new development proposals. There is a concern however that the wording of the policy suggests a Car Parking Design and Management Plan should be required for all scales of development. In practice, a plan will have little to no impact on smaller developments, which are also unlikely to have any mechanisms in place to ensure future management. The thresholds should therefore be altered so that the policy applies only to developments of an appropriate

size, say Major Developments (of more than 10 units). The London Plan should also make clear the scope and requirements of the Car Parking Design and Management Plan itself.

- 10.7. **Part H of Policy T6** applies to Outer London areas that have the lowest levels of PTAL. The range should therefore be extended to cover areas with PTALs of between 0-2 to take into account the remoteness of these areas.
- 10.8. The wording of **Part I of Policy T6** should be amended to make it clear that it does not apply to extensions to existing developments. If taken forward in its current form, the policy could conflict with or contradict conditions placed on previously approved planning applications.
- 10.9. There is a need to qualify what is meant by 'planned PTAL' in **Paragraph 10.6.3**. The Council needs to be confident that the 'planned PTAL' will be achieved should a development be dependent on this factor and that it does not reflect a long-term aspiration that may not be delivered. It would also be useful to clarify what is meant by 'general parking,' which appears to relate to on-site non-disabled/non-car club spaces.
- 10.10. In **Paragraph 10.6.7**, there is no information on whether a motorcycle space is a 1:1 equivalent. Regardless, the Council does not believe that motorcycle provision should be in lieu of car parking and would like to see separate provision.
- 10.11. Passive provision in **Part C of Policy T6.1 Residential parking** has not been defined within the document. This requirement therefore needs to be clarified.
- 10.12. **Part H of Policy T6.1** raises concerns that it will not be possible to secure the future use of parking bays located within the public highway. Furthermore, the provision of the bays would be subject to consultation and a separate legal process. The policy also states that parking bays must not be allocated to a specific dwelling, but there is a need to clarify whether parking can be allocated to a specific disabled resident. If not, there is a danger that disabled residents may not have access to the nearest, most conveniently located parking spaces.
- 10.13. The parking standards within **Table 10.3 – Maximum residential parking standards** are completely PTAL driven and do not give any consideration to unit size. For example; a one-bed unit has the same parking requirement as a five bedroom house. The proposed standards also do not allow for the way PTAL has been derived e.g. in areas with higher levels of PTAL they have been formed solely on bus provision. For example, Bexleyheath is a major town centre with a PTAL of 5 that is wholly reliant on bus services. The policy would require car free development within this area, and the concern is that there is a lack of choice of public transport modes and what is available is highly unreliable, only offering local connectivity. This single approach is meant to serve all areas of London; however, the public transport offer in Bexleyheath is in marked contrast to other locations, and the specific conditions of outer London need to be acknowledged in the policy approach. The approach does not consider other factors such as existing on-street parking stress where there are no suitable mechanisms in place to prevent parking overspill onto the local highway network. The approach set out in this policy does not align with experience of Planning Appeal decisions.

- 10.14. This approach set out in **Paragraph 10.6.10** appears to directly contradict the flexible approach to the management of on-site parking put forward in other parts of **Chapter 10**. The management of immediately available and future parking spaces should already be contained within the required Car Parking Design and Management Plan and would cover aspects such as bringing forward the use of the earmarked bays when needed. The wording within this paragraph should therefore be removed.
- 10.15. **Part E of Policy T6.2 Office parking** should clarify as to whether the reference to borough-wide means a single, higher standard, rather than higher standards in different geographical parts of the borough under **Part D of Policy T6.2**.
- 10.16. More emphasis has been placed on the approach set out in **Part A of Policy T6.5 Non-residential disabled persons parking**, which now features as a policy in its own right. In reality, it is hard to secure on-street public parking spaces in perpetuity for the use of a private development. Furthermore, the process of implementing parking spaces on the public highway is subject to consultation and requires changes to Traffic Management Orders, and as the highway is not under the control of the development, public on-street parking could be altered or removed while the development continues to operate. The wording of this policy should be changed to include '*where possible*.'
- 10.17. There is a need to clarify what is meant by the term 'enlarged bay' in **Part E of Policy T6.5**. Also, is there any point in the creation of larger bays if all bays capable of being converted into disabled parking in the future cannot be used as non-disabled parking in the meantime, as outlined in **Paragraph 10.6.10**?
- 10.18. **Part E of Policy T7 Freight and servicing** sets out criteria for development proposals for new consolidation and distribution facilities. The majority of schemes for distribution facilities (Class B8) in Bexley would not meet the policy requirements, particularly **Part E(1)**, without which local employment and regeneration would be diminished. Bexley is attractive to many operators due to the close proximity of the M25 and inner London and therefore these facilities are mainly road based. The words '*be supported provided that they*' should be replaced with '*where possible*.'
- 10.19. The Council supports the reference in Part A of Policy T9 Funding transport infrastructure through planning for the funding of other strategically-important transport infrastructure from MCIL2 (*Mayor Community Infrastructure Levy*) and would suggest that the extension of Crossrail to Ebbsfleet and DLR extension to Belvedere, which have significant funding gaps, would make suitable schemes for this funding.

## **Chapter 11 – Funding the London Plan**

- 11.1. **Policy DF1 Delivery of the plan and planning obligations** addresses delivery of the London Plan. The policy itself focuses on viability, providing a hook to the existing guidance in the Mayor's Affordable Housing and Viability SPG. The Council strongly welcomes a tough stance to require proposals to meet planning obligations, including affordable housing secured through section 106 agreements. **Policy DF1** states that viability testing should only be undertaken where the applicant has made a convincing case that there are clear circumstances creating barriers to delivery. This presumption that applications will be policy-compliant is welcome, in light of the trend

since the introduction of the NPPF for developers to submit viability assessments almost as a matter of course in order to demonstrate that the proposal need not be policy-compliant. When a viability assessment is undertaken, **Part C** gives boroughs the power to determine the weight to give to the assessment, which presumably gives discretion to refuse an application even if the assessment shows that planning obligations cannot be met.

- 11.2. **Part D of Policy DF1** considers situations in which viability assessments demonstrate that planning obligations represent a genuine barrier to delivery. It sets priorities for the obligations which should be met first. Affordable housing and public transport are prioritised, followed by provision of social infrastructure, namely health and education facilities, and provision of affordable workspace, and culture and leisure facilities. Whilst the Council recognises that the urgent need for more housing and the strategic nature of public transport provision provide a justification for citing those two obligations as top priorities, it is recommended that priorities after that are left to the discretion of the local authority – notably schools. Indeed, in areas of regeneration where there is already a concentration of affordable housing, it could be argued that prioritisation of additional affordable housing, which would have an impact on the principle of mixed and balanced communities, is inappropriate. Different boroughs will have different needs and priorities based on local circumstances, and should not be forced by the policy to secure particular planning gains when there might be more of a pressing need for another type of social infrastructure. **Part E** encourages the priorities set out in **Part D** to be reflected in the London boroughs' community infrastructure levy charging schedules and Regulation 123 lists; similarly, this prioritisation should not be imposed on boroughs, but rather they should be given discretion to prioritise based on local circumstances and local needs.
- 11.3. The supporting text in **Paragraphs 11.1.8 to 11.1.67** is a detailed and well-considered discussion of funding and other delivery issues. Whilst being highly valuable, it is noted that there is not a strong relationship between the supporting text and **Policy DF1** itself.
- 11.4. **Paragraphs 11.1.8 to 11.1.13** address the significant funding gap identified to deliver the proposals of the draft London Plan, which is defined as the gap between the public sector funding required to deliver and support London's growth, and the amount currently committed to London. The approaches for closing the funding gap (fiscal devolution and land value uplift) are welcome, particularly land value uplift, which has been proven successful in other city-region areas. The commitment to locating new funding streams, including new environmental levies, to fund green infrastructure is also welcomed. However, this acknowledged infrastructure funding gap for the proposed growth in the Plan of some £3.1bn per annum has no wider agreement as to how this can be bridged and raises fundamental issues as to the deliverability and, therefore, soundness of the plan – particularly where housing targets are increased significantly and are expected to be delivered in the early phases of the plan period.
- 11.5. The remainder of **Chapter 11**, from **Paragraph 11.1.14** to the end, considers delivery of housing and infrastructure. The text includes a number of realistic delivery mechanisms, some of which are currently used and others which need to be trialled. With regards to housing, the Council notes that '*direct intervention where land is suitable for development*' may not be appropriate in areas where the land values are

insufficient to attract developers. The London Plan should also clarify the mechanisms through which the Mayor will work with London boroughs, or intervene as necessary, where they fail to deliver growth both in Opportunity Areas and against housing targets, including the Government's Housing Delivery Test. Finally, references to the London Land Commission and Homes for Londoners are notably absent from **Paragraph 11.1.22** as key mechanisms to deliver public sector land to the market.

## **Chapter 12 – Monitoring**

- 12.1. The objectives in **M1 monitoring** to improve the monitoring of development in London can be welcomed. However, given the low level of resources in borough planning departments the GLA must ensure that monitoring is not over burdensome for local authorities. It will be difficult in particular to monitor the Economic Key Performance Indicator for the provision of affordable workspace, as currently development proposals often provide speculative commercial floor space with no tenancy agreements in place, and rental rates are not disclosed.

## **Annex 1 – Town Centre Network**

- A.1. **Page 465 Commercial Growth Potential:** Bexleyheath has been classified as 'low growth' in **Table A1.1** due to either a) physical, environmental or public transport accessibility constraints, or b) low demand, although the table does not make clear which. The Council's aspirations for Bexleyheath town centre are more closely aligned to the medium growth definition. Bexleyheath town centre has capacity to accommodate identified demand for town centre floor space. Bexley's Retail Capacity Study 2015 identified a potential for between 19,000sqm and 23,000sqm of comparison floor space up to 2036.
- A.2. **Page 467 Residential Growth Potential:** Bexleyheath has been allocated for 'medium residential growth potential' in **Table A1.1**. Although we understand the classification is derived from the SHLAA and other factors, the definition of 'medium residential growth' should be published and the associated methodology behind this allocation made clear. Two town centres outside of Bexley's growth areas, Welling and Sidcup, have been allocated as medium growth. A more detailed definition would help us to understand the figures behind the term 'medium growth' as we do not accept they offer appropriate opportunity.

## **PUBLIC CABINET – 26 FEBRUARY 2018**

### **RESPONSE TO THE CONSULTATION DRAFT NEW LONDON PLAN**

#### **ISSUES**

The draft new London Plan is out for public consultation until 2 March. It is a statutory document that sets out the spatial development strategy for the capital and forms part of Bexley's Development Plan. Our own Local Plan is required to be in general conformity with the London Plan, which will significantly influence planning decisions. It is therefore important to ensure it reflects local needs and circumstances. The current London Plan was adopted in March 2016 under the previous Mayor.

#### **OPTIONS**

- (1) To approve the suggest response set out in Appendix 1 for submission to the Mayor of London.
- (2) To amend the suggested response as considered necessary.

#### **PROPOSED DECISIONS**

- (1) To approve the suggested response as set out in Appendix 1 for submission to the Mayor of London by the 2 March 2018 deadline.
- (2) To authorise the Assistant Chief Executive (Growth and Regeneration) to prepare and present evidence to the Examination in Public of the London Plan if invited to do so by the relevant inspector.

#### **REASONS**

The new London Plan is proposed to be adopted late in 2019 following an examination in public and will look at the period to 2041. The current consultation is the only opportunity to comment on the document, although the Council will be able to take part in the public examination of the plan.

The following report outlines the key features of the Council's proposed response, whilst the full response is provided in **Appendix 1**.

**Signed:** ..... **Date:** .....

Councillor Teresa O'Neill OBE, Leader of the Council



## **PUBLIC CABINET – 26 FEBRUARY 2018**

### **RESPONSE TO THE CONSULTATION DRAFT NEW LONDON PLAN**

#### **1. Background and purpose of report**

This report sets out the Council's proposed response to the draft new London Plan, which is out for public consultation until 2 March. It is a statutory document that sets out the spatial development strategy for the capital and forms part of Bexley's Development Plan. The Bexley Local Plan is required to be in general conformity with the London Plan, and planning applications should be determined in accordance with it. The current London Plan was adopted in March 2016 under the previous Mayor. The draft new London Plan is a Replacement Plan, meaning that it is not an alteration or update to previous Plans.

The Replacement Plan is proposed to be adopted late in 2019 following an examination in public and will run to 2041, with more detailed elements (such as housing targets) set for the first 10 years of the Plan. The current consultation is the only opportunity to comment on the document although the Council will be able to take part in the public examination of the plan if invited to by the inspector.

The Mayor of London's draft new London Plan was published for consultation in December 2017. Responses are required by 2 March 2018. The Mayor has also published for consultation three associated documents: the Integrated Impact Assessment, the Habitats Regulations Assessment and the Draft Regional Flood Risk Appraisal.

The Council previously responded to the Mayor's manifesto '*A City for all Londoners*' in December 2016, which outlined the Mayor's principles for Good Growth. The Mayor was then advised that the Council broadly welcomed the approach outlined in the document, but there were a number of issues of interest to Bexley, including the following:

- the importance of being able to redevelop large, inefficiently used employment sites in accessible areas to contribute to meeting London's housing need, although fundamentally predicated on securing a major uplift in transport infrastructure and also the provision of other infrastructure;
- the recognition that suburban infill residential developments will have cumulative impacts on neighbourhoods; solutions must be offered that ensure sufficient infrastructure is provided and that the existing character and context of areas is respected, in line with the concepts of Good Growth;
- the importance of the Thames Gateway as a strategic infrastructure investment corridor, with the Crossrail extension to Ebbsfleet key to opening up the full potential of this area.

Following the Mayor's manifesto, draft strategies were published for consultation in 2017, covering transport, environment, economic development, housing, culture and health and health inequalities. The Council has provided comments to the Mayor on



all draft strategies. The draft new London Plan brings together the geographical and locational aspects of these strategies.

The Mayor of London has a statutory responsibility to provide a spatial development strategy for Greater London, which has become known as the London Plan, and keep it under review. Legislation stipulates that the London Plan should only deal with things of strategic importance to Greater London.

The purpose of this report is to set out a suggested Council response for approval. **Appendix 1** sets out the Council's detailed comments, both general and by chapter, together with a covering letter that summarises the main issues.

## **2. Public consultation on the draft new London Plan**

Public events have been held across London since the draft document was published in December 2017, with a sub-regional public consultation event held in Bexley Civic Offices by the GLA on 1 February, attended by the Deputy Mayor for Planning, Regeneration and Skills, Jules Pipe, accompanied by a range of GLA and TfL officers. Over 120 people attended, including Bexley Councillors, residents and business representatives as well as other interested parties, and took part in a Q and A session. The main issues to arise were concern about the lack of infrastructure especially transport connections and the need to continue to cater for the car; the densification of suburban areas and the loss of good quality family housing; the affordability of new housing; and, the need to conserve the historic and natural environment.

## **3. Summary of the Council's response**

The London Plan sets out the geographical manifestation of all the Mayor of London's other strategies. The main focus of the plan is on the need to provide more housing to meet London's needs whilst protecting open space and land required for employment. The emphasis is, therefore, very much on maximising the use of available development sites in sustainable locations.

Many of the objectives in the plan can be supported in principle and echo the broad vision within the Council's own Growth Strategy. However, there are significant differences between the two documents that are highlighted in the Council's response along with other areas of general concern. The main points raised in the response include:

- Elements of the London Plan are much too detailed and directive in nature with the stated aim of making Local Plans focus predominantly on delivery whilst others leave huge discretion to local authorities with little or no strategic direction and the potential for uncertainty and confusion
- Many of the key proposals are based on significant assumptions with little or no flexibility in policies should these prove false. For example, there is an acknowledged public sector investment funding gap for the proposed growth in the Plan of at least £3.1bn per annum; with no wider agreement as to how this can be bridged or alternative proposal should this not be secured.

- The borough's housing targets have been increased nearly three-fold, from 446 units a year to 1,245 with no additional infrastructure promised.
- The amount of housing coming from small sites has increased eight-fold from around 110 units a year to 865 which is the highest increase as a % of total supply in London and results from a flawed methodology which was developed without consultation with London Boroughs
- These small sites will be predominantly in residential areas up to 800m from town centre boundaries and railway stations, which in Bexley will include popular suburban areas with relatively poor accessibility
- A presumption in favour of small housing developments (up to 25 units) is introduced borough-wide with, in the absence of a local design code, planning considerations limited to privacy, heritage, biodiversity and safeguarded land such as green belt.
- Density ranges for housing have been removed so proposals are considered individually or on an area basis, but with a requirement that densities are optimised and a recognition that the character of areas will change. This could include higher, more intense development on smaller plots with little parking.
- Zero parking will be sought on developments in places considered by TFL and the GLA to have good public transport, such as Bexleyheath town centre and Abbey Wood station. However, PTAL levels are not a good indicator of connectivity, taking no account of the level of transport choice, the direction of travel or the reliability of services. Tight restrictions imposed on the loss of any industrial floor space to other uses (e.g. housing) will undermine the ability of the borough to direct development to underused land in well-connected areas where regeneration is required. Where it is released, 50% affordable housing will be sought – a figure significantly above current delivery levels and very challenging in the context of relatively low residential values, pressing infrastructure needs and high remediation costs.

