

## COMMENTS BY TERRY AND SARAH WILDEN ON THE DRAFT NEW LONDON PLAN

Policy Number	Comment	Suggested Amendment	Reason
GG2 Making the Best Use of Land	<p>We generally support this policy, <b>but under Point D, there should also be a specific reference to protection of private residential gardens.</b></p> <p><b>Policy 3.5 in the EXISTING London Plan states that:</b>  <i>“Boroughs may introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified.”</i></p> <p>If this policy is not retained in the New London Plan in some form it will mean that all the London Boroughs that have adopted and statutory policies to protect residential back gardens will no longer be in accordance with, and in general conformity with, the New London Plan.</p> <p>In response to questions at the consultation event in Merton on 9/1/2018, the Deputy Mayor, Jules Pipe, said the New London Plan is “not a charter to build on residential back gardens” and “the Mayor is not interested in people building on back gardens.”</p> <p>The Small Sites policy in the Housing Chapter contradicts this statement.</p>	<p><b>Policy GG2 (D)</b>  “Protect London’s open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local <i>green spaces</i>, <b>including private residential gardens</b>, and promote the creation of new green infrastructure and urban greening.”</p>	<p><b>In order to avoid the return of speculative back garden development (garden grabbing), which is inevitable if some protection is not given to private residential gardens.</b></p> <p><b>Back gardens play an important role in quality of life and biodiversity in London. Allowing more ‘garden grabbing’ could create long term damage to our environment and be inconsistent with the Mayor’s ambition for London to become the World’s first National Park City.</b></p> <p><b>The absence of reference to private residential gardens here is also inconsistent with the proposed policy G1 (a).</b></p>

DESIGN			
<p><b>D1 London’s Form and Characteristics</b></p>	<p>We generally support this policy, <b>but there should also be a reference to “residential density” and “patterns of development” in Section B1.</b></p> <p>There should also be a reference to <b>assessing development proposals against established guidance such as the BRE Daylight &amp; Sunlight Report.</b></p>	<p><b>Policy D1 (B)</b>  “Development design should:  1. respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and shape that responds successfully to the identity and character of the locality, including to existing and emerging, street hierarchy, <b><i>patterns of development, residential density,</i></b> building types, forms and proportions.”</p> <p><b>Policy D1 (A)</b>  “The form and layout of a place should:  4. deliver appropriate outlook, privacy, <b><i>daylight &amp; sunlight, and other amenity benefits.</i></b>”</p>	<p><b>Existing and emerging patterns of development and density are a critical part of protecting and establishing local character and distinctiveness.</b></p> <p><b>To ensure consistency with proposed policy D2.</b></p> <p><b>An assessment of the impact of new development on daylight &amp; sunlight to neighbouring properties is essential to ensuring that substantial and significant harm to local residents is avoided or mitigated.</b></p>
<p><b>D6 Optimising Housing Density</b></p>	<p>We generally support this policy, <b>but there should be specific reference to local amenity issues in relation to site context and constraints on development.</b></p>	<p><b>Policy D6 (A)</b>  “Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular</p>	<p><b>To ensure that optimisation of housing density on each site properly balances the potential benefits of intensification with the potential disbenefits of harm to local amenity.</b></p>

