

# LEDNet response to the new draft London Plan

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## Introduction

The London Environment Directors' Network (LEDNet) welcomes this opportunity to respond to the new draft London Plan. LEDNet is the membership association for London's Environment Directors and provides a forum for collaboration and policy development on key environmental issues. As a network of strategic directors with responsibility for place, we have unique expertise and experience of the practicalities of delivering policy across London.

We have provided our overarching comments in the first section, along with suggestions for areas in which we would welcome further engagement with the GLA. In the following section we have made suggestions for consequential wording changes, which we hope will be helpful.

## Overarching comments

### ***Support for the Plan***

LEDNet is broadly supportive of the new draft London Plan, aiming as it does to improve air quality, green infrastructure, the extent of and access to green and open spaces and biodiversity, waste and recycling provision and application of circular economy approaches. Maintaining and enhancing a thriving natural environment and a strong network of green infrastructure will allow London to benefit from greater biodiversity, cleaner air, enhanced climate resilience, recreation and health outcomes, and to speak to the aspirations of the '25 Year Plan to Improve the Environment' for environmental net gain in development and a new Nature Recovery Network.

We particularly welcome:

- the requirement for all development to support London's resilience to climate change;
- stronger policies to address air quality;
- a more strategic approach to sustainable transport provision, including car free lifestyles, that can in turn enable higher density mixed-use places;
- a more strategic approach to green infrastructure;
- support for circular economy approaches;
- greater protection for green and open spaces in areas where they are deficient and greater emphasis on access to nature;
- stronger linkages between health and the natural environment; and
- support for increased numbers of water fountains.

### ***Gaps in the Plan***

The London Plan should aim to create high quality, resilient, sustainable places and spaces that support a holistic approach to meeting residents' needs. As it stands however, the environmental policies in the Plan are too siloed. This undermines boroughs' ability to address the demands that

new housing and other developments place on our environmental infrastructure, and undermines the ambition of the draft London Environment Strategy, which we strongly support.

There are a number of strategic opportunities for the Plan to achieve a more holistic approach, such as that demonstrated by the Healthy Streets policy. It should:

- mainstream key tools to achieve more sustainable places, namely green infrastructure, high quality, connected green space, sustainable transport and circular economy approaches;
- further interlink policies on public realm and health, taking into account the fact that streets and roads comprise 80% of London's public realm;
- further integrate environmental services, such as air quality, into the Good Growth policies; and
- consider existing and new green and open spaces as part of a connected network of habitats and green infrastructure, and require developments to consider their direct, indirect and cumulative impacts on the quality, functions and connectedness of this network.

There are also areas in which we think policy is missing from the new draft Plan. In particular, the Plan's policies on air quality must ensure that cumulative effects are addressed and that the very significant impacts of the TfL and Highways Agency controlled roads should be addressed, and consideration given to working with the wider South East on transport-related emissions. In addition, there is also a need for a coordinated London-wide strategy to identify current and future needs for storage, consolidation and distribution centres, alongside predicted supply and demand for reuse of materials.

### ***Delivering the Plan***

We note that the number and nature of policies in this Plan are more prescriptive than previous London Plans, making greater demands on boroughs' capacity. Intense funding pressures<sup>1</sup> have already led to reduced staff capacity and impacted on boroughs' ability to maintain services, including the enforcement of planning conditions. Even proposals for more water fountains, whilst welcome, will require new resources for maintenance. The GLA should carry out impact assessments to check that boroughs have the resources to support the new London Plan policies.

In some cases, data is not readily available to boroughs, or up to date. For example, more than half of the boroughs are reliant on data more than 10 years old to identify and manage their Sites of Importance for Nature Conservation (SINCs), which may be undermining their ability to manage these sites through the planning system.<sup>2</sup> The Mayor could support better outcomes across the city by funding a Service Level Agreements with Greenspace Information for Greater London for all London boroughs.