The Council is also querying with the Mayor the weight that will be given to the draft new London Plan in taking planning decisions prior to its adoption. There is already confusion in this regard: it was agreed by senior GLA officers at a London plan consultation event that the London plan will not be used until it is adopted; however, the Council has received a response from the GLA for the Eastside Quarter development proposal in Bexleyheath, which sets out recommendations based on compliance with both the current London Plan and the draft London Plan.

#### **4. Next steps**

If approval is secured at Public Cabinet on 26 February, the Council will then submit the response prior to the deadline of 2 March. This will be before the completion of the call in period so the submission will be caveated accordingly.

## **5. Summary of Legal Implications**

There are no immediate implications arising from the report.

## **6. Summary of Financial Implications**

There are no immediate implications arising from the report.

## **7. Summary of Other Implications**

There are no immediate implications arising from the report.

### **Local Government Act 1972 – section 100d**

#### **List of background documents**

The London Plan, Draft for Public Consultation. Mayor of London. December 2017  
<https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan>

Bexley Growth Strategy. London Borough of Bexley. December 2017  
<http://www.bexley.gov.uk/sites/bexley-cms/files/2018-02/Bexley-Growth-Strategy.pdf>

**Contact Officer:** Seb Salom, Head of Strategic Planning and Growth, Direct Dial:  
020 3045 5779

**Reporting to:** Assistant Chief Executive (Growth and Regeneration)

**Appendix 1:** LB Bexley covering letter to the Mayor of London and detailed response to the draft new London Plan

## London Borough of Bexley response to the Mayor of London's draft new London Plan – covering letter

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Dear Mr Khan,

Thank you for the opportunity to comment on your draft new London Plan. London Borough of Bexley has reviewed the document and detailed comments are enclosed, which have been agreed by Cabinet on 26 February 2018. The Council fully appreciates the importance of this document and the challenge of balancing a host of competing demands for land within a world city. Difficult choices need to be made in the context of the best information available. The principles for good growth as set out in the plan are fully supported as the best way to secure sustainable development whilst the polycentric approach to growth is also a sensible solution to ensuring the best use is made of development opportunities in appropriate locations. However, beyond these high-level principles, the Council does not believe that the Plan sets out an appropriate or deliverable approach to housing and employment growth, particularly in outer London where specific challenges demand bespoke solutions rather than the prescriptive approaches currently presented.

Local councils have a right to decide what is best for their area, not only because they are best placed to understand local needs and circumstances, but also because they have legal responsibilities to their residents. Legislation requires that local councils, as local planning authorities, proactively plan their area.

The draft Plan instructs London boroughs to a level of detail that oversteps the boundary between what should be addressed in the spatial development strategy for London, which focusses on the Capital's strategic issues, and what should be managed by boroughs themselves.

In addition, London is not an island and homes and jobs can be supplied outside of its boundary; indeed this is already the case today. Doubling annual housing delivery targets, or in some cases, such as Bexley, *tripling* the target (including an eight fold increase from small sites), is unachievable and will only lead to planning by appeal, as those who understand how planning legislation works will capitalise on its loopholes. This is the perfect recipe for bad planning which is in no one's interest.

Bexley has spent much time considering what is right for its area, working in partnership with the GLA, and recently adopted its Growth Strategy. In this document, the Council sets out an ambitious vision for what sustainable growth in Bexley looks like and how it can be delivered. It is based on a thorough local evidence base and clear understanding of what is possible locally. In this context, it has garnered cross party support and provided a framework for discussion with developers. The document is clear that growth can happen, but not without a commitment from the Mayor and from government to invest in Bexley's infrastructure. In this context, it will need to be properly planned and phased to ensure an appropriate transition that ensures the continuing coherence of existing communities and the proper integration of new arrivals.

The Council is clear that Bexley has areas, particularly underused or surplus employment land, town centre sites and rundown residential estates near to existing infrastructure, which can be put to better use. As new infrastructure is delivered, these areas can become even

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more compact, providing people with new sustainable neighbourhoods, rather than urban sprawl. The boroughs substantial areas of employment land away from these growth hubs are also ripe for intensification if connectivity enhancements, specified in the Growth Strategy, can be secured. By concentrating development in these areas, significant regeneration benefits can be secured and economic development opportunities realised whilst also crucially ensuring that the best of Bexley's existing character is preserved, including its popular, family friendly residential neighbourhoods and network of green spaces.

Essential to the realisation of this vision is improved connectivity and the Council welcomes the prioritisation in the plan of the Crossrail extension east of Abbey Wood to Ebbsfleet. This will form part of a comprehensive transport approach that demands interventions at the local and neighbourhood level and these should not be overlooked. In this way, we can drive down car dependency by offering people a real, high quality alternative. However, the Council is clear that this will take time and a premature move to car free development in some areas will prove disastrous. High public transport accessibility levels in outer London mask significant issues in terms of the quality, choice and reliability of services. Pushing through such developments will certainly result in parking free schemes but cars will still use them, creating chaos on local roads, misery for residents and costly delays to local business.

In fact, overly restrictive policies cause a number of issues within the Plan. As well as the detailed prescriptions on parking and employment land, inflexibility on open space designations will also limit the ability of Councils to deal with issues of poor quality open space in highly connected locations. The development, reshaping or remodelling of such sites may in some instances offer the best solution for the future of the area, rationalising boundaries, improving accessibility and enabling improvements in the quality of spaces for the benefit of all. Bexley stands ready to work with the GLA, to plan for and deliver good quality growth for its residents and businesses. The current draft London Plan undermines existing good work and imperils future cooperation across a range of initiatives. I would urge you to fundamentally reconsider the approach taken in the plan to housing and employment development in particular and enable us to go forward together in planning the future of our great city for the benefit of all Londoners.

## London Borough of Bexley response to the Mayor of London's draft new London Plan – general and detailed comments

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Please see the covering letter to the Mayor of London for a summary of the matters that London Borough of Bexley considers to be of fundamental importance. The following general and detailed comments are provided as an appendix to the letter to the Mayor. Draft London Plan Policies and Paragraphs, and other key references, are highlighted in **bold text**.

### General comments

The draft new London Plan is a departure from the current Plan in that it is simultaneously both far more prescriptive and more directive in some matters, whilst in others provides huge discretion to the boroughs with little strategic direction. The ambition of the draft Plan, alongside associated, unachievable draft housing targets runs risk the decisions will be taken on appeal. The lack of a funding package for any new infrastructure is also deeply concerning.

The high level of policy detail is a departure from the essence of the primary legislation that the plan should be strategic only as the draft Plan now reads like a local plan. This is because the Mayor is seeking to secure the projected demand for housing and jobs within his own boundary whilst protecting Strategic Industrial Land and the Green Belt. On a number of issues, ranging from provision of sports and recreation facilities to the protection of public houses, the draft Plan differs from its predecessor by setting out detailed development management-style policies that are likely to be directly quoted in planning decisions. The London Plan should instead be focussed on setting out broad strategies, with appropriate flexibility to be implemented differently in different parts of the capital, depending on local context.

At the same time, there are other issues, such as the definition and location of tall buildings, on which the draft document provides little strategic direction and instead instructs the boroughs to address the issue with local strategies. Whilst the ability to reflect local distinctiveness is welcomed in this context, this needs to be within a strategic framework otherwise confusion and inconsistency may arise with regard to the principles to be applied. The Council is concerned that the level of work being required of London boroughs on specific matters raises significant resource issues and prejudices their ability to take forward locally important work strands. It is imperative that boroughs are able to make informed judgements about priority activities in the context of strategic and local considerations. The Council is also concerned that development management decisions, taken before boroughs have the opportunity to produce these strategies, will not be able to secure the best possible development for a given site or locality.

The level of prescription also contrasts with a distinct lack of flexibility in some policies, which is particularly worrying as much of the draft Plan is premised on unsecured funding or assumptions about the impacts of policy changes. The draft Plan is clear that the level of growth proposed is not supported by funding for the required infrastructure, yet there is no indication of what will happen if this funding is not secured. Moreover, the amount of housing from small sites also relies largely on a change in London Plan policy prompting a change in

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developer behaviour with again no contingency set out should this not occur due to other legitimate factors such as viability and the availability of genuine sites to bring forward.

As a document, the draft Plan suffers from sections where the narrative breaks down. The wording of some policies is particularly obscure, with even experienced planners and other technically qualified officers finding it difficult to follow. One example of this is **Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function**. The policy is three pages long, with proposed measures in **Part E** addressing all processes set out in **Parts B, C and D** and it is not clear which measure relates to which process. In addition, a number of sections introduce within the supporting text an approach or requirement that does not appear to be supported by the language within the policy itself, or appears to be an additional requirement to those set out in the policy proper. For example, **Paragraph 5.3.6** considers the need for Special Educational Needs and Disability provision, but this need is not referred to within **Policy S3 Education and childcare facilities**. The supporting text in **Paragraphs 11.1.8 to 11.1.67** considers funding and other delivery issues, whereas policy **DF11 Delivery of the Plan and Planning Obligations** itself focuses on securing planning obligations.

Finally, there are numerous cases of repetition between policies, which provide opportunities to condense and combine them. For example, **Policy D11 Fire safety** could be incorporated as one part of **Policy D10 Safety, security and resilience to emergency**. Whilst it is understood that the creation of a separate policy places an emphasis on the importance of a particular ambition, the Council is conscious that planning documents should be understandable and accessible, both for professionals and for the public. Policies should be clear but also comprehensive; having different policies address the same issue raises the possibility of planning decisions failing to give due regard to material considerations. It also makes the document rambling and confusing in places, and thus inaccessible to the public, meaning that local people have yet another barrier to overcome to engage effectively with the planning system.

Whilst it is acknowledged by the Council that this is a plan for London, it must also be acknowledged by the GLA that London is a very diverse city in every sense, with differing levels of investment and opportunity. Bexley, for instance, as an outer London borough, suffers from a lack of connectivity stemming from under investment in public transport infrastructure.

### Comments on specific policies and supporting text, by chapter

#### **Chapter 1 – Planning London's Future (Good Growth Policies)**

1.1 The Council broadly supports the overarching objectives of the draft London Plan set out in the six high level Good Growth policies. Planning for good growth is identified as sustainable growth that works for everyone, which is a laudable principle and is also the foundation of the Council's own recently adopted Growth Strategy. The policies are clearly, intentionally high level, however this leads to the principles set out that, in some cases, are purely aspirational as it is unclear how they will be deliverable, and even if they are realistic. These principles are fundamentally undermined by the detailed policies that follow later in the draft Plan that, by their prescriptive style, seriously expose the stark contradictions that will naturally be

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created when trying to meet every demand made on London within an inflexible constraint-driven framework.

- 1.2 One matter in particular is the consideration of London's distinctive character. This is included as a key principle in **Policy GG2 making the best use of land**, but undermined later in the draft Plan, particularly in **Paragraph 4.2.5**, which states that there is a need for the character of some neighbourhoods to 'evolve' to accommodate additional housing. However, **Policy SD10** does not support this approach within areas for regeneration, with justifying text in **Paragraph 2.10.6** stating that places and spaces particularly valued by residents are identified, protected and promoted. In the case of Bexley's residents, it is the character of their residential neighbourhoods that is particularly valued, and often why they have chosen to live in Bexley. Through its **Growth Strategy**, the Council is committed to retaining the authenticity of its neighbourhoods particularly within its growth areas as they change, so that they are still recognisable as being in Bexley, rather than just becoming anonymous and generic. It is imperative therefore, that London boroughs retain the flexibility within local policy to protect and enhance the character of neighbourhoods and the many family sized homes they provide.
- 1.3 **Policy GG4 Delivering the homes Londoners need** states that all necessary supporting infrastructure needs to be planned from the outset and this is welcomed. However, it is essential that this infrastructure is not just planned for, but committed to financially, or even delivered, in advance of the levels of housing that are proposed. This is particularly relevant in Bexley where connectivity is very poor, often in areas identified for growth. 'Planned' infrastructure projects can be abandoned or significantly pushed back when they are no longer a key commitment by politicians at regional or national level. The suggestion repeatedly put forward in the draft Plan that the density of development proposals should be based on future planned levels rather than existing levels will inevitably lead to bad growth in localities with communities that will struggle economically if the planned infrastructure is never delivered.
- 1.4 **Policy GG4** also proposes that London boroughs should establish build-out milestones using all the tools at their disposal to ensure that homes are actually built after permission is granted. It is not clear what tools are being referred to and what legislation supports this approach, as government has not committed to giving local planning authorities any additional powers in this matter.

## Chapter 2 – Spatial Development Patterns

- 2.1. The shift to a reliance on outer London to deliver significant levels of new housing through intensification of its suburban neighbourhoods (**Paragraph 2.0.3**) and town centres (**Paragraph 2.0.6**) is fundamentally flawed, particularly as what evidence has been provided to support this approach is far from robust. Further detail must be provided on the methodology, including the assumptions made, which was used to reach the conclusion that these areas can accommodate the level of intensification set out in the draft Plan. **Paragraph 2.0.4** however recognises that the most significant change will be in Opportunity Areas, and that "*infrastructure is key to this delivery and will require major investment in transport... well in advance of new development.*" This is carried into **Policy SD1 Opportunity Areas** in **Parts A(1)(b)** and **A(4)**, which recognise that it is the identification of areas that will need public investment and



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intervention, and delivery of specific infrastructure projects assisted by the Mayor, which will unlock the area's growth potential. This recognition and support is welcomed, although the focus in more detailed policies later in the draft Plan which suggest that infrastructure only needs to be 'planned' for higher density developments to come forward, renders the whole approach untenable. It must be a prerequisite that infrastructure projects, particularly in public transport, are delivered in advance, or at the very least committed to financially, prior to delivery of the high levels of growth than opportunity areas ultimately will have the capacity to achieve.

- 2.2. **Part B(5) of Policy SD1**, which sets a requirement to both support and sustain Strategic Industrial Locations within opportunity areas, does not provide the flexibility necessary for an area to achieve its full potential. This requirement becomes even more restrictive when reading the descriptions of individual opportunity areas. **Paragraph 2.1.54** for Bexley Riverside, for example, is required to play a significant role in industrial and logistics uses and a Planning Framework for the area "*should ensure that there is not net loss of industrial floor space capacity, and that industrial uses are retained and intensified.*" **Paragraph 2.1.51** for Thamesmead and Abbey Wood uses similarly restrictive language. It is considered that these statements should be removed from the requirements for Opportunity Area Planning Frameworks, as boroughs will be assessing industrial floor space across their areas as a whole and designating land for specific uses within their Local Plans, not within individual Planning Frameworks. Requiring no net loss of industrial floor space also fails to take account of **Paragraph 22 of the NPPF**, which seeks to avoid the long term protection of employment sites where there is no reasonable prospect of the land being used for that purpose, and permitted development rights within **Class P** of the **GPDO 2015**, which allows a change of use from B8 (storage or distribution) to residential.
- 2.3. **Figure 2.7 Thames Estuary** shows figures for housing and employment growth for each of the opportunity areas in this part of London over the Plan period. The figures for **Bexley Riverside** vary dramatically from the figures for this opportunity area in the current London Plan, and do not reflect the Council's aspirations for how, where and when development will come forward in the borough. The Council's approach is set out in the adopted **Bexley Growth Strategy**, a document that was prepared in partnership with the GLA and is based on robust evidence.
- 2.4. The figures in the Growth Strategy are wholly predicated on the delivery of key public transport infrastructure in order for a step change in connectivity for the borough. When comparing these propositional growth figures to the ones in **Figure 2.7** in the draft Plan there is a mismatch with fewer homes and more jobs in the draft Plan; the Growth Strategy proposes a release of employment areas, particularly where they are underused and relatively close to public transport links. There is also an expectation in the Growth Strategy that development will start slowly initially as public transport projects are committed and pick up significantly when they become operational. Without this commitment, Bexley will remain a relatively lower growth area in the capital, to ensure that growth is aligned with necessary infrastructure.
- 2.5. The Mayor's support in **Paragraph 2.1.53** in seeking a government-led extension of the Elizabeth Line to Slade Green and beyond is particularly welcomed. The requirement to explore levels of growth based on 'significantly enhanced bus services and priority measures' should specifically ensure these schemes are committed or

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delivered. This paragraph should refer to the potential DLR extension into Bexley Riverside that is needed to support high-density development and access to areas of employment growth in Belvedere. A new district centre at Belvedere is proposed in the **Bexley Growth Strategy** and this should be included in the text for Bexley Riverside.