		<p>consideration should be given to:</p> <ul style="list-style-type: none"> <li>the site context <b>and any local amenity constraints</b></li> </ul>	
<b>D9 Basement Development</b>	<p>We generally support this policy, <b>but why does it only apply to existing buildings?</b></p>	<p><b>Policy D9</b> “A. Boroughs, particularly in inner London, should establish policies to address the negative impacts of large-scale basement development beneath <b>both new and</b> existing buildings.”</p>	<p><b>The negative impacts of basement development in new buildings should also be assessed in terms of impacts on the ground conditions, water table, sustainability (embedded carbon etc.).</b></p>
<b>HOUSING</b>			
<b>H2 Small Sites</b>	<p><b>We do NOT support this policy because of the lack of precision and balance in its wording, and as a result the lack of protection of existing private residential gardens and green space.</b></p> <p>The intent and wording of the policy is inconsistent. One part of the policy suggests it only applies to ‘brownfield land’, and then it appears to give the green light to demolishing existing houses and building on their gardens.</p> <p>As defined in the NPPF, brownfield land, or Previously Developed Land as it is also described, DOES NOT INCLUDE “private residential gardens” in “built up areas”. Therefore, the policy as currently drafted will encourage speculative ‘garden grabbing’.</p>	<p><b>Policy H2 (D)</b> “2. proposals to increase the density of existing residential homes within PTALs 3-6 or within 800m of a Tube station, rail station or town centre boundary through:</p> <ul style="list-style-type: none"> <li>a. residential conversions</li> <li>b. residential extensions</li> <li>c. the demolition and redevelopment of existing buildings <b>on similar footprint or building lines to existing</b></li> <li>d. infill development within the curtilage of a house, <b>but not including private garden space in built up areas.</b></li> </ul>	<p><b>The revised wording is intended to add precision, balance and clarity to the policy, by making it absolutely clear that it only applies to brownfield land and Previously Developed Land, as defined within the NPPF.</b></p> <p><b>This is to bring the policy into line with the public statements made by the Mayor, Sadiq Khan, and his Deputy Mayor, Jules Pipe during the draft New London Plan consultation period.</b></p>

**Policy H2 (E)**

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

**Policy H2 (F).**

“The presumption in favour of small housing developments should not be applied to:

1. statutory listed buildings
2. developments providing more than 25 homes
3. proposals that do not provide net additional housing

		<ul style="list-style-type: none"> <li>4. sites of more than 0.25 hectares in size</li> <li>5. non-self contained housing schemes</li> <li>6. mixed-use proposals within the Central Activities Zone (CAZ)</li> <li>7. estate regeneration schemes.</li> </ul> <p><b>8. Land which falls outside the NPPF definition of Brownfield Land and Previously Developed Land.”</b></p>	
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**GREEN INFRASTRUCTURE**

<p><b>G5 Urban Greening</b></p>	<p>We generally support this policy, <b>but why does it only seem to apply to ‘major development proposals’?</b></p> <p><b>The supporting text suggests it can be applied to all development proposals.</b></p> <p>There are references to in the Plan to “no net loss of overall green cover”, but green cover should be more clearly defined so that it includes the volume/surface area of green cover on a particular piece of land, taking account of, for example, the visual and biodiversity benefits of mature tree canopies.</p> <p>Otherwise it will be acceptable for a small garden woodland to be uprooted and replaced by a building with a sedum green</p>	<p><b>Policy G5 (A)</b>  <b>“Development proposals</b> should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.”</p>	<p><b>To ensure that ALL new development proposals commit to giving urban greening a high priority in their design approach, in line with the Mayor’s ambition for London to become the World’s first National Park City.</b></p>
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	roof. It is not an equivalent replacement, nor one that enhances biodiversity as required by other London Plan policies.		
<b>G7 Trees and Woodlands</b>	<b>Insufficient reference and protection is given to trees, in particular mature trees with large canopies, which are statutorily listed in Tree Preservation Orders.</b>	<b>Policy G7 (B)</b> “In their Development Plans, boroughs should: <ol style="list-style-type: none"> <li>1. protect ‘veteran’ trees and ancient woodland where these are not already part of a protected site</li> <li>2. identify opportunities for tree planting in strategic locations.</li> <li>3. <i>Set out specific policies to protect trees which have statutory Tree Preservation Orders (TPOs) in place.</i>”</li> </ol>	<b>The additional wording is intended to encourage boroughs to have specific planning policies to protect trees of special quality, value and significance, and to set out in what circumstances such trees can be removed, shaped and pruned.</b>

**Terry and Sarah Wilden**

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