### ***Next steps***

LEDNet members would welcome the opportunity for further discussion with the GLA of how this Plan will practically support the delivery of environmental outcomes across and between boroughs. We would be keen to discuss delivery of the high level targets – for example, the target for 80% mode share for walking, cycling and public transport, and indeed the LES target for 65% municipal

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<sup>1</sup> London Councils estimate that, in total, London Boroughs face a funding shortfall of at least £1.6 billion by 2020, and that core funding from central government will have fallen by 63 per cent in real terms over the decade to 2019-20.

<sup>2</sup> 2015, London Wildlife Trust, 'Spaces Wild: championing the values of London's wildlife sites'.

waste recycling, in which planning has a role to play. Additionally, we would like to engage with the GLA around the guidance that is still required<sup>3</sup>, the data that informs planning, the Plan's indicators and how to support environmental priorities within planning departments.

## London Plan policies

In this section we propose changes to strengthen the policies in the London Plan, in line with our comments above.

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

#### **Policy GG2 Making the best use of land**

- B Proactively explore the potential to intensify the use of land, including public land, to support additional homes and workspaces, promoting higher density development that integrates green infrastructure, particularly on sites that are well-connected by public transport, walking and cycling, applying a design-led approach.

#### **Policy GG3 Creating a healthy city**

- D Assess the potential impacts of development proposals on the health and wellbeing of communities, in order to mitigate any potential negative impacts and help reduce health inequalities, for example through the use of Healthan Integrated Impact Assessments process that incorporates key aspects of a Health Impact Assessment into a Sustainability Assessment and Strategic Environmental Assessment.

#### **Policy GG5 Growing a good economy**

- D Ensure that sufficient high-quality and affordable housing, as well as environmentally sustainable physical and social infrastructure is provided to support London's growth.

#### **Policy GG6 Increasing efficiency and resilience**

- A Seek to improve energy-the efficiency of all resources needed to deliver new development (including energy, materials and water) toand support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050.

### *Chapter 3: Design*

#### **Policy D1 London's form and characteristics**

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<sup>3</sup> In addition to those areas outlined in the current draft Plan, we believe more guidance is required to ensure that offsetting mechanisms act effectively, not as a panacea to achieve zero carbon or net gain in biodiversity (especially in light of the capacity issues noted above).

- A 10) facilitate efficient servicing and maintenance of buildings and the public realm including for waste collections and recycling, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users.
- B 3) aim for high sustainability standards, incorporating circular economy design principles wherever possible (see figure 3.1)

B 3) needs to define 'sustainability standards', which should include air, climate and biodiversity objectives, and work alongside B 5) on urban greening.

### Policy D2 Delivering good design

Part A needs to reference waste and recycling needs, and ecological context (in line with the National Planning Policy Framework (NPPF) requirement for planning policies to identify and map local ecological networks (paragraph 117)).

- A 6) open space networks, green infrastructure, biodiversity, and water bodies
- 12) current and future waste and recycling infrastructure requirements

### Policy D4 Housing quality and standards

- G Dwellings and communal collection areas should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food.

We welcome the reference to the report 'Waste Management Planning Advice for New Flatted Properties' that LEDNet commissioned with LWARB (3.4.11).

### Policy D6 Optimising housing density

This policy states that minor developments will only have incremental impacts on local infrastructure, that they should be addressed by borough infrastructure delivery plans and that 'it will not normally be necessary for minor developments to undertake infrastructure assessments or for boroughs to refuse permission to these schemes on the grounds of infrastructure capacity' (3.6.2). However, the small housing targets account for 38% of London's overall housing target, and developments of 10-25 units also have an impact on local infrastructure. The cumulative impact of many small developments will have a substantial impact on infrastructure within a borough. This includes not only social infrastructure such as schools, but the green and sustainable transport infrastructure that is required for increasing numbers of Londoners to live in the same high quality, healthy, green places. In areas where it can be shown that the cumulative impact on small developments is having a harmful impact on local infrastructure capacity, boroughs should have the ability to refuse planning applications.

### Policy D7 Public realm

- H Incorporate green infrastructure into the public realm to support rainwater management through sustainable drainage, ensure no increase in air pollution levels.

reduce air pollution and exposure to air pollution, manage heat and increase biodiversity.