- 2.6. Given Bexley's key geographical position as an outer London borough in the Thames Estuary growth area, **Policy SD2 Collaboration in the Wider South East** is particularly relevant and the recognition that London is not an island but part of a larger network that needs to address strategic matters such as housing and infrastructure delivery is welcomed. The Council already works in partnership with its Kent neighbours and will continue to facilitate outcomes that are mutually beneficial, and it is promising to see in **Paragraph 2.3.4** that the Mayor is interested in exploring the potential to accommodate more growth outside the capital.
- 2.7. It is noted that the overall net migration into London over the 25-year period in **Figure 2.14** of 175,000 (an annual average population of 7,000). This suggests that London's growth, which is projected to reach 10.5 million in 2041, comes from the natural churn into an urban area and then out into its hinterlands, which stresses the importance of a strong partnership with the Wider South East. However, there must be a significant impact on the capital from London's existing population, given the evidence cited in **Paragraph 2.3.3** that this growth leads to the need for 66,000 additional homes a year (from the London-wide SHMA). This figure, along with the presumption that there is capacity for around 65,000 additional homes a year (from the SHLAA) needs to be better explained and justified to ensure that they are robust. This capacity figure specifically is addressed in more detail later in this response to Chapter 4 – Housing.
- 2.8. **Paragraph 2.6.2:** The supporting text to **Policy SD6 Town centres** refers to 'high-density' development whereas the policy refers twice to 'higher-density' development. The supporting text should be changed to 'higher' in accordance with the policy as these terms are interpreted differently. There is also no definition of 'high density' in the supporting text.
- 2.9. **Policy SD7 Town centre network, Parts G(1) and G(2) and Annex 1** identify Erith as a centre within an area of regeneration with high residential growth potential, yet Erith currently only has a PTAL of 3 and there are no committed schemes to achieve a significant uplift. The **Bexley Growth Strategy** also identifies Erith as a regeneration area with high residential growth potential, but this is caveated by the need for key transport schemes to be delivered. It is essential that a clear distinction be drawn between potential capacity in the event of uplift in current infrastructure investment and what can sustainably be achieved within confirmed funding envelopes.
- 2.10. Future potential changes to the strategic town centre network in **Figure A1.1** in **Annex 1** should show Belvedere as a district centre in recognition of the potential commercial growth around Belvedere station. The **Bexley Growth Strategy** seeks to achieve a new town centre in Belvedere secured from the uplift in population based on securing a significant improvement in connectivity and development potential through the creation of a public transport interchange at Belvedere station. In

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accordance with **Paragraph 2.7.3** Bexley has undertaken robust evidence gathering through a Retail Capacity Study to ensure that a potential new centre at Belvedere would not have a negative impact on the wider town centre network.

- 2.11. **Part C(4) of Policy SD8 Town centres: development principles and Development Plan Documents** should be revised to reflect local circumstances, for example, where there is a shortage of larger units in a town centre. See also comments about **Policy E9 Retail, markets and hot food takeaways** in the Council's response to **Chapter 5**.
- 2.12. **Policy SD9 Town centres: Local partnerships and implementation** is considered to have significant financial and resource implications for London boroughs. To produce a tailored town centre strategy for each town centre would be onerous, costly and time consuming. Many of the issues, particularly spatial issues, can be covered in local plans, supplementary planning documents and planning frameworks.
- 2.13. **Policy SD10 Strategic and local regeneration** and associated **Figure 2.19** should make clear that the locations identified on the map are a reflection of statistics rather than a land designation or remove sensitive designated areas such as Metropolitan Green Belt and Sites of Importance for Nature Conservation. A large amount of the mapped Strategic Area for Regeneration in Bexley is Metropolitan Green Belt.

### Chapter 3 – Design

- 3.1 The emphasis on design in the draft London Plan is welcomed and is, again a key feature of our own growth plans. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better.
- 3.2 **Policy D1 London's form and characteristics** serves as the basis for most of the others within the design chapter. There is, however, little reference to either London's form or its character, with the focus on the minutiae of design principles. In **Part A** there is no reference to the form and layout of a place responding to the existing character and context; therefore this should be amended to include a new criterion that states '*respond to, reinforce and enhance local identity and context.*'
- 3.3 The language in **Part B(1)** is welcomed as it encourages development design to have regard to local context, but it must be the central point of **Policy D1** and reiterate that design should have regard to the best elements of local character and identity. The shift in the text to the word *identity* before the word *character* is welcomed as identity evokes both what places look like as well as how people use places.
- 3.4 Character and context must be at the heart of any approach to design. **Paragraph 59** of the **NPPF** is clear that design policies must not be prescriptive; nonetheless, local authorities can and should ensure that the architecture and urban design of proposals is compatible with what exists, with **Paragraph 60** stating that it is *proper to seek to promote or reinforce local distinctiveness*.
- 3.5 The current London Plan recognises the importance of existing character and context, requiring development to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings, in order for that development to aid understanding of where a place has come from, where it is

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now and where it is going. This approach is explained in the **Shaping Neighbourhoods: Character and Context SPG**, which sets out an approach to understanding character and context so that it can be considered in the planning and design process to guide change in a way that is responsive to individual places and locations.

- 3.6 Character is about more than the existing architecture. A nuanced understanding of character is one that considers the existing built environment, but also the area's history, its topography, natural landscape and natural features, mixture of uses, type and level of street activity, and other factors that combine to create a unique identity. This understanding should then inform planning policy and development decisions, to secure high-quality schemes that reinforce the best elements of that identity without being constrained by it.
- 3.7 Well-crafted character and context policies do not simply state that new development must match the existing character, but encourage development which is inspired by the best elements of that character, recognising that character is fluid. **Policy D1** fails to properly emphasise the importance of building upon local identity and context and how it should inspire development, along the lines of the approach set out in the existing SPG.
- 3.8 **Part A(2)** is less comprehensive than the current London Plan text, which refers to the facilitation of '*community diversity, inclusion and cohesion.*' Cohesion is particularly important in areas experiencing significant development, where development and management should be utilised to encourage the integration of new residents into a coherent community. For this reason, it is proposed that **Part A(2)** be amended to read '*facilitate an inclusive and cohesive community.*'
- 3.9 **Policy D2 Delivering good design** represents a departure from previous London Plan approaches to design. The draft Plan appears to return significant control to the boroughs, which will be expected to establish the most appropriate form of development for a given area based on an evaluation, and this is welcomed, although the process set out represents a significant piece of work for local authorities. Limited resources will be a key issue in this regard with delays in establishing design principles potentially leading to a significant reduction in control over small developments as proposed in the presumption in favour measure set out in **H2(D)**
- 3.10 The supporting text (in particular **Paragraphs 3.2.2** and **3.2.3**) simply reiterates that an evaluation should be carried out, and it would be useful if guidance could be provided on the following issues:
- suggested methodologies and example evaluations;
  - discussion of what is meant by an area;
  - explanation of each of the 11 elements and how they relate to determining an area's development capacity or appropriate form of development; and
  - the types of documents that will set out the appropriate form of development.
- 3.11 it is also recommended that infrastructure provision be added as one of the elements considered as part of the evaluation. Infrastructure availability is one of the key determiners of development capacity in a given area, under an approach of sustainable development. The relationship between development capacity and

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infrastructure provision is encapsulated in the approach to Good Growth in particular in draft London Plan **Policy GG1** that emphasises access to good quality services and amenities that accommodate, encourage and strengthen communities.

- 3.12 Practical assistance may help in undertaking evaluations. However, it is imperative that the Mayor's Design Advocates do not look to blindly impose solutions from central and inner London on a suburban context. Statistical information, including socio-economic data, housing type and tenure, and air quality and noise levels, should be packaged by the GLA and provided directly to the boroughs.
- 3.13 There is significant concern that a density matrix has not been included in the new London Plan. We feel this is a big mistake. Although there are some issues with its operation, it does provide at least a starting point for discussion with developers. The real risk will be that in the absence of such a guide much time will be lost managing developer expectations on site capacities with a resulting delay in delivery. This will significantly increase the importance of establishing parameters at the local level in terms of scale, height, density, layout, and land uses to secure the right kinds of development in the right places, with good reference to the existing character and context. However, for this approach to be effective, it is essential that the appropriate forms of development as set out by local authorities have a strong policy basis as the local manifestations of **Policy D2**, and are backed up in planning decisions and in appeals.
- 3.14 When the GLA considers strategic planning applications, either at Stage I/II review or when it acts as the local planning authority, its recommendations/decisions should have regard to the appropriate form of development and the relevant design parameters. Importantly, the GLA should consider the implementation of **Policy D2** in the interim period between adoption of the London Plan and the undertaking of an evaluation and setting out appropriate forms of development by the local authorities. In the absence of a document setting out appropriate forms of development, a site-by-site analysis should be carried out, with design expected to meet the policy requirements set out in the draft Plan.
- 3.15 Whilst the establishment of design parameters is supported, whether the draft London Plan implicitly assumes a clear and direct relationship between the capacity for growth and the appropriate form of development is questioned. **Part B of Policy D2** is subtitled: **Determining capacity for growth**; however, the policy text does not refer at all to development capacity figures, but instead to the form that the development should take. The policy or justifying text should clarify whether the evaluation and subsequent documents should set out development capacity, or should focus only on appropriate forms of development. They are distinct.
- 3.16 **Policy D3 Inclusive design** is based on existing London Plan Policy 7.2 An inclusive environment. The draft policy reiterates the requirements of inclusive design with a continuing emphasis on ensuring that development proposals enable access for all in an independent manner. Notably, ensuring dignified evacuation is now an additional inclusive design requirement, focusing on the installation of lifts that can be used safely for evacuation purposes. Whilst the right for everyone to be able to enter and exit all buildings safely and with dignity is supported, the ambition to create inclusive developments is sufficiently addressed in **Policy D1(A)**.

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- 3.17 **Part B of Policy D3** sets a new requirement to include an inclusive design statement as part of the Design and Access Statement submitted with planning applications. Currently, a Design and Access Statement is one of the national requirements that is required as a submission with some planning applications. It is not required for householder applications, unless the site is within a conservation area or a Site of Special Scientific Interest. The requirement is broad to ensure that unnecessary information is not provided. By contrast, **Paragraph 3.3.7** sets out six specific elements that should be addressed in this inclusive design statement. The level of detail required is high and may not be proportionate to the scale and complexity of the application. This may represent an inappropriate new requirement for developers and as such, conflict with the government's ambition to streamline information requirements for planning applications.
- 3.18 The retention of minimum space standards for new dwellings in **Policy D4 Housing quality and standards** is welcomed. However, the Council is extremely concerned that the draft London Plan encourages space standards not as a minimum standard, but rather as a maximum. Explanatory text (**Paragraph 3.4.2**) discourages dwellings with floor areas significantly above the minimum space standards because this is considered not to constitute an efficient use of land. This is a highly simplistic understanding of design and does not allow for an appreciation of context. Providing more floor space per unit is not necessarily a zero sum exercise in which more floor space results in fewer units. In reality, different design approaches to the overall plot layout and different choices about the provision of space within the built form could allow for provision of larger dwellings without sacrificing the number of units provided.
- 3.19 Minimum space standards were developed as a minimum requirement because they are considered to provide the minimum amount of space people need to live relatively comfortable lives. Exceeding space standards is one way to improve the quality of life offered by a particular dwelling. Research has shown that providing additional space can have direct and indirect benefits to health, educational attainment, family relationships and even social cohesion<sup>1</sup>. By contrast, other research has shown that a lack of space impacts not only functional aspects of day to day life, like cooking and storage, but also social aspects, such as having sufficient space to spend time with others<sup>2</sup>.
- 3.20 Rather than encouraging a race to the bottom, the draft London Plan should encourage developers to employ creative design approaches that create more floor space per unit, consistent with the most efficient use of land. The second sentence in **Paragraph 3.4.2** should be removed. If not removed, developers will cite this text to justify providing only the bare minimum; even where an alternative design approach could result in larger unit sizes.

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<sup>1</sup> Royal Institute of British Architects. Homewise report: Space standards for homes. 2015: <https://www.architecture.com/-/media/gathercontent/space-standards-for-homes/additional-documents/homewisereport2015pdf.pdf>.

<sup>2</sup> Shelter. Living Home Standard. 2016: [https://england.shelter.org.uk/professional\\_resources/policy\\_and\\_research/policy\\_library/policy\\_library\\_folder/report\\_living\\_home\\_standard](https://england.shelter.org.uk/professional_resources/policy_and_research/policy_library/policy_library_folder/report_living_home_standard)

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- 3.21 The supporting text in **Paragraph 3.4.5** expands on **Part E of Policy D4**. The second sentence of this paragraph notes that single aspect dwellings should not be permitted where they are north facing, contain three or more bedrooms, or are exposed to high noise levels. The prescriptive nature of this sentence would be better placed in the Policy and it is recommended that it be moved to **Part E of Policy D4**.
- 3.22 The **first bullet point** of the list of qualitative aspects in **Paragraph 3.4.11** suggests that applicants should consider alternative design arrangements to accommodate the same number of units and this is strongly welcomed. This is particularly relevant in consideration of applications for tall buildings, where developers should be required to demonstrate that they cannot achieve similar densities and other goals through different design configurations. The **penultimate bullet point** addresses externally accessible storage, and the word 'covered' should be added; bulky items awaiting waste collection, for example, can rarely be reused or recycled if left out in the open. A useful addition to the **final bullet point** would be to insist on appropriate waste storage inside homes (e.g. in kitchens), which encourages waste segregation at source.
- 3.23 The Council supports the intention to make the most efficient use of land by developing it at the optimal density, as required by **Policy D6 Optimising housing density**. Whilst London's housing crisis is not caused by a lack of land availability, it is clear that development proposals must make the most efficient use of developable land.
- 3.24 It is essential to differentiate between optimising housing density, and maximising housing density. The optimal density level requires a nuanced understanding of the capacity of the site, taking into account not only what is physically possible but also what is acceptable, given considerations including existing identity and context, connectivity, the capacity for infrastructure to accommodate new residents, the need for different types and sizes of residential units, and other factors. By contrast, maximising density is an exercise in developing the site with as many units as can fit. The policy must be clear that the intention is to optimise housing density, not to maximise it. The draft Plan does this implicitly by requiring consideration of a number of factors to determine appropriate density levels, but it could be strengthened with explicit language noting that the policy aim is to optimise, not maximise.
- 3.25 **Part A of Policy D6** sets out three factors that should be considered to determine the capacity with regards to context, connectivity and capacity of surrounding infrastructure. These three factors begin to reveal potential development capacity. However, other factors should also be taken into account, including the eleven elements identified in **Part A of Policy D2**.
- 3.26 The Council welcomes making explicit the relationship between infrastructure provision and development capacity. **Policy D6** should confirm that insufficient infrastructure is grounds to refuse planning applications. **Paragraph 3.6.2** indicates that local infrastructure capacity will be determined by infrastructure assessments. However, no guidance is provided on how these assessments should be carried out. The text also states that infrastructure assessments will not normally be required for minor developments, nor should permission be refused for minor developments on the grounds of insufficient infrastructure capacity. This is a problematic approach

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because the cumulative effects of minor developments can place unsustainable burdens on local infrastructure. The current emphasis on ensuring that small sites make up a higher percentage of development sites will only add to this aggregate of negative impacts. This stance amounts to turning a blind eye towards a type of development that is being actively pushed for expansion. Infrastructure provision should be a factor in the consideration of all planning applications, regardless of their size.

- 3.27 It is noted that development capacity is based on future planned levels of infrastructure, rather than existing. However, development should only be allowed where there is a strong degree of certainty that future infrastructure will be provided, or else it carries the risk of being unsustainable development. This aligns with the approach set out in the **Bexley Growth Strategy**, which seeks a phased approach to development across areas that would benefit from the extension of the Elizabeth line as well as other infrastructure, provided that these are *committed or even delivered prior to the increase in development capacity*.
- 3.28 The recognition that the Elizabeth line extension will significantly increase development capacity is welcomed. The Bexley Growth Strategy sets out a vision for how improved infrastructure provision such as the Crossrail extension will allow Bexley to meet its need for new homes and jobs. However, it would be wholly inappropriate to approve development at higher density levels, which would be appropriate when the infrastructure is in place, prior to any firm financial commitment.
- 3.29 **Part C of Policy D6** suggests that the level of scrutiny given to a design will be directly proportional to the proposed density. It sets out that a strategic planning application will be required to submit a management plan if the proposed density is above a certain number of units per hectare. It is recommended that management plans include details of day-to-day servicing and deliveries, longer-term maintenance implications, and potential running costs and service charges. It is also recommended that management plans be required for most schemes of 25 units or more.
- 3.30 **Part D of Policy D6** sets out four different means of measurement that should be provided for all planning applications with new residential units. An additional three measurements should be provided for all major planning applications. Each of these measurements offers a different approach to understanding density. The relative benefits and drawbacks of the different measurements were considered in detail by a report<sup>3</sup> produced as part of the GLA's 2016 Density Review, which forms part of the evidence base to the draft London Plan. However, requiring all seven measurements for every major application will contribute to information overload. It is considered that all seven measurements may not be required for every major planning application. Rather, applicants should be required to describe the density of the proposed development in terms of the number of units and at least one other measurement, and

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<sup>3</sup> LSE. London Plan Density Research Project 1: Defining, Measuring and Implementing Density Standards in London. 2016.

[https://www.london.gov.uk/sites/default/files/project\\_1\\_defining\\_measuring\\_and\\_implementing\\_density\\_standards\\_in\\_london.pdf](https://www.london.gov.uk/sites/default/files/project_1_defining_measuring_and_implementing_density_standards_in_london.pdf).



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the local planning authority should have the discretion to require the developer to describe the density using any other measurement as appropriate.

- 3.31 There appears to be a typographical error in **Policy D6(D)(3)**. The text reads 'number *or* bedrooms per hectare;' it should be amended to read 'number *of* bedrooms per hectare.'
- 3.32 **Policy D7 Public realm** is a more detailed policy than its iteration in the current London Plan ([Policy 7.5 Public realm](#)). In this respect it is a counterpart to **Policy D1** and it seeks to ensure that the conditions are created to support a number of desired results. The policy lists 13 ambitions that development plans and development proposals should accomplish with regards to public realm. These represent a strong recipe for the creation of safe, comfortable, and vibrant spaces which serve the varying needs of a range of people throughout different times of the day and the year. It is recommended that two additional ambitions are considered: to create and retain natural features; and, to have regard to existing identity and context, which should inform and inspire the way public realm is designed and how it functions.
- 3.33 The means by which **policy D8 Tall buildings** seems to return a significant level of control over tall buildings to the boroughs is welcomed. Notably, **Part A of policy D8** states that London boroughs through their Development Plans should define what is considered a tall building. This is important because the word 'tall' is a highly relative term; a building which might be considered tall in Bexley or other parts of outer London could be perceived as the norm in the City of London. The **Bexley Growth Strategy** sets out that the tall buildings of choice in Bexley are mansion blocks of typically four to eight storeys in height. This building type is considered a means of increasing density without overwhelming the distinct suburban character of Bexley. These types of buildings will meet the right needs, integrate well into the existing streetscape and enhance the skyline, so that they, amongst other things, provide a strong contribution to the public realm.
- 3.34 Each London borough's definition of a tall building will be irrelevant to whether an application is of potential strategic importance and therefore referable to the Mayor. Currently, an application is referable by means of its height if it meets any of the criteria set out under **Category 1C of the Mayor of London Order (2008)**, which presumably will remain in force with regards to whether a building is referable, and that those buildings considered tall under a borough definition but not under these criteria would not be referable. If a proposal comes forward that meets a London borough's definition as a tall building, Development Plan policies (e.g. Local Plan and London Plan) relating to tall buildings will become a material consideration in determination of the application, even if the building is not considered tall under the definition in the Mayor of London Order. When considering referable planning applications, the GLA's Planning Decisions Unit must apply any relevant London Plan and Local Plan policies on tall buildings, even if the proposal does not meet the criteria for a tall building as set out in the Mayor of London Order.
- 3.35 **Part B of Policy D8** sets out that London boroughs will also be able to identify on maps in Development Plans the locations where tall buildings will be appropriate. Further explanation should be given on the relationship between this exercise and the

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evaluation proposed by **Policy D2**, which will inform the appropriate forms of development within an area, including height.

- 3.36 The **Bexley Growth Strategy** sets out that towers of up to approximately 15 storeys are only appropriate in focussed clusters where they are needed architecturally for way finding or to significantly enhance the skyline, taking into consideration the character of the area, including its topography. There are a very few locations within Bexley which are appropriate for these types of tall buildings. Unfortunately, however, there are some towers in inappropriate locations, either historical relics from the mid-20<sup>th</sup> century or more recent developments allowed on appeal. Subsequently, developers use these existing buildings to argue that a precedent has been set. To address this issue, it is essential that **Policy D8** state that existing tower blocks do not necessarily set precedents for additional tall towers.
- 3.37 **Part C** of **policy D8** sets out a number of potential impacts that local planning authorities should consider when assessing applications for tall buildings. The language in this section represents an improvement on the current London Plan Policy 7.7 Location and design of tall and large buildings because it shifts the focus from demonstrating a lack of harm and mitigation of harm to demonstrating a positive contribution. For example, **D8(C)(1)(b)** does not just require proposals to have no adverse impact on the spatial hierarchy of the local and wider context, but to positively reinforce that spatial hierarchy. This approach should be reflected in each of the considerations; it is currently not reflected in the line on World Heritage Sites and in the line on strategic or local views along the River Thames.
- 3.38 The draft Plan is absolutely correct to note in **Paragraph 3.8.1** that '*high density does not need to imply high rise.*' In fact, for many schemes, broadly the same number of units could be achieved through mid-rise solutions, through a more efficient use of the plot. These mid-rise solutions are often much more appropriate in both form and function, but are often not even considered because developers are intent on a high-rise design approach. The adopted **Bexley Growth Strategy**, for instance, considers that mansion blocks of four to eight storeys to be an appropriate typology for the borough, based on extensive evidence prepared that supports the strategy. Therefore, it is recommended that **Policy D8** include a requirement that applicants consider alternative design approaches early in the design process. The supporting text for **Policy D4 Housing quality and standards** already suggests that applicants should consider alternative design arrangements to accommodate the same number of units; this should be a requirement when applicants submit proposals for tall buildings. Requiring an alternative design will encourage developers to think more creatively about how to achieve the most efficient use of the land. Where alternative approaches demonstrate that a proposed development could achieve similar numbers of units and bed spaces without the need for a high-rise but the applicant insists on the high-rise approach, that approach must be meticulously justified, with particular regard to issues including local identity and context, sustainability, and positive contributions to visual and functional impacts.
- 3.39 **Policy D8** states that '*tall buildings have a role to play*' in terms of meeting housing need and contributing to the legibility of the city's built form. This is certainly true of tall buildings of around four to 10 or even 15 storeys. However, very tall towers – typically considered those of 20 storeys or more in the development process – are far

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less justifiable. The role that very tall towers play in London's built environment should be strictly limited.

- 3.40 Very tall towers are an inefficient means of providing housing, because increased construction and maintenance costs require financial returns that encourage developments with as few as two to four units per core. As a result, increased height often does not lead to a substantial increase in units. The reality is that towers are less a response to the need for more housing, and are more usually a response to meet the preferences of a particular market segment, which is more interested in creating investment opportunities than creating high-quality homes where people live out their lives. When this is considered alongside the architectural, environmental, and social consequences of very tall towers, it becomes apparent that the role for very tall buildings in London must be strictly limited. They should be allowed where they will assist with regeneration, or where they are needed architecturally for way finding or to significantly enhance the skyline. Otherwise, very tall towers should not be allowed. **Policy D8** should therefore include a presumption against very tall buildings. It should state that tall towers must be meticulously justified.
- 3.41 **Policy D10 Safety, security and resilience to emergency** reiterates the need for design to consider how to create protection from and resilience to emergencies. **Policy D11 Fire safety** also address fire safety, with a particular emphasis on features to reduce the risk to life and to minimise the spread of fire, designing a means of escape, and ensuring access to firefighting equipment. Whilst the Council supports these ambitions, where these issues are already addressed in the Building Regulations, there should not be repetition or perhaps even contradiction in planning policy. On fire safety, for instance, the government is undertaking a review, and there is concern that the draft London Plan pre-empts the outcome of that review. Where these issues are not addressed by the Building Regulations, it is recommended that the policies related to emergencies are consolidated into one policy. Creating one policy which comprehensively addresses these issues will ensure a more consistent approach in planning decisions, and will make the draft Plan less confusing.
- 3.42 The Council supports the principle set out in **Policy D12 Agent of Change** as a tool to allow noise-producing uses to sit comfortably with residential uses. Ensuring that residential can exist side-by-side with other uses is becoming increasingly important as more residential development takes place in locations with potential noise, including town centres and employment areas. Residents who move into these settings must accept that noise levels will be greater than those found in the suburban hinterlands. Noise mitigation works are not only about soundproofing, but also about management plans to address other potential causes of noise, such as queues of people outside of nightclubs or crowds of people leaving concert venues.

## Chapter 4 – Housing

- 4.1 The Council recognises the challenge presented by the current housing crisis, in particular the issues of delivery and affordability. It is essential that housing provision is tackled in a realistic and achievable way taking into account the opportunities and challenges within individual boroughs.

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- 4.2 Bexley's adopted growth strategy, prepared in partnership with the GLA, sets out how a significant but sustainable increase in housing can be achieved in the borough. A highly propositional document, the **Growth Strategy** considers what can be achieved with a significant uplift in infrastructure investment. This document looks at growth over a 30-year timeframe and as such, the first ten years, which correspond with the 10-year housing target period in the draft London Plan, would still only see relatively modest levels of uplift in supply, as the necessary infrastructure will take time to be put in place.
- 4.3 The imposition of a London-wide approach, set out in **Paragraphs 4.1.1 to 4.1.4**, without regard to local character, infrastructure and markets is doomed to failure and will inevitably make matters worse. Policies need to reflect different markets and address the issues of affordability in central and inner London rather than driving demand into outer London where meeting local need is already an issue. The Council is carrying out its own local **Strategic Housing Market Assessment (SHMA)** to provide a sound evidence base for the emerging new Local Plan for Bexley. The intention is to provide a report tailored to the unique characteristics and needs of the borough and the role it has within the London Housing Market.
- 4.4 Following on from the Growth Strategy, and informed by the new local SHMA, a Housing Strategy for Bexley is to be produced with a focus on the positive impact of housing growth on the health and well-being of residents, the economy of the borough, and the local environment. In this context, the Council is taking steps to ensure Bexley plays its part in securing quality homes in the right places using a robust local evidence base and deep knowledge of the local area. Viability for schemes in Bexley is a key issue as low land values and high build costs combined with the need to provide other essential infrastructure means that bringing sites forward for residential development can be complex. There is a pressing need for significant infrastructure investment to enable the development of sites at higher densities as part of liveable, lifetime neighbourhoods. As such, the rate of housing delivery suggested in **Paragraph 4.1.3** will not be achievable.
- 4.5 In terms of improving skills, capacity and building methods, the Council is developing proposals for a new **Place and Making Institute** in east Thamesmead, in partnership with Peabody and London South East Colleges, to address the critical skills, training and recruitment shortages in the built environment sector. Working closely with businesses, the Institute will help to provide a workforce with the skills essential to delivering good growth, generating new learning and employment opportunities for local residents and people across the region in roles related to civil engineering, construction, architecture and landscaping.
- 4.6 As suggested in **Paragraph 4.1.5**, The Council has established its own development company, BexleyCo, as a vehicle for securing much needed quality local housing in the borough. BexleyCo is working towards bringing forward plans for around 500 homes in its first two years of operation. This includes developing land already in the Council's ownership as well as acquiring new sites for development.
- 4.7 The current Local Plan for Bexley identifies Bexley's Opportunity Areas and its main town centres in the rest of the borough as the sustainable locations for growth in its overarching strategic policy CS1. This policy is in line with **Part B(1) of Policy H1**

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**Increasing housing supply**, including making provision for the development of appropriate windfall sites. The housing capacity achieved from identified sites in these locations is in line with current London Plan housing supply targets, which have been set by the GLA in partnership with Bexley from the **2013 SHLAA**, considering the lack of good public transport connectivity.

- 4.8 The capacity figures for large sites in these areas, updated in the **2017 SHLAA**, show that with current infrastructure investment commitments, Bexley can make a modest increase to its current London Plan target of around 25%. This includes a realistic assumption on the amount of genuine small sites coming forward using the small sites methodology that had been consulted on prior to the SHLAA exercise taking place. However, this increase in supply is less than half of the proposed housing target for Bexley set out in **Table 4.1** of the draft Plan, and the small sites allowance is less than an eighth of that envisaged in **Table 4.2**. The reference in **Paragraph 4.1.7** that the targets are based on the 2017 SHLAA is misleading; the small sites allowance proposed for London boroughs was generated using a methodology that was created *after* the main study was completed, and that was *not developed in consultation with the boroughs*. This is addressed further in paragraphs 4.18 to 4.23 below.
- 4.9 It is noted that this is no longer a housing *supply* monitoring target, but target for net housing *completions*. As the Mayor is no doubt aware, the granting of planning permission for development does not necessarily lead to the development being built, and at the moment, local planning authorities have no powers to force developers to build.
- 4.10 The types of sites put forward in **Part B(2)(a) to (e)** of **Policy H1** may not contribute to any significant capacity in Bexley unless they are in a location identified for sustainable development in the Local Plan, given the lack of any real options other than for car-based transport. Proposals for higher density buildings in Bexley around railway stations and major town centres will need to be balanced with the impact on the surrounding area and sufficient space being available for any identified infrastructure required. Bexley's town centres lack the existing or planned transport capacity to support higher levels of housing density. Similarly, the transport hubs in the borough are very limited in reality and cannot be compared to others in central and inner London— even with relatively high PTAL levels, places such as Bexleyheath suffer from poor transport choice and a lack of resilience and reliability. Enabling infrastructure support is key, otherwise new development will be disconnected and all that means for social mobility and economic prosperity.
- 4.11 Employment sites (**Part B(2)(f)** of **Policy H1**) are located in Bexley's Opportunity Areas and have been identified for potential release within the **Bexley Growth Strategy**, a proposition that will be considered in more detail within Opportunity Area Planning Frameworks for Thamesmead and Abbey Wood and Bexley Riverside. Balancing competing demands by co-locating and integrating different uses within buildings, sites and neighbourhoods will be extremely challenging especially given the nature of existing industrial activities. In Bexley, the role of retained employment land is likely to continue to focus on waste and warehousing and distribution with limited scope for sector shift unless there is a significant uplift in accessible transport connectivity. No examples have been provided of satisfactory typologies that effectively integrate these uses vertically without affecting quality and amenity. It is

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doubtful whether a truly satisfactory solution can be found without compromising the residential element. In this context, densification of remaining employment areas is considered to hold significant potential thereby allowing release in the best-connected locations. This matter is considered further in comments on Chapter 6 – Economy.

- 4.12 The Council considers that the housing target for Bexley has not been prepared with robust evidence and is therefore unrealistic and undeliverable. Many areas in the borough do not yet have committed, or even planned, new sustainable transport infrastructure to allow the high-density and mixed-use development needed to support the housing supply target that has been set for Bexley in **Table 4.1**.
- 4.13 The Council is in principle supportive of the sustainable intensification of existing residential areas on identified sites in appropriate, accessible locations and sets out the conditions and areas for growth within its adopted Growth Strategy. Fundamental to the approach set out is that investment in infrastructure supports the increase in population and that the development is particularly sensitive to the existing character and context. Identified development capacity is concentrated within Bexley's underused but well-connected employment areas near transport hubs and through the intensification of town centres, and not through a hugely damaging and undeliverable densification of existing residential areas across the borough.
- 4.14 There are a number of design solutions that allow higher density developments to fit well with the existing suburban context. Examples includes terraces of houses punctuated with small blocks on either end, maisonettes or small blocks of flats that have the appearance of semi-detached houses, or stacked maisonettes. This type of development is successful where it provides many of the reasons people value suburban living – including privacy, back gardens, and entrances directly onto the street – at densities that optimise the use of the site whilst retaining the character of the area.
- 4.15 A key objective of the current Local Plan is to
- “Create a borough of contrast and choice of living styles, through preserving and enhancing the best areas of family housing and encouraging high quality, compact, mixed use and higher density development in locations with good public transport.”*
- 4.16 There is some current capacity to provide additional housing through some suburban intensification, including in-fill sites, but again in sustainable locations. However, the draft London Plan policy shift in **Policy H2 Small sites** will not encourage the huge increase in applications or completions that would be required to meet the small sites element of the housing target.
- 4.17 The economics of small-scale development are difficult and there is no real evidence of significant market demand for such schemes. An overreliance on these developments to meet housing targets will lead to an inability to identify an appropriate supply of deliverable land, undermining the five-year supply of housing land and resulting in planning by appeal, which will imperil safeguarded land and critically undermine the London boroughs' efforts to plan their areas effectively. Small sites are also unlikely to make any meaningful contribution to any new infrastructure, including school places, required when struggling with viability in the context of low

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land prices and increasing build costs whilst the incremental impact of such densification on the character of the area would be significant.