**N** Ensure the provision of appropriate waste and recycling infrastructure.

## *Chapter 4: Housing*

### **Policy H2 Small Sites**

Paragraph 4.2.9 suggests options for mitigating the loss of biodiversity or green space, in line with the principle of no net loss of overall green cover. Whilst we support this principle, we note that the quality and features of the biodiversity and/ or green space being lost should be included in the assessment of appropriate mitigation (following the mitigation hierarchy), and that damage should also be considered as well as outright loss.

## *Chapter 5: Social infrastructure*

### **Policy S3 Education and childcare facilities**

- A 4) set ambitious targets for the proportion of children and young people travelling by walking, cycling or public transport for all or part of the journey to new primary and secondary schools.
- B Development proposals for education and childcare facilities should:
- 4) link to existing footpath and cycle networks to create healthy routes to schools, ~~and~~ other education and childcare facilities, and play and recreation settings, to encourage walking and cycling

## *Chapter 6: Economy*

### **Policy E8 Sector growth opportunities and clusters**

The Plan rightly recognises the important role of London's low carbon and environmental goods and services sector (6.8.3). However, nothing is included in policy E8 to support this sector. We propose the following changes:

- B London's global leadership in tech and low carbon circular economy innovation across all sectors should be maximised.

## *Chapter 8: Green Infrastructure and Natural Environment*

### **Policy G1 Green infrastructure**

B Boroughs should prepare green infrastructure strategies that integrate objectives relating to open space provision, biodiversity conservation, climate change resilience, flood management, health and wellbeing, sport and recreation, and take into account relevant area frameworks of the All London Green Grid.

C Development Plans and Opportunity Area Planning Frameworks should:

3) take account of relevant area frameworks of the All London Green Grid.

#### **Policy G4 Local green and open space**

E Development Plans and Opportunity Area Frameworks should:

2) ensure that future green and open space needs are planned for in all areas, particularly those with the potential for substantial change

#### **Policy G5 Urban greening**

We support the aim of the urban greenspace factor; in providing a pan-London standard for greening provision it should drive up levels and quality of greening. However, as currently worded it is too simplistic. We propose that the policy is reformulated to address a number of specific issues, but since they are complex and interrelated, we have not sought to suggest the best wording. The issues are:

- the danger that it creates a ceiling rather than a floor for provision by developers – the policy must not undermine boroughs' ability to secure more than baseline provision for a site;
- the lack of biodiversity value incorporated into the greening measures and the apparent assumption that no existing habitat would be present;
- the fact that some plants are better at filtering pollution than others – for example, woodland is more effective than grassland<sup>4</sup>;
- the efficacy of the options for achieving thresholds where a green roof is not an option;
- the lack of clarity on whether offsets elsewhere in a borough would comply with the statutory tests set out in paragraph 204 of the NPPF; and
- the failure to address invasive non-native species (see below).

We propose the following wording changes around invasive non-native species:

A Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Greening should contribute to local and national biodiversity objectives through appropriate choice of species, and should comply with legislation relating to avoidance of invasive non-native species.

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<https://www.ons.gov.uk/economy/environmentalaccounts/articles/theukenvironmentfightingpollutionimprovingourhealthandsavingusmoney/2017-10-02#why-is-some-nature-more-valuable-than-others>

## Policy G6 Biodiversity and access to nature

Part B 1) references the need to identify 'green corridors'; this should be aligned with policies related to the All London Green Grid and local ecological networks. B 3) references 'habitats of particular relevance in an urban context'; this is unclear, and many areas of London are not urban. We therefore suggest the following amendment:

- B 3) seek opportunities to create habitats that are of particular relevance and benefit in ~~an urban~~ the local context

We believe the text of C 2) should be removed, as it potentially supports partial development of SINC. Many SINC are small and vulnerable to quite minor changes, and once land has been developed, the opportunity for it to be restored is lost. In addition, we propose a change to the wording of C to address cumulative impacts:

- C Where direct, indirect or cumulative harm to a SINC (other than a European (International) designated site) is unavoidable, the following approach should be applied to minimise development impacts:

~~2) minimise the spatial impact and mitigate it by improving the quality or management of the rest of the site~~

Finally, we note that an up to date map of SINC (including Special Protection Areas, Special Areas of Conservation and Sites of Special Scientific Importance) should be included within the new London Plan, and that a map of areas of deficient in access to nature would also be useful.