- 4.18 There is a striking and alarming increase in the small sites element of the housing supply for Bexley. The annual target for net housing completions on small sites is 865 for Bexley, set out in **Table 4.2**, which represents an eightfold increase from the existing small sites element of the current target. We are clear that the borough-level small sites targets are reliant on an unsound methodology, and based on an unrealistic assumption about the level of future potential growth in existing residential areas.
- 4.19 The small sites methodology was determined without consultation between the GLA and the London boroughs. The SHLAA methodology consultation stated that
- 'additional scenario testing on small sites will also be undertaken to explore the potential for trends in housing completions in terms of delivery and density to be increased as a result of planning policy changes in the London Plan and Government reforms, for example, the scope for suburban intensification and whether the use of brownfield/small sites registers and permission in principle might increase housing delivery. The methodology and approach to scenario testing small sites 'windfall' assumptions will be developed in more detail at a later date and will be shared with boroughs for comment.'*
- 4.20 However, this information was not shared before the consultation closed in January 2017, depriving boroughs of the opportunity to comment on the detailed assumptions. Furthermore, boroughs were not made aware of the final methodology until the targets were distributed in September 2017. The GLA failed to reach out to boroughs to see if the proposals are deliverable. As a result, it has produced a draft London Plan with undeliverable small sites targets.
- 4.21 The GLA small sites methodology assumes a 1% annual growth in existing residential areas with PTALs of 3 to 6 or within 800m of a railway station or tube station or a town centre. This growth is expected at a net growth factor of 2.2 units in areas of semi-detached or detached houses and 1.3 units in areas of terraced housing. The methodology reduces its assumptions regarding the level of growth in conservation areas and excludes existing flats, maisonettes, apartments, and listed buildings.
- 4.22 The 1% assumption is not based on evidence. It is a wildly optimistic aspiration, unsupported by the change in policy. The 2017 SHLAA report simply states, at Paragraph 6.24, that the *'1% assumption is considered to provide a reasonable estimate for the level of net additional housing that could be provided in view of the potential impact of the proposed policy changes in the draft London Plan'* with no justification for why it is considered a reasonable estimate. In fact, the assumption is entirely unreasonable. This methodology results in a small sites target that far exceeds what has previously been achieved.
- 4.23 The increase required is substantial. The GLA has not revealed the current rate of growth within existing residential areas. However, figures from the London Development Database show that, in the eight financial years from 2007/08 to 2014/15, 22,143 net residential units were delivered on small sites. This is

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approximately 2,768 per annum over that period. By contrast, the London-wide draft small sites target in **Table 4.2** is 24,573 per annum; this is an 880% increase on what is currently achieved on these sites. Determining the quantitative impact of any planning policy is necessarily guesswork.

- 4.24 It is clear that **Policy H2** is wholly inadequate as a mechanism for driving such a change whilst also raising significant concerns around the quality of any development that does result. Paragraph 4.2.1 makes the assumption that London boroughs' Local Plans do not currently have policies in place, with the statement that '*achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.*'
- 4.25 Whilst the current London Plan does not include a small sites policy, Bexley's Local Plan does. Saved UDP Policy H8 is highly permissive of development of small sites. Even on the most constrained types of small sites – new dwellings to the side or rear of existing dwellings and sited on gardens or incidental open space – the policy simply sets out four additional criteria that proposals must meet:
1. adequate and safe access for vehicles and pedestrians is provided, with no adverse effects on the amenities of adjacent dwellings and their gardens;
  2. the proposed dwellings are adequately separated from other dwellings in terms of their amenities, light, privacy and garden space;
  3. there is no adverse effect on the character of the area, including cumulative effects; and
  4. nature conservation features of interest, such as trees, hedgerows and ponds, should be preserved.
- 4.26 Under this policy, the Council approved more than half of all applications on small sites between FY2011 and FY2016<sup>4</sup>. Similarly, the Council approved over two-thirds of all applications for conversions between FY2011 and FY2016<sup>5</sup>. Where applications were refused, issues other than the site constraint were often to blame. This demonstrates that the existing policy framework is amenable to small housing development.
- 4.27 **Policy H2** proposes a presumption in favour of small housing developments, where, in the absence of local design coding, applications will be approved unless it can be demonstrated that it would give rise to '*an unacceptable level of harm to residential privacy, designated heritage assets, biodiversity or a safeguarded land use...*'. Confusingly the explanation for the policy at **Paragraph 4.2.8** also states that schemes should achieve '*good design and ensure that existing and proposed homes benefit from satisfactory levels of daylight and sunlight.*' It is wholly unclear whether these requirements are relevant to the presumption in favour of small sites in the absence of a design code. As the policy stands, where no design code exists, there are only four relevant considerations and these exclude requirements to: achieve

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<sup>4</sup> Dataset comprised of all applications for new build developments of 10 units or less on sites of 0.25ha or less (Type 13, with manual removal of units created through extensions or conversions).

<sup>5</sup> Dataset comprised of all applications for changes of use (Type 18) and where units of accommodation may have formed part of a mixed development (Type 20).



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good design, avoid loss of sunlight or overshadowing, preclude the creation of overbearing structures that create poor outlook and ensure safe access to the site by pedestrians, cyclists or car drivers. The consideration of car access is relevant as **Policy T6 Car parking** allows London boroughs to set minimum parking standards in areas of PTAL 0-1. However, the presumption in favour of small housing sites precludes any ability to implement this approach.

- 4.28 The Council is very concerned that in the absence of a design code – which as set out in the response to **Chapter 3 - Design**, will be a significant piece of work, with major resource implications that will take time to undertake – poor quality development will emerge that will result in poor living environments, for new and existing residents, and inadequate access. Moreover, as previously stated, changing the character of popular residential areas will undermine people’s support for and confidence in the benefits of change.
- 4.29 In conclusion, the reliance on small sites creates a significant risk that the replacement London Plan borough housing targets are unachievable. The draft London Plan does not meet objectively assessed need because it relies on an optimistic assumption about small sites, not an evidence-based calculation of development capacity. Forcing unrealistic targets on boroughs almost creates the certainty that they will be unable to meet these targets, which could then result in planning refusals allowed on appeal, and the inability to progress sound Local Plans, thereby undermining the approach to sustainable development that is at the heart of the draft London Plan.
- 4.30 Two other policies are inconsistent with **Parts G and H of Policy H2**, which address developments of 10 units or fewer. **Part G** allows for no M4(3) homes, even though **Policy D5** requires that 10% meet this requirement. A development of 10 units should therefore potentially deliver one unit at the M4(3) standard. It is recommended that this policy conflict be corrected. **Part H** supports boroughs in applying an affordable housing requirement to developments of 10 or fewer units where this is the main source of housing supply and play an important role in contributing to affordable housing delivery. **Paragraph 4.2.12** sets out further detail, including encouraging boroughs to include policies in their local plans requiring an affordable housing cash in lieu contribution from sites of 10 units or fewer.
- 4.31 **Parts G and H of Policy H2** address developments of 10 units or fewer and the measures proposed in these parts could be considered inconsistent with other policies in the draft Plan. **Part G** allows for no M4(3) homes, even though the accessible housing **Policy D5** requires that 10% meet this requirement. A development of 10 units should therefore potentially deliver one unit at the M4(3) standard. It is recommended that this policy conflict be corrected. **Part H** supports boroughs in applying an affordable housing requirement to developments of 10 or fewer units where this is the main source of housing supply and therefore plays an important role in contributing to affordable housing delivery. **Paragraph 4.2.12** sets out further detail, including encouraging boroughs to include policies in their local plans requiring affordable housing from sites of 10 units or fewer. However, the affordable housing **Policy H5** makes no mention of the importance of small sites in the delivery of affordable new homes across London. Given the importance the draft Plan places on small sites in providing the capacity to meet housing need, it is surprising that Policy

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H5 makes no direct link to Part H of Policy H2. Part B of Policy H5 mentions cash in lieu contributions in ‘*exceptional circumstances*,’ and a footnote linked to Paragraph 4.5.6 is the only reference back to Policy H2 (and even here, the reference is incorrect; Part F is referenced instead of Part H). Perhaps it is that the Mayor is perfectly aware of the dilemma posed from both encouraging small sites to come forward and from seeking 50% affordable housing from all new homes. Smaller developments in outer London will be less likely to be viable if an affordable housing contribution is required, so he is leaving it to the boroughs to put it in Local Plans.

- 4.32 **Table 4.3 Proximity to town centres** also identifies on the map 800m circles from a London Underground Station. It should be noted that there are no London Underground Stations in Bexley. The blue circles in Bexley represent ‘heavy rail’ stations, with as few as six trains an hour into London at the peak morning commute, in stark contrast to a train every two minutes on the Tube.
- 4.33 Several of the statements in **Policy H3 Monitoring housing targets** need clarification. **Part B** of **Policy H3** notes the contribution of the delivery of small sites towards the small sites targets in **Table 4.2**. However, it should be clarified that this target is a subset of the overall housing target set in **Table 4.1**, and therefore the delivery of housing on small sites also contributes to this target. In addition, **Paragraph 4.3.1** states that both housing completions and approvals will be monitored when assessing progress against the housing targets. Does this mean that planning approvals will count as meeting the defined target of ‘*net housing completions*’?
- 4.34 Whilst the principle of **Policy H4 Meanwhile uses** is welcome, there is concern that including housing as a meanwhile use could cause distress to people occupying these homes; especially if evicting them from the temporary accommodation would mean that, they would become homeless. Even the most well intentioned residential meanwhile use could end up in the courts, with residents unwilling to leave and the subsequent impact being the delay to the longer-term development. The inappropriate growth of small HMOs is an example of the scope to exploit this type of policy. It is recommended that meanwhile uses on development sites be for uses other than housing.
- 4.35 The proposed strategic affordable housing target set out in **Policy H5 Delivering affordable housing** is undeliverable. Over the past three reporting years, affordable homes have not exceeded 15% of total housing approvals in London and it is unlikely that any of the specific measures in the policy will alter this performance significantly. Insistence on such an unrealistic target will ultimately be counterproductive, dissuading development from coming forward and reducing the supply of housing overall. In addition, it is unclear from the wording in the policy if the 50% is over the life of the Plan, or an annual target.
- 4.36 **Part B** of **Policy H5** notes that contributions as off-site or as cash-in-lieu are only to be provided in exceptional circumstances. The only reference to this being the preferred approach to affordable housing delivery on small sites is provided as a footnote to **Paragraph 4.5.6**, and this incorrectly references the wrong part of **Policy H2** (**Part F** is referenced instead of **Part H**). It is recommended that the affordable

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housing contribution that can be made from small sites be directly set out in **Policy H5**.

- 4.37 Bexley's Local Plan policy *aspiration* is to achieve 50% affordable housing as a proportion of all provision *over the plan period as a whole*, with provision delivered on-site and off-site contributions only accepted in exceptional circumstances. However, historically low land values and high build costs combined with the need to provide other essential social infrastructure on sites means that delivering affordable housing is extremely challenging in Bexley.
- 4.38 The approach set out in **Policy H6 Threshold approach to applications** broadly reflects the approach taken to viability appraisals by London Borough of Bexley, which has a Local Plan policy defined minimum target of 35% from private developments of more than 10 units. The proposal to set a threshold level of affordable housing at 50% for public sector land and Strategic Industrial Locations, Locally Significant Industrial Sites and other industrial sites deemed appropriate for release for other uses will be extremely challenging for many schemes in Bexley due to viability issues. Low land values and high build costs combined with the need to provide other essential social infrastructure on sites, means that there is little choice but to accept lower levels of provision or defer contributions until later phases in the expectation of capturing subsequent uplifts in value. **Paragraph 4.6.6** makes an assumption about the difference in values between industrial and residential development leading to an expectation in the delivery of 50% affordable housing on industrial sites released for housing. In Bexley, the value of land in industrial use in some areas can be equivalent to land in residential use, making a 50% requirement for affordable housing unachievable.
- 4.39 **Paragraph 4.6.3** sets a requirement for the affordable housing on a scheme to be presented as a percentage of total residential provision in habitable rooms, units and floor space to enable comparison. However, this does not enable comparison with the market units on the scheme. Therefore, all housing, of all types and tenures, should have the requirement, to enable a full comparison of all housing on a scheme.
- 4.40 **Paragraph 4.6.5** states that, where there is an agreement with the Mayor to deliver at least 50% affordable housing across a portfolio of sites on public sector land, then the 35% threshold should apply to individual sites to be considered for the Fast Track Route. **Part A(3) of Policy H5** requires affordable housing providers with agreement with the Mayor to deliver at least 50% affordable housing across their portfolio, but no individual site requirement has been set.
- 4.41 The Council is carrying out a local SHMA as evidence supporting a new Local Plan, and a new Housing Strategy for Bexley. This will be produced with a focus on the positive impact on the health and wellbeing of residents, the economy of the borough, and the local environment. The Council considers it essential that a clear understanding of local need is obtained in order to inform locally specific policies on housing and enable the better interpretation of London wide policies at the local level and it should be left to the individual authority to identify the best way of doing this.
- 4.42 The flexibility on affordable housing tenures set out in **Policy H7 Affordable housing tenure** is welcomed as a tailored approach across the borough is appropriate, and

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agree this will aid regeneration of such areas, which are often mono tenure in nature. The challenges of estate renewal and the necessity to generate sufficient value from market development means that flexibility on affordable housing tenures is essential to deliver regeneration schemes that achieve mixed and balanced communities. **Paragraph 4.7.10** provides the ability of boroughs to set other eligibility criteria that reflects local need, and presumably, this can include homes for essential workers. In this it is disappointing that this local criteria cascades out to London-wide eligibility criteria within three months.

- 4.43 Estate regeneration needs to take account of the specific circumstances of each site, local housing need, viability and the nature of the surrounding area. Bexley still has mono tenure estates at Arthur Street and Thamesmead. A no loss of affordable housing approach, as set out in **Policy H10 Redevelopment of existing housing and estate regeneration**, whilst welcome in helping to meet our significant homelessness challenges, also reduces the potential to create more mixed and sustainable communities as well as potentially affecting the viability of schemes in the first place. A more flexible approach is required in such circumstances acknowledging the difficulties of making schemes work and the broader benefits of such proposals.
- 4.44 **Policy H12 Housing size mix** sets out, in **Part A(8) and (9)** measures to protect family housing. These measures are welcome; however they conflict with **Part D(2)(a) to (c)** of **Policy H2**, which requires boroughs to apply a presumption in favour of proposals to increase density of existing residential homes through conversions, extensions and the demolition and redevelopment of existing homes.
- 4.45 The Council is carrying out a local SHMA, and a new Housing Strategy for Bexley will be produced with a focus on the positive impact on the health and well-being of residents, the economy of the borough, and the local environment. This assessment will consider dwelling sizes for all tenures, which includes market and intermediate housing. The requirement therefore in **Part C** of **Policy H12** is inappropriate. Being able to set a mix of housing types across all tenures allows for positive planning of mixed and balanced communities. Supporting **Paragraph 4.12.2** is particularly unhelpful in that it fails to recognise that housing need is about more than low cost rented units. All housing, whatever the tenure, meets a housing need. A comprehensive new local SHMA will consider the needs of all Bexley's residents and housing tenure and type will be set accordingly. Individual schemes can still vary the mix of sizes and tenures, as long as there is consideration of the overall needs of residents across the borough, set by the local assessment.
- 4.46 The Council has recently completed a study considering the correlation of anti-social behaviour with poor housing standards within the private rented sector and in particular those relating to HMOs. This work has provided the evidence to support the introduction of licensing schemes for Bexley.
- 4.47 The provision of a definition, in **Policy H13 Build to Rent**, and guidance for a planning covenant to cover specific planning permission for rental development with clawback arrangements if units are sold outside of the rental market is welcomed. Clarity on how affordable housing will be delivered in Build to Rent development models, including guidance on management is also welcomed.

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- 4.48 **Policy H14 Supported and specialised accommodation** sets a requirement in **Paragraph 4.14.1** for boroughs to undertake assessments of need. The Council is carrying out a local SHMA, and a new Housing Strategy for Bexley will be produced with a focus on the positive impact on the health and well-being of residents, the economy of the borough, and the local environment. The new local SHMA will identify the needs for supported and specialised housing in the borough and the intention is to create specific surveys targeting specific groups, which go beyond that which desktop research can provide. This will identify the needs across Bexley for specific types of housing including supported and specialised accommodation (including those types falling under C2, C3(a) and C3(b)). A key priority is to provide options for individuals to move to more appropriate accommodation that meets their requirements and enables them to access the housing and support they need to remain independent.
- 4.49 The new local SHMA will also address the housing needs of older people, which is a key issue for Bexley. The population of Bexley is ageing; life expectancy at the age of 65 is above the national average and there has been a significant rise in the number of people aged 65+ in the borough. Changing aspirations and the fact that people are living longer, more active lives means that different levels of graduated care are needed. It is important that new development expand the choice for existing and future generations of older people in places where they are well connected and can live independent lives. The clear definitions of the use class of types of specialist housing in **Policy H15 Specialist older persons housing** and in **Paragraph 4.15.3** is welcome. In 2017, the Council undertook a targeted consultation exercise looking at older persons housing and specifically the access into some form of sheltered accommodation.
- 4.50 The requirements set out in **Policy H16 Gypsy and Traveller accommodation** are noted, along with the acknowledgement in **Paragraphs 4.16.2** and **4.16.3** that this policy is not consistent with government's current planning definition. The definition and provision of affordable student accommodation set out in **Policy H17 Purpose-built student accommodation** is welcomed. The new local SHMA, currently in preparation, will assess Gypsy and Traveller accommodation in the borough, and the requirement for student accommodation.
- 4.51 Policy H18 Large-scale purpose-built shared living provides a clear definition of this type of housing, and sets out details including that, schemes should only be supported where they meet a local need, which the Council supports. Clarity on cash in lieu affordable housing payments and guidance on scheme management is provided, and this is welcomed, although there is no direct reference in the affordable housing Policy H5; it is only in a footnote to paragraph 4.5.6 where the link to Policy H18 is made. A direct reference in Policy H5 would be more appropriate. The new local SHMA will identify the local need for this Sui Generis market housing.

## Chapter 5 – Social Infrastructure

- 5.1. The Council welcomes the emphasis placed on the importance of social infrastructure in the draft Plan in dedicating an entire chapter to this important element of sustainable development. **Paragraph 5.1.3** indicates that the policies in **Chapter 5** will be supported with forthcoming Supplementary Planning Guidance (SPG), further

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emphasising its importance. The provision and safeguarding of social infrastructure is at the heart of creating and supporting sustainable and inclusive communities.

- 5.2. The chapter does not include a definition of social infrastructure. The definition in the **Glossary** provides examples of the types of facilities that are considered social infrastructure, but notes that the list is not exhaustive and that other facilities can be included as social infrastructure. This approach is welcomed because it gives London boroughs the flexibility to identify a particular facility as social infrastructure on a site-by-site basis, meaning that the social infrastructure policies in a borough's Development Plan can be used even when the type of facility in question may not be in the list of examples in the **Glossary**. The **Bexley Core Strategy** has a broad list of the types of services that can be considered community infrastructure: education; cultural; social; neighbourhood; health, and emergency.
- 5.3. **Part F of Policy S1 Developing London's social infrastructure** sets a presumption against development proposals that would result in a loss of social infrastructure in an area of defined need, and **Part G** requires that redundant social infrastructure is considered for reuse, where appropriate, as another form of social infrastructure. However, both of these parts include qualifications, which could be used as loopholes by developers to push through proposals that would result in the loss of social infrastructure where it is still required. In **Part F**, the presumption against proposals that would result in a loss of social infrastructure only applies in '*an area of defined need.*' However, '*defined need*' is not explained in the policy or the supporting text. Under **Part G**, social infrastructure can be lost if 1) it is redundant and 2) it has been considered for full or partial use as another form of social infrastructure. If this qualifying wording is not removed from **Policy S1**, then the forthcoming SPG must provide further detail on how to establish defined need and set out assessment criteria to ascertain redundancy. Similarly, the SPG should set out what evidence should be provided to demonstrate that a landowner/developer has genuinely considered alternative uses for the site as social infrastructure.
- 5.4. **Part D of Policy S1** encourages co-location of social infrastructure. The forthcoming SPG should provide guidance on co-location, including how to identify opportunities for co-location and how to make it work.
- 5.5. **Paragraph 5.2.4** in the supporting text to **Policy S2 Health and social care facilities** refers to Sustainability and Transformation Plans. However the initiative has recently been named by some NHS organisations as Sustainability and Transformation Partnerships. The correct term should be clarified and used in the Plan.
- 5.6. **Part A of Policy S3 Education and childcare facilities** sets out how local authorities can ensure a sufficient supply of education and childcare facilities. However, the policy and supporting text address a number of issues that are outside the purview of planning, including the quality of educational facilities. In terms of planning, the only real power available to London boroughs is to identify need and to identify land. Direct provision of new schools is not within the boroughs' power, and if new schools are needed then appropriate organisations must be willing to take action. Boroughs can use evidence about the need for new schools to encourage developers to provide new sites for schools, including by setting out the need for schools within a certain area through masterplans or other development frameworks. This is how the Council

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was able to secure the provision of a school as part of the ongoing Erith Quarry development.

- 5.7. The Council strongly supports children and young people having access to space for play and activity, as set out in **Policy S4 Play and informal recreation**. The existing requirements are used frequently in development decisions, with the result that recent development offers a variety of space and facilities to meet the needs of children and young people. **Part B** represents a departure from the existing London Plan Policy 3.6 Children and young people's play and informal recreation facilities by prescribing that residential developments incorporate at least 10 square meters of play provision per child. Whilst very young children should have access to some sort of open space within their development, it is not always appropriate to assume that on-site provision is the most appropriate. Developments with small child yields may be better served through off-site contributions to nearby facilities than through the provision of tiny, unusable spaces within the development itself. The level of detail included in **Policy S4** is better left to the Mayor's current **Play and Informal Recreation SPG**, which sets out robust methodologies for determining the appropriate level and type of play space for different developments.
- 5.8. **Part A(3) of Policy S5 Sports and recreation facilities** states that boroughs will be responsible for maintaining and promoting the Walk London Network. This seems to imply that responsibility for these assets will transfer to the Council. If so, it is inappropriate for this decision to be made in and announced by a strategic planning document. There are three Walk London Network routes partially within Bexley: the Green Chain, the Thames Path and the London Loop. Currently, TfL maintains the London Loop. Shifting responsibility to the Council could create significant resource issues. Further detail should also be provided on what exactly is expected of boroughs, in terms of their responsibilities regarding signage, fencing, maintenance of the footway, graffiti removal, and other issues. There should also be greater certainty regarding the extent of the responsibility, including whether boroughs would be expected to maintain the routes only on public land or whether this would extend to parts of the routes where the land is in private ownership.

### Chapter 6 – Economy

- 6.1 **Policy E1 Offices** supports the consolidation of offices where appropriate and locally identified, or their expansion where viable, and this is welcomed by the Council. Bexley contains a relatively small amount office stock, with the majority of this space clustered in and around town and district centres. The borough is not currently viewed as a particularly good office location, with poor public transport connectivity and a lack of critical mass constraining the ability to attract and sustain larger office occupiers compared to nearby office locations. Local commercial agents have noted that there is currently insufficient demand to warrant speculative development in Bexley, and this is unlikely to change over the short to medium term, particularly while vacant office space remains available in nearby locations. There is concern that without the necessary investment in public transport improvements in the borough, Bexley will continue to underperform in the higher value office-based sectors and fail to deliver the much needed office capacity to 2041 as set out in **Paragraph 6.1.2**.

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- 6.2 **Paragraph 6.1.6** raises concerns over the loss of offices through Permitted Development. The introduction of Permitted Development rights for the change of use from office to residential has started to have an impact in Bexley and the Council will clearly need to carefully monitor the future loss of office space. The resources required to implement Article 4 Directions should not be underestimated by the Mayor. Significant evidence gathering and the formation of a robust case is required in order to satisfy the Secretary of State that intervention is necessary.
- 6.3 The Council supports the principles behind providing and protecting a range of B1 business space set out in **Policy E2 Low cost business space**. There is however concern that given the low rental values in the borough, developers may struggle to provide subsidised floor space, because it could undermine the viability of schemes. Bexley has a reasonable amount of space specifically designed for small and start-up businesses. The Thames Innovation Centre already provides 50,000sqft of high quality modern office, meeting and conference space for hire and is located within Veridion Park in between Thamesmead and Belvedere. It is aimed at small to medium enterprises looking for a flexible space for growth. It is important to note that this was only viable due to government grant. Local commercial agents have reported that local SMEs are currently well served by the existing provision, and that the level of latent demand is currently insufficient to require any new enterprise centre/serviced office style accommodation. There may however be scope in the future for additional small scale provision of flexible work space to accommodate both start-ups and expansion of Bexley's growing SME business base, for example co-located with libraries, particularly in light of strong anticipated growth in the borough's population.
- 6.4 **Part B.3 of Policy E2** refers to relocation support. Clarity is sought on the burden of responsibility for this support. The Council does not have the resources to act as a commercial property agent, assisting in relocations, intervening in arrangements and monitoring relocations in relation to the commencement of new development. The Council raises strong concerns on how this is practical and enforceable. **Paragraph 6.2.4** states that '*Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration.*' This is not explicit from the policy wording in **Policy E2** and it should be amended to make this clearer.
- 6.5 The principle of **Policy E3 Affordable workspace** is supported and the Council welcomes the flexibility to consider local policies on affordable workspace in light of local evidence. However, as noted in paragraph 6.3 above, land values have traditionally been lower in Bexley, and in fact, the relatively low land costs are a considerable selling point for the borough. There is a need to balance this against requirements to secure below market rates in Bexley where rents are already among the lowest in London, without impacting on viability. The flexibility in **Part C of Policy E3** is therefore important to allow for local circumstances. Industrial rental values in Bexley are relatively competitive within the context of the wider East London and Thames Gateway area, at just under £9psf (per square foot) for prime industrial accommodation and £5psf for secondary stock. The borough offers a cost advantage over locations such as Beckton and the Royal Docks to the west and Stratford to the northwest, which are more central commercial centres.



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- 6.6 The Council supports the ‘planned, monitored and managed’ approach to the provision of industrial capacity in **Part C of Policy E4 Land for industry, logistics and services to support London’s economic function**, however there are strong concerns regarding the principle of no net loss of industrial floor space capacity in overall terms across London. Bexley has historically not released industrial land to other uses in excess of London Plan monitoring benchmarks. The planned and managed release of industrial land, particularly in the north of the borough is *essential* to unlocking growth in Bexley. This is recognised in the current **London Plan**, the **Bexley Core Strategy**, and is a fundamental part of how sustainable growth can be delivered in the **Bexley Growth Strategy**. When compared with the sector breakdown in London, the borough is significantly over-represented in employment terms in wholesale and transport, construction, and manufacturing, while being significantly under-represented in such higher-value sectors as professional services and finance and insurance.
- 6.7 However, if the Mayor insists on pursuing the key objectives of the draft Plan, then the Council provides the following comments about release of industrial land. There are three boroughs in the ‘Limited Release’ category (all in the Thames Gateway) as set out in **Table 6.2** where industrial land vacancy rates are currently well above the London average. There is scope in these selected boroughs for limited release of industrial land in SIL and/or LSIS through a plan-led approach to reduce these vacancy rates and support the re-use of surplus land and floor space for other uses. The Council strongly considers that Bexley, also a Thames Gateway borough that includes one of the largest Opportunity Areas in London, shares the same characteristics of the boroughs that are earmarked for limited release, including an above average vacancy rate, and should therefore be in the limited release category as per Paragraph 6.4.8. Bexley is in the ‘managed release’ category in the current London Plan and the Council considers that this should remain the case. Therefore, **Table 6.2** will need to be revised to reflect this change.
- 6.8 Paragraph 2.2.3 of the Mayor’s **Industrial Land Supply and Economy Study** (2015) states that in Bexley, vacant industrial land, as a per cent of all core and wider uses, is 12.9%. This is above the guideline frictional vacancy rate of 8%. Figure 2.15 of the Study shows that Bexley has released a *fraction* of its industrial land to other uses, over the time period from 2001 to 2015. This means Bexley has consistently released less than the SPG benchmark release figure.
- 6.9 Paragraph 3.7 of the Mayor’s **London Industrial Land Demand Study** (2017) states that Bexley has a vacancy rate of above 10%. At table 13.3 (Industrial land release by borough 2016-2041), it shows that the surplus from excess vacant land is 48.8ha, and when demand is factored in, there is a net release of 15.9ha. Appendix 4 of the Study sets out the *Intensification & Substitution Scenario by Component of Demand*, which shows that Bexley is capable of a net release of 128ha. Clarity is sought on the workings behind this calculation and the assumptions used in order to assist the Council in its ambitions for growth and determining the appropriate release category in the draft London Plan.
- 6.10 The Council questions why the principle of no net loss of floor space capacity does not apply to sites previously used for utilities infrastructure or land for transport functions that are no longer required as per **Paragraph 6.4.5**. The use of such land

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for industrial uses is likely to be appropriate in some locations, given the inherent characteristics of these types of sites and this will allow the release of industrial land for mixed or residential uses to achieve their maximum potential.

- 6.11 It is noted that there is no longer the distinction between Industrial Business Parks (IBPs) and Preferred Industrial Locations (PILs) that is in the current London Plan. This policy served to direct 'dirty' industrial uses to appropriate locations and protects the higher value sectors based in IBPs. The removal of this distinction could put pressure on the higher value B1 uses to relocate should 'bad neighbour uses' move into such areas. This distinction should therefore be reinstated.
- 6.12 The Council has strong concerns regarding the 65% plot ratio used in **Paragraph 6.4.5**. This states that:
- 'Floor space capacity is defined here as either the existing industrial and warehousing floor space on site or the potential industrial and warehousing floor space that could be accommodated on site at a 65 per cent plot ratio (whichever is the greater).'*
- 6.13 Local evidence prepared for the Bexley Growth Strategy finds that in the borough, a plot ratio of 40% has been applied to industrial (B1c, B2 and B8) floor space so that a 1ha site would be needed to accommodate a footprint of 4,000sqm of employment floor space. This has been calculated by applying appropriate plot ratio assumptions to the floor space estimates using a number of assumptions and local adjustment factors to reflect the pattern of development that is anticipated to occur in the borough. Bexley's plot ratio is much lower at 40% due to necessary landscape buffering, environmental designations (SINCs), flooding and a primarily logistics, distribution and warehousing sector which requires lower plot ratios to accommodate sufficient access, servicing and parking (required due to very low PTALs). It is noted that logistics users (who drive the majority of demand in the north of the borough) tend to require a good amount of yard/ancillary space, which may restrict the density of new development. The use of a 65% plot ratio as a baseline is therefore not appropriate for Bexley in light of local evidence as it, in effect, places an additional industrial floor space requirement on the borough.
- 6.14 The Council agrees that London boroughs should define SIL boundaries, as set out in **Part B of Policy E5 Strategic Industrial Locations (SIL)**. This approach is in line with current London Plan policy. It is noted that Bexley's SILs remain the same, as set out in the draft Plan **Table 6.3**. The Council supports the approach to releasing SIL through a strategically co-ordinated process of consolidation.
- 6.15 As noted in paragraph 6.13 above, the Council is concerned about the loss of the distinction between IBP and PIL. Office uses should be allowed in SILs where they are appropriate and as determined locally. **Policy E5** is silent on office uses in SILs, which causes uncertainty over office uses as part of proposed industrial developments. It appears that such proposals are to be refused because office uses are not included in the list of acceptable uses in **Part C of Policy E5**. Greater flexibility is required in this policy.
- 6.16 **Policy E6 Locally Significant Industrial Sites** sets out the requirement for London boroughs to designate LSIS and the Council welcomes the opportunity to define

boundaries according to local evidence. Concerns however are raised regarding the draft Plan's approaches of intensification, co-location and relocation. This is expanded upon below in the Council's response to **Policy E7**.

- 6.17 **Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function** is considered to be too long, too detailed and in places unworkable. The policy should be refined to be strategic in nature and subsequent details should be provided in the supporting text or in a supporting SPG.
- 6.18 The main thrust of **Policy E7** is the assumption that intensification and co-location can actually be achieved across the whole of London and that this is desirable. As noted previously, the borough has one of the lowest commercial rent values in London and the Council has strong reservations regarding some of the assumptions on intensification of business uses. Low values do not necessarily support the viability of the intensification options as suggested in **Part A of Policy E7**; boroughs should be allowed to define the nature or form of intensification as appropriate to their local areas and economic profile. In doing so, boroughs are enabled to proactively manage growth in its opportunity areas due to the 'no net loss' principle attributed to industrial floor space in the draft Plan. It is noted that the evidence of the concepts of intensification, co-location and relocation in the Mayor's **Industrial Primer** document cover examples primarily in Inner London where values are higher. .
- 6.19 The Council considers that the majority of industrial uses will inevitably clash with residential uses. This compromises the ability of the borough to plan for co-location. **Paragraph 6.5.1**, which is supporting text to **Policy E5**, is in direct contradiction with the Mayor's approach to co-location of employment areas with residential uses set out in **Policy E7**, when it states that:

*'SILs are given strategic protection because they are critical to the effective functioning of London's economy. They can accommodate activities which – by virtue of their scale, noise, odours, dust, emissions, hours of operation and/or vehicular movements – can raise tensions with other land uses and particularly residential development.'*

- 6.20 The Council strongly agrees with this statement and has strong concerns regarding the ostensible contradiction with the Mayor's approach to co-location with residential uses. Indeed, local evidence in the form of an Inspector's decision<sup>6</sup> supports the Council's view that in the majority of instances, industrial uses cannot thrive when located alongside residential uses. Proposed residential uses, through their location in close proximity to established businesses would adversely affect the living conditions of future occupiers. Furthermore, the introduction of residential uses within established industrial estates has the distinct potential to adversely affect existing established business uses, which could in the long-term result in the loss of these employment uses. This is contradictory to the purpose of draft Plan **Policies E5 and E6**. Further local evidence on Bexley's strategic industrial land is set out below.

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<sup>6</sup> Appeal Ref: APP/D5120/W/17/3172765

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- 6.21 Crayford Ness Industrial Area accommodates a mix of industrial and storage occupiers, as well as some sui-generis activities, that can largely be characterised as 'bad neighbour uses' that would struggle to find a suitable site elsewhere. These heavy industrial uses generate significant noise and pollution externalities that contribute to a poor environment in the industrial area, whilst the condition of the premises at the site is poor to fair. Manor Road North Industrial Area has reasonable levels of occupancy and use despite the lower grade buildings, while the existing uses at the site do add to the heavy and dirty character of the area. The Wheatley Terrace industrial estate has neighbouring waste recycling activities at the Manor Road North site, which creates air quality and noise issues for the area, and makes future changes of use at the site less suitable. Thames Road Industrial Area contains a waste recycling depot and a scrap metal yard; creating a dirty character of the environment.
- 6.22 While several bus stops are located along the A2016 and within the Crabtree Manorway North Employment Area that provide some bus services to workers in the employment area, for the most part, employment sites in this area have limited public bus services. Together with the large distance of the employment sites to Belvedere train station, the Belvedere Riverside sites can be characterised as relatively isolated and poorly served by public transport, and therefore not suited for co-location, although intensification of this employment area is a possibility through additional connectivity.
- 6.23 **Paragraph 6.7.2** reiterates the requirement for industrial sites delivering housing to meet the 50% affordable housing threshold set out in **Paragraph 4.6.6**. As stated in paragraph 4.38 of this response, this requirement makes an assumption about the difference in values between industrial and residential development. In Bexley, the value of land in industrial use in some areas can be equivalent to land in residential use, making a 50% requirement for affordable housing unachievable.
- 6.24 Part E of Policy E7 is poorly written, in that the measures set out in this Part are attempting to address all of the processes in Parts B, C and D. It is unclear which measure relates to which process. For example, London boroughs need to be able to plan for no net loss across their plan period, and as such there is a concern in Part E(3) which states that all intensification of industrial areas need to be completed and operational in advance of any residential component. Whilst this may be appropriate for co-location sites, it could be interpreted as a strategic requirement for intensification of all industrial land.
- 6.25 **Part F of Policy E7** requires London boroughs to consider relocation as part of a planned process of consolidation and intensification. The majority of authorities adjoining Bexley are characterised by significant constraints to employment development in future, and do not have large amounts of employment land available to accommodate growth requirements flowing from the wider South East London/M25 area. Whilst this means they are unlikely to be able to compete to attract investment away from Bexley, they face similar capacity issues with regards to planning for business growth and will continue to face increasing pressures on employment land from higher value uses, most notably residential. The concept of relocation is therefore considered unworkable. It is highly unlikely surrounding authorities will accept Bexley's industrial uses.

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- 6.26 With regard to **Part E** of **Policy E9 Retail, markets and hot food takeaways**, Bexley already has a large number of small units in its town centres and previous retail studies have shown the need for larger units to encourage more retailers into the town centre. This policy does not allow for local specificity. Vacancy rate surveys show that the majority of vacancies in Bexley's town centres are in smaller units. **Part E** should therefore be amended to allow for local circumstances.
- 6.27 With regard to **Part F** of **Policy E9**, if the surplus retail space is out of centre it conflicts with **Part B(8)** of **Policy E9**, which encourages out-of-centre retail to be developed for housing. **Part F** therefore should be amended to include '*within town centres*' when considering ground floor uses when surplus retail space is redeveloped.
- 6.28 The Council supports Policy E10 Visitor infrastructure for managing short-term lets in order to not compromise housing provision. However, this is difficult for the Council to monitor and manage given that most of these short-term lets are available online through a number of providers.

### Chapter 7 – Heritage and Culture

- 7.1. **Policy HC1 Heritage conservation and growth**, which echoes the requirements of the National Planning Policy Framework and related guidance to record and protect heritage assets and their settings, is welcome. London's hugely diverse range of heritage makes it not only a great place to visit but also to live. From internationally significant World Heritage Sites to attractive historic buildings that dot neighbourhoods across the capital, heritage adds to the richness of everyday London life. Bexley's historic and cultural assets are testament to its rich history and provide a vital benefit to residents and visitors. In Bexley, there are over 150 listed buildings and structures on the National Heritage List for England, nearly 400 on the Council's Local List, and 23 conservation areas. Bexley's heritage sites are well loved and well used by both local residents and visitors from much further afield.
- 7.2. It is important, however, that development that affects heritage assets not just conserve these assets, but also enhance them. Therefore, it is recommended that **Part C** of **Policy HC1** be amended to include the term 'enhance.' Development that affects heritage assets should not just attempt to do no harm, but should in fact do good. Development often provides an opportunity to enhance heritage assets. For instance, development within the setting of a heritage asset that achieves high quality design, which responds to and is inspired by that heritage asset, can often enhance the setting of that heritage asset.
- 7.3. Enhancement could also be achieved through heritage gain, where a Section 106 agreement is used to pay for improvements to a heritage asset. Development could also enhance a heritage asset when the asset itself is developed, by providing it with a new lease on life as a viable building with a purpose. However, this should not encourage deliberate neglect of an asset and **Paragraph 7.1.8** supports this position.
- 7.4. **Part C** of **Policy HC1** also requires that development proposals seek to avoid harm. Development proposals that cause harm should be refused. Where there is identified harm to the significance of a heritage asset, local authorities should work with the

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applicant to address that harm, either through changes to design or through the payment of planning gain. This is an important and discreet element of Part C, and as such, it is recommended that this be separated into its own part of the policy.

- 7.5. **Part A of Policy HC2 World Heritage Sites** requires London boroughs that neighbour boroughs with World Heritage Sites to include policies in their Development Plans that ensure that development proposals do not have an adverse impact on the World Heritage Site, including views. Bexley adjoins Royal Greenwich, which contains the Maritime Greenwich World Heritage Site. Although Bexley borders Royal Greenwich, it is approximately 9km from the World Heritage Site to the borough boundary. Topography, including a rise in the land level and the curves of the River Thames, break off any visual relationship between the site and Bexley. The explanatory text in **Paragraph 7.2.4** lists those boroughs that should include policies in their Local Plans to protect World Heritage Sites, and Bexley is not included in this list. Therefore, the Council seeks clarification on whether there is any obligation for Bexley under **Policy HC2(A)**.
- 7.6. The Council welcomes **Policy HC5 Supporting London's culture and creative industries**. However, whilst the idea of meanwhile uses of vacant properties or land for cultural and creative activities are supported, **Parts A(4)** and **C(4)** will be difficult to implement. Most landlords require credible tenants and in general see the idea of pop-ups as onerous to set up for a short period of time. Ideally, a system needs to be set up that protects the landlord and their asset to enable pop up to be more effective. Business Improvement District organisations could play a role but would need support from the GLA.
- 7.7. The intention behind **Paragraph 7.5.7** to put on events and activities is supported, but the practicalities of putting on simple events are not always straightforward due to health and safety and licencing requirements that can put off enthusiastic organisers. Having a London-wide user-friendly event organisation pack that includes all licences and insurances, which is then tweaked for the local area, may help to encourage more local events.
- 7.8. It is good to see that **Policy HC6 Supporting the night-time economy** does not confine the night-time economy to central London. Bexleyheath, for example, is a centre for the night-time economy within southeast London, with restaurants, pubs, bars, and nightclubs attracting a wide range of people from across the region. The Council welcomes the identification of Bexleyheath in **Figure 7.7** as a cluster of night-time activity; however the designation as only 'more than local' significance is inaccurate. Bexleyheath has a sub-regional significance, and it is requested that it be designated as **NT2 Regional/Sub-regional** in **Figure 7.7** and also in **Table A1.1 of Annex 1**. There is also a growing night-time economy in Sidcup, which has a focus on the performing arts, and in the riverside town of Erith.
- 7.9. It is considered that **Part B(3)** of **Policy HC6** will be difficult to implement. Changing a local town's perception of how it operates by its users takes time. Getting this investment and commitment from shopkeepers and cafes – who are generally independents and have other commitments after daytime hours such as children and domestic affairs – so to encourage them to open late is very difficult. They may do it once or twice, but if they see no reward for their effort, they soon become sceptical.

In addition, borough environmental health teams tend to resist any noise pollution late at night in town centres, which can prove frustrating when seeking to implement a positive night-time activity.

### Chapter 8 – Green Infrastructure and Natural Environment

- 8.1. The draft London Plan proposes a green infrastructure approach, recognising the value of a network of green spaces and other green features, and this is broadly supported by the Council. **Paragraph 8.13** notes the Mayor's manifesto commitment to make London at least 50% green by 2050, and that current guidance will be reviewed and updated. The intention behind this commitment is laudable; however, measures proposed in some of the policies in the draft Plan will in practice undermine the core principle of a green city and the Mayor most certainly will be aware of this. The driving need to build as many homes as possible clearly takes precedence over other matters.
- 8.2. What appears to be almost completely lacking in the draft Plan is any reference to residential gardens, which contribute extensively, especially in outer London, to green infrastructure. Residential gardens serve as amenity, support wildlife habitats, contribute to food growing, offset the urban heat island effect, act as sustainable drainage systems, and make up 24% of London. According to a report by GIGL<sup>7</sup>, residential gardens contribute significantly to the total garden vegetated land cover, or green space, in London, including being home to approximately 2.6 million mature trees. The report states, *'the sheer scale of the green space resource in gardens suggests that the vegetated area of gardens within the capital is a significant and strategically important wildlife habitat.'*
- 8.3. These gardens are excluded from the government's definition of previously developed land or 'brownfield' land and there is *implied* protection with the reference to a 'network of green spaces' in **Part A of Policy G1 Green infrastructure** and **Paragraph 8.1.1**. Nevertheless, specific policy measures in the draft Plan that particularly relate to the development of small sites undermine the protection of residential gardens. In particular, **Policies GG2, GG4, D4, H1 and H2** have measures that specify intensification of small sites, including infill development within the curtilage of a house, and require little in the way of outdoor private space. Where sites are intensified, 'green cover' can be supplied in the form of green walls and roofs as a replacement for lost garden space. Paragraph 4.2.9, for instance, allows for the loss of biodiversity or green space as a result of small housing developments, mitigated by the types of measures above, to achieve no net loss of overall 'green cover.'
- 8.4. What is really damaging from this approach will be the loss of the mature trees in gardens, as these are hard to replicate on a green wall or roof, even though these are presumably protected by **Policy G7 Trees and woodlands**. In the main, the policies look to afford protections to *designated* green assets, such as Metropolitan Open Land, to public green spaces, as outlined in **Policy G4 Local green and open space**,

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<sup>7</sup> London: Garden City? London Wildlife Trust. 2011  
<http://downloads.gigl.org.uk/website/Garden%20Research%20Full%20report.pdf>

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and to Sites of Importance for Nature Conservation in **Policy G6 Biodiversity and access to nature**, but not to the modest suburban London garden.

- 8.5. Whilst residential gardens barely get a mention in the draft Plan, London's Green Belt, is given the highest importance, even though its value as green infrastructure may be the lowest of all the types addressed in **Chapter 8**. The Green Belt, as noted in **Paragraph 8.2.1**, makes up 22% of London's land area (roughly the same as residential gardens), and **Policy G2** makes it clear that de-designation of any of this land will not be supported. However, the NPPF sets the requirement for local planning authorities to review Green Belt boundaries along with the criteria on how this should be carried out. Therefore, the Council will be carrying out a review of Green Belt in Bexley as part of the preparation of the new Local Plan, and adjust boundaries if appropriate. It is important to note that Green Belt does not mean greenfield; certainly, development and brownfield land exists in the Green Belt.
- 8.6. Criteria has also been set in **Policy G3 Metropolitan Open Land** for the assessment of designating new MOL within London boroughs Local Plans, along with the need for evidence for proposed changes to existing MOL in **Paragraph 8.3.2**. The Council is carrying out a review of MOL as part of its assessment of green infrastructure, and will add new and/or adjust existing boundaries as appropriate as part of the Local Plan process with the Mayor and adjoining boroughs. The principle of land swaps set out in **Paragraph 8.3.2** is welcomed.
- 8.7. The focus of **Policy G4 Local green and open space** and its accompanying **Table 8.1** is on those green spaces that are publicly accessible. However, even green spaces that cannot be accessed by people still have an amenity value. Being able to look out over an area from a viewpoint, and seeing all the green from residential gardens, including mature trees, is a benefit to people's overall health and wellbeing. This needs to be acknowledged in the text in **Chapter 8**, and the vegetated land cover of residential gardens should be referenced in the first type of surface cover in **Table 8.2**.
- 8.8. The Council supports the reference in **Part A** of **Policy G5 Urban greening** to *nature-based sustainable drainage*; this will be helpful in ensuring high-quality SuDS options are chosen for developments. However, this only relates to major development, and it is recommended that this be changed to refer to all developments. In addition, the principle of introducing an urban greening factor is welcomed as set out in **Part B** of **Policy G5** and **Table 8.2**; however, it is not clear if this is just for major development as per Part A; if it is, then it is suggested that this should be more broadly encompassing. The incremental green cover that can be achieved from any new development will bring cumulative benefit, and the increased emphasis on smaller sites in the draft Plan limit the effectiveness of the policy if it is only for major development. There is also no information in the policy or text on the impact this policy may have on development viability and it is recommended that this be addressed.
- 8.9. Greening should also contribute to local and national biodiversity objectives and air quality through appropriate choice of species, and should comply with legislation relating to avoidance of invasive non-native species. Within Bexley non-native species are regularly encountered on development sites. Consideration should be



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given to the impact of invasive non-native species (INNS), which is one of the largest threats to global biodiversity after habitat loss and destruction. It costs the British economy an estimated £1.7 billion annually. The London Invasive Species Initiative (LISI) has been created to help address these environmental and economic problems within the Greater London area and have compiled a list of species of concern in London. The importance of this issue appears to have been missed altogether in the draft Plan, and it is suggested that a reference be made in **Table 8.2** so that the planting of invasive species be avoided. An additional policy could also be added to **Chapter 8** that requires developers when implementing proposals to ensure that any invasive species found on site are eradicated effectively.

- 8.10. A description of brown roofs is made in the **Definitions** section of **Annex 3**, but there is no reference in **Table 8.2 Urban Greening Factors** or indeed anywhere else in the text of the draft Plan. It would be useful to add references to brown roofs in the text in **Chapter 8**, and also expand on the definition in Annex 3. Today, these are known as biodiverse roofs, which typically use commercially crushed brick and concrete with about 20% organic material. These are the most common green roofs in London, and have a greater water holding capacity to the previous brown roofs that consisted of recycled brick and concrete from local recycling plants which had limited water storage capacity and attracted 'eco-dumping' of inappropriate waste materials from contractors.
- 8.11. In order to protect London's existing biodiversity it is vital that boroughs assess direct, indirect and cumulative impacts on nature from development proposals. Reference to this should be within **Policy G6 Biodiversity and access to nature**. In **Part B(2)** a reference to sites of borough and local importance for nature conservation has not been included. Seven Local SINCs are located within Bexley, which provide access to locally significant sites. Consideration should be given to the inclusion of these locally significant sites within the wording.
- 8.12. Whilst the provision and protection of allotment/community gardening space is welcomed in **Policy G8 Food growing**, it is potentially unrealistic to expect developers to sacrifice valuable space on sites without further incentives. Consideration should be given to whether there could be scope for including community gardens as an urban greening factor to provide such an incentive.
- 8.13. Figure 8.1 from Policy G9 Geodiversity identifies a 'recommended RIGS' (North End Pit) and a 'potential RIGS' (Chalky Dell) site in Bexley. Recognition should also be given within the London Plan to the Erith Submerged Forest as a potential RIGS. This is the best place on the Thames Estuary within Greater London for viewing the Neolithic/Bronze Age submerged forest. At low tides whole tree trunks are revealed amongst the root balls and occasional nuts and seeds can also be found. Peat beds are also found on the banks above mean high tide level. At least five different ages of peat and trees have been dated ranging from approximately 3,000 years ago to over 5,000 years ago.

## Chapter 9 Sustainable Infrastructure

- 9.1. The Council welcomes the new Air Quality Positive requirement set out in **Part A(3)** of **Policy S11 Improving air quality**, and the requirement for Air Quality Assessments

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for major developments in **Part A(5)**. However, the wording of this policy does not make it clear if the requirements refer to activities because of development (e.g. construction) or the ongoing impacts of the final development, or both. There is also a lack of clarity on the proposal to allow developers to provide air quality mitigation measures off-site if it is not practicable to do so on-site. Not enough detail is provided as to what kinds of mitigation measures are acceptable. The introduction of air quality offset funds is complex and there are concerns about applying this measure to air quality as it will mean that the ongoing issue of air pollution from developments will be difficult to improve. This policy may also enable a breach of EU obligations.

- 9.2. Whilst the establishment of a carbon offsetting fund in **Part D of Policy SI2 Minimising greenhouse gas emissions** is supported, the Council has limited resources to administer, implement, monitor and report on projects that deliver greenhouse gas reductions. The ring-fenced fund payments must therefore allow for the provision for resources. Supporting **Paragraph 9.2.1** reiterates London's objective of becoming a zero-carbon city by 2050; the current London Plan includes, in [Paragraph 5.29](#), a strategic carbon dioxide reduction target of 60% by 2025. It is unclear why reference to the interim target has been lost in the draft Plan.
- 9.3. **Part E of Policy SI5 Water infrastructure** needs to be more explicit in what it is trying to achieve. It is unclear what '*seek to improve the water environment*' means. Is this through the use of SuDS? If so, would the improvement be to water quality, or to biodiversity, or to amenity? The reference in Part E(2) to misconnected sewers is very much welcomed.
- 9.4. Promotion of the circular economy in **Policy SI7 Reducing waste and supporting the circular economy** is a positive step and should help reduce waste, especially in the construction process, and the Council welcomes the requirement in **Part A(5)** for storage space that supports separate collection. It should be clarified here that this needs to be both internally, within the kitchen space of homes, for instance, and externally, and for all types of development. This may be difficult to enforce on smaller applications and on smaller sites so a very clear policy requirement would be useful. Bexley is the top recycling London borough (for the 13<sup>th</sup> consecutive year) and achieves 52.7% from municipal waste and the Council supports the policy requirement in **Part A(4)(a)** for 65% by 2030.
- 9.5. **Table 9.2**, which accompanies **Policy SI8 Waste capacity and net waste self-sufficiency**, increases the apportionment per cent share of London's total waste to be managed by Bexley from 5.5% to 5.6%. Whilst this seems a small uplift, the total waste arisings for London is higher and this leads to higher apportionment requirements; for example, the 2021 interim requirement for Bexley from the current London Plan is 364,000 tonnes, jumping to 456,000 tonnes for the interim 2021 requirement in the draft Plan. It would be useful to see the data that sits behind the figures set out in **Paragraph 9.8.1**.
- 9.6. Bexley responded to a consultation on the methodology used to calculate borough apportionment capacities. There is no reference to the methodology in the text of the draft Plan and this work should be published in order to comment fully on the amount of waste capacity apportioned to each London borough. Whilst the Council supports the management of London's waste within London, objects to an additional waste

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apportionment allocation for the borough in the draft Plan, which already has the second highest apportionment capacity requirement of all London boroughs. Further waste capacity within the borough would also undermine the borough's efforts to grow sustainably and regenerate our poorest areas through the development of a higher quality and more diverse economy.

- 9.7. **Paragraph 9.8.8** states that it is strategic industrial locations that are most appropriate for waste facilities, yet this is not referenced specifically in the criteria for considering development proposals for new waste facilities set out in **Part D of Policy SI8**. In addition, **criterion 1)** of **Part D** is vague; the '*nature of the activity*' should be linked to the proximity principle with proposals for waste facilities demonstrating how the facility will meet a local need.
- 9.8. **Paragraph 9.9.2** supporting **Policy SI9 Safeguarded waste sites** notes that any waste site release should be part of a plan-led process and this is welcomed. Bexley is part of the southeast London joint waste planning group, which pools its waste apportionment requirements. A joint evidence paper sets out the safeguarded waste facilities in the sub-region that provide the capacity to meet the pooled requirement.
- 9.9. **Part B of Policy SI12 Flood risk management** notes that boroughs should use their Surface Water Management Plan in the preparation of development plans. However, SWMPs are not legal documents. The policy should reference instead Local Flood Risk Management Strategies, as these are a legal requirement and identify risk across the area. **Part C of Policy SI12** should not just relate to development where '*specific flood risk assessments are required,*' but to all developments, as it is this that provides opportunities to reduce flood risk to the area.
- 9.10. **Part A of Policy SI13 Sustainable drainage** should remove the reference to SWMPs – see comment in paragraph 9.9 above. **Part B of Policy SI13** should remove the word '*aim.*' Development proposals should achieve greenfield run-off rates as a minimum requirement. In addition, the wording in **Paragraph 9.13.2** '*developments should aim to get as close to greenfield run-off rates as possible*' is disappointing. Lower rates of runoff are often achievable but are not offered by developers because of this wording. In some parts of London that have been developed for centuries, it is very difficult to agree what the greenfield nature of a site would be, and this becomes a theoretical exercise.
- 9.11. Whilst the Council supports the drainage hierarchy as set out in **Part B of Policy SI13**, it would greatly support a line added to the end of the hierarchy stating '*the discharge of surface water into foul sewer is not acceptable.*' The reference to refusing proposals that incorporate impermeable surfaces in **Part C of Policy SI13** is welcome, although the phrase '*where appropriate*' should be replaced with '*unless they can be shown to be unavoidable.*'
- 9.12. **Paragraph 9.14.8** supporting **Policy SI14 Waterways – strategic role** states that the River Thames should not be designated as Metropolitan Open Land, so as not to restrict the use of the river. However, it should be referenced in the same paragraph that the River Thames is a Metropolitan level site for importance for nature conservation (SINC), a designation that will have restrictions of its own.

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- 9.13. **Policy SI15 Water transport** provides measures to bring the River Thames into more productive use, and this is welcomed, in particular **Part D**, which considers the opportunity to consolidate wharves as part of strategic land use change within opportunity areas. **Paragraph 9.15.7** sets criteria for assessing the viability of wharves and the Council proposes that a criterion should be added to consider the values of other land uses when assessing viability.
- 9.14. Policy SI17 Protecting London's waterways only makes passing reference to the biodiversity value of waterways; additional detail in the policy and in the supporting text should provide information on how biodiversity should be protected and improved.

### Chapter 10 – Transport

- 10.1. The Mayor's strategic target, set out in **Policy T1 Strategic approach to transport**, is based on 80% of all trips in London to be made by foot, cycle or public transport. This is one way of measuring transport but it ignores the fundamental aim of transport, which is to provide access to goods, services and opportunities. Despite Bexley being an outer London borough with no tube station or other form of light rail, the Council and its residents are particularly keen to share the same opportunities as London's inner city residents in terms of improving access to jobs and the other attractions that London has to offer and the Council would see this as the measure of a successful strategic approach to transport.
- 10.2. The aspirations of **Policy T2 Healthy streets** are laudable. However, it must be recognised that cars are an important and necessary travel mode in some areas of London, particularly in outer London boroughs such as Bexley where public transport provision is limited and connectivity with the Strategic highway network is relatively good. The suggested approach for street layouts will have significant maintenance implications, for example the increase in use of soft landscaping. This is an important issue at a time when budgets are being reduced.
- 10.3. The Council proposes that **Table 10.1** supporting **Policy T3 Transport capacity, connectivity and safeguarding** be amended to provide the DLR extension from Gallions Reach *through Thamesmead to Belvedere*. This is proposed by the adopted **Bexley Growth Strategy** and suggested by the **third bullet point** in **Paragraph 2.1.41** (also see paragraph 2.5 of this response). In addition, the text in **Table 10.1** should extend the Elizabeth line east of Abbey Wood *to Ebbsfleet*, in line with the Bexley Growth Strategy and **Figure 2.1 – The Key Diagram**.
- 10.4. The approach in **Policy T4 Assessing and mitigating transport impacts** is comprehensive and fully supported.
- 10.5. **Part F** of **Policy T5 Cycling** is too onerous. The threshold in **Table 10.2** is only 100m<sup>2</sup>, which is very modest. Also there is no threshold for B1, so in theory, even an application for a small single-room office above a shop would trigger the need for the parking of four cycles. The Council recommends that the thresholds are either increased or this part of the policy abandoned. **Figure 10.2** is difficult to interpret which areas higher minimum cycle standards apply. The area in Bexley appears to extend beyond Bexleyheath town centre.

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- 10.6. The Council agrees that **Part G of Policy T6 Car parking** will assist with the flexible management of parking within new development proposals. There is a concern however that the wording of the policy suggests a Car Parking Design and Management Plan should be required for all scales of development. In practice, a plan will have little to no impact on smaller developments, which are also unlikely to have any mechanisms in place to ensure future management. The thresholds should therefore be altered so that the policy applies only to developments of an appropriate size, say Major Developments (of more than 10 units). The London Plan should also make clear the scope and requirements of the Car Parking Design and Management Plan itself.
- 10.7. **Part H of Policy T6** applies to Outer London areas that have the lowest levels of PTAL. The range should therefore be extended to cover areas with PTALs of between 0-2 to take into account the remoteness of these areas.
- 10.8. The wording of **Part I of Policy T6** should be amended to make it clear that it does not apply to extensions to existing developments. If taken forward in its current form, the policy could conflict with or contradict conditions placed on previously approved planning applications.
- 10.9. There is a need to qualify what is meant by 'planned PTAL' in **Paragraph 10.6.3**. The Council needs to be confident that the 'planned PTAL' will be achieved should a development be dependent on this factor and that it does not reflect a long-term aspiration that may not be delivered. It would also be useful to clarify what is meant by 'general parking,' which appears to relate to on-site non-disabled/non-car club spaces.
- 10.10. In **Paragraph 10.6.7**, there is no information on whether a motorcycle space is a 1:1 equivalent. Regardless, the Council does not believe that motorcycle provision should be in lieu of car parking and would like to see separate provision.
- 10.11. Passive provision in **Part C of Policy T6.1 Residential parking** has not been defined within the document. This requirement therefore needs to be clarified.
- 10.12. **Part H of Policy T6.1** raises concerns that it will not be possible to secure the future use of parking bays located within the public highway. Furthermore, the provision of the bays would be subject to consultation and a separate legal process. The policy also states that parking bays must not be allocated to a specific dwelling, but there is a need to clarify whether parking can be allocated to a specific disabled resident. If not, there is a danger that disabled residents may not have access to the nearest, most conveniently located parking spaces.
- 10.13. The parking standards within **Table 10.3 – Maximum residential parking standards** are completely PTAL driven and do not give any consideration to unit size. For example; a one-bed unit has the same parking requirement as a five bedroom house. The proposed standards also do not allow for the way PTAL has been derived e.g. in areas with higher levels of PTAL they have been formed solely on bus provision. For example, Bexleyheath is a major town centre with a PTAL of 5 that is wholly reliant on bus services. The policy would require car free development within this area, and the concern is that there is a lack of choice of public transport modes and what is available is highly unreliable, only offering local connectivity. This single approach is

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meant to serve all areas of London; however, the public transport offer in Bexleyheath is in marked contrast to other locations, and the specific conditions of outer London need to be acknowledged in the policy approach. The approach does not consider other factors such as existing on-street parking stress where there are no suitable mechanisms in place to prevent parking overspill onto the local highway network. The approach set out in this policy does not align with experience of Planning Appeal decisions.

- 10.14. This approach set out in **Paragraph 10.6.10** appears to directly contradict the flexible approach to the management of on-site parking put forward in other parts of **Chapter 10**. The management of immediately available and future parking spaces should already be contained within the required Car Parking Design and Management Plan and would cover aspects such as bringing forward the use of the earmarked bays when needed. The wording within this paragraph should therefore be removed.
- 10.15. **Part E of Policy T6.2 Office parking** should clarify as to whether the reference to borough-wide means a single, higher standard, rather than higher standards in different geographical parts of the borough under **Part D of Policy T6.2**.
- 10.16. More emphasis has been placed on the approach set out in **Part A of Policy T6.5 Non-residential disabled persons parking**, which now features as a policy in its own right. In reality, it is hard to secure on-street public parking spaces in perpetuity for the use of a private development. Furthermore, the process of implementing parking spaces on the public highway is subject to consultation and requires changes to Traffic Management Orders, and as the highway is not under the control of the development, public on-street parking could be altered or removed while the development continues to operate. The wording of this policy should be changed to include '*where possible*.'
- 10.17. There is a need to clarify what is meant by the term 'enlarged bay' in **Part E of Policy T6.5**. Also, is there any point in the creation of larger bays if all bays capable of being converted into disabled parking in the future cannot be used as non-disabled parking in the meantime, as outlined in **Paragraph 10.6.10**?
- 10.18. **Part E of Policy T7 Freight and servicing** sets out criteria for development proposals for new consolidation and distribution facilities. The majority of schemes for distribution facilities (Class B8) in Bexley would not meet the policy requirements, particularly **Part E(1)**, without which local employment and regeneration would be diminished. Bexley is attractive to many operators due to the close proximity of the M25 and inner London and therefore these facilities are mainly road based. The words '*be supported provided that they*' should be replaced with '*where possible*.'
- 10.19. The Council supports the reference in Part A of Policy T9 Funding transport infrastructure through planning for the funding of other strategically-important transport infrastructure from MCIL2 (*Mayor Community Infrastructure Levy*) and would suggest that the extension of Crossrail to Ebbsfleet and DLR extension to Belvedere, which have significant funding gaps, would make suitable schemes for this funding.

## Chapter 11 – Funding the London Plan

- 11.1. **Policy DF1 Delivery of the plan and planning obligations** addresses delivery of the London Plan. The policy itself focuses on viability, providing a hook to the existing guidance in the Mayor's Affordable Housing and Viability SPG. The Council strongly welcomes a tough stance to require proposals to meet planning obligations, including affordable housing secured through section 106 agreements. **Policy DF1** states that viability testing should only be undertaken where the applicant has made a convincing case that there are clear circumstances creating barriers to delivery. This presumption that applications will be policy-compliant is welcome, in light of the trend since the introduction of the NPPF for developers to submit viability assessments almost as a matter of course in order to demonstrate that the proposal need not be policy-compliant. When a viability assessment is undertaken, **Part C** gives boroughs the power to determine the weight to give to the assessment, which presumably gives discretion to refuse an application even if the assessment shows that planning obligations cannot be met.
- 11.2. **Part D** of **Policy DF1** considers situations in which viability assessments demonstrate that planning obligations represent a genuine barrier to delivery. It sets priorities for the obligations which should be met first. Affordable housing and public transport are prioritised, followed by provision of social infrastructure, namely health and education facilities, and provision of affordable workspace, and culture and leisure facilities. Whilst the Council recognises that the urgent need for more housing and the strategic nature of public transport provision provide a justification for citing those two obligations as top priorities, it is recommended that priorities after that are left to the discretion of the local authority – notably schools. Indeed, in areas of regeneration where there is already a concentration of affordable housing, it could be argued that prioritisation of additional affordable housing, which would have an impact on the principle of mixed and balanced communities, is inappropriate. Different boroughs will have different needs and priorities based on local circumstances, and should not be forced by the policy to secure particular planning gains when there might be more of a pressing need for another type of social infrastructure. **Part E** encourages the priorities set out in **Part D** to be reflected in the London boroughs' community infrastructure levy charging schedules and Regulation 123 lists; similarly, this prioritisation should not be imposed on boroughs, but rather they should be given discretion to prioritise based on local circumstances and local needs.
- 11.3. The supporting text in **Paragraphs 11.1.8 to 11.1.67** is a detailed and well-considered discussion of funding and other delivery issues. Whilst being highly valuable, it is noted that there is not a strong relationship between the supporting text and **Policy DF1** itself.
- 11.4. **Paragraphs 11.1.8 to 11.1.13** address the significant funding gap identified to deliver the proposals of the draft London Plan, which is defined as the gap between the public sector funding required to deliver and support London's growth, and the amount currently committed to London. The approaches for closing the funding gap (fiscal devolution and land value uplift) are welcome, particularly land value uplift, which has been proven successful in other city-region areas. The commitment to locating new funding streams, including new environmental levies, to fund green infrastructure is also welcomed. However, this acknowledged infrastructure funding gap for the

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proposed growth in the Plan of some £3.1bn per annum has no wider agreement as to how this can be bridged and raises fundamental issues as to the deliverability and, therefore, soundness of the plan – particularly where housing targets are increased significantly and are expected to be delivered in the early phases of the plan period.

- 11.5. The remainder of **Chapter 11**, from **Paragraph 11.1.14** to the end, considers delivery of housing and infrastructure. The text includes a number of realistic delivery mechanisms, some of which are currently used and others which need to be trialled. With regards to housing, the Council notes that '*direct intervention where land is suitable for development*' may not be appropriate in areas where the land values are insufficient to attract developers. The London Plan should also clarify the mechanisms through which the Mayor will work with London boroughs, or intervene as necessary, where they fail to deliver growth both in Opportunity Areas and against housing targets, including the Government's Housing Delivery Test. Finally, references to the London Land Commission and Homes for Londoners are notably absent from **Paragraph 11.1.22** as key mechanisms to deliver public sector land to the market.

### Chapter 12 – Monitoring

- 12.1. The objectives in **M1 monitoring** to improve the monitoring of development in London can be welcomed. However, given the low level of resources in borough planning departments the GLA must ensure that monitoring is not over burdensome for local authorities. It will be difficult in particular to monitor the Economic Key Performance Indicator for the provision of affordable workspace, as currently development proposals often provide speculative commercial floor space with no tenancy agreements in place, and rental rates are not disclosed.

### Annex 1 – Town Centre Network

- A.1. **Page 465 Commercial Growth Potential:** Bexleyheath has been classified as 'low growth' in **Table A1.1** due to either a) physical, environmental or public transport accessibility constraints, or b) low demand, although the table does not make clear which. The Council's aspirations for Bexleyheath town centre are more closely aligned to the medium growth definition. Bexleyheath town centre has capacity to accommodate identified demand for town centre floor space. Bexley's Retail Capacity Study 2015 identified a potential for between 19,000sqm and 23,000sqm of comparison floor space up to 2036.
- A.2. **Page 467 Residential Growth Potential:** Bexleyheath has been allocated for 'medium residential growth potential' in **Table A1.1**. Although we understand the classification is derived from the SHLAA and other factors, the definition of 'medium residential growth' should be published and the associated methodology behind this allocation made clear. Two town centres outside of Bexley's growth areas, Welling and Sidcup, have been allocated as medium growth. A more detailed definition would help us to understand the figures behind the term 'medium growth' as we do not accept they offer appropriate opportunity.