## Policy G7 Trees and woodlands

To address the danger of invasive non-native species referenced above, we propose the following amendment:

- A Trees and woodlands should be protected, and new native trees and woodlands should be planted in appropriate locations in order to increase the extent of London's urban forest – the area of London under the canopy of trees.

## Chapter 9: Sustainable Infrastructure

### Policy SI1 Air quality

We welcome this policy, but we note that it requires clarification on:

- what is meant by 'high levels' of exposure to air pollution in A 1) d);
- the fact that any exposure over legal levels is unacceptable;
- the air quality positive policy;
- where on-site provision can be considered impractical or inappropriate;
- what off-site mitigation measures would be considered appropriate if on-site is impractical or inappropriate; and
- the application of the air quality offsets policy.

Cumulative impacts should be addressed, for which we propose the following wording:

A London's air quality should be significantly improved and exposure to poor air quality, especially for vulnerable people, should be reduced:

1) Development proposals should not:

a) lead to further deterioration of existing poor air quality, including via cumulative impacts

We also propose the following amendments, which would a) revert to use of the Air Quality Management Areas framework, rather than Air Quality Framework Areas that focus on TfL routes and omit other areas with exceedances, and b) avoid unacceptable impacts on vulnerable groups:

A 2) Development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality. ~~Particular care should be taken with d~~ Developments that are in Air Quality ~~Focus-Management~~ Areas should not negatively affect the health of people using these areas through increased air pollution, especially those ~~or~~ that are likely to be used by ~~large numbers of people particularly~~ individuals who are particularly vulnerable to poor air quality, such as children or older people.

We welcome policy A 5) and recommend that it is robustly introduced without pre-emptive caveats:

A 5) Air Quality Assessments (AQAs) should be submitted with all major developments, ~~unless they can demonstrate that transport and building emissions will be less than the previous or existing use.~~

We would support specific proposals around enclosure of polluting or dusty activities on waste and industrial sites (London Environment Strategy proposal 4.2.3e), and methods to address emissions from emergency generators (particularly diesel generators).

### **Policy SI3 Energy infrastructure**

Focussing solely on heat network priority areas omits places which are known to experience pollution exceedances, and we therefore suggest the following changes:

D Major development proposals within ~~Heat Network Priority Areas~~ Air Quality Management Areas should have a communal heating system

### **Policy SI5 Water infrastructure**

This policy should support greater water efficiency through refurbishment as well as through new development, including the retrofitting of rainwater harvesting and water meters and compliance with relevant BREEAM standards. We also suggest that the target of 105 litres/ person/ home should be made more stringent, given that this was the target for the Code for Sustainable Homes back in 2014.

The policy also needs to clarify the meaning of E 1) 'seek to improve the water environment'. Does this mean that infrastructure should be provided to support the achievement of 'good ecological status' for surface water as per the Water Framework Directive?

### **Policy SI6 Digital connectivity infrastructure**

The Interim National Infrastructure Commission (NIC) infrastructure assessment states that: 'The process of obtaining planning permission and rights of way ("wayleaves") for digital infrastructure can add significant costs and delays to network enhancements. Cutting these overhead costs would be one of the lowest cost ways of delivering better digital infrastructure quickly'. It seems likely that the NIC will recommend changes to the planning system, so we recommend that the London Plan pre-empts this by supporting the wayleave toolkit and standard City of London agreement.

### **Policy SI8 Waste capacity and net waste self-sufficiency**

D 3) sets the Carbon Intensity Floor at 400g of CO<sub>2</sub> per kWh of electricity generated. According to Ofgem this isn't even classed as Low Carbon, and it should be made more stringent.

### **Policy SI10 Aggregates**

A An adequate supply of aggregates to support construction in London will be achieved by:

4) meeting the target of 95 per cent recycling/re-use of construction, demolition and excavation waste by 2020 and reusing or recycling 50 per cent of that waste as aggregates by 2020.

### **Policy SI13 Sustainable drainage**

We are concerned that the new drainage hierarchy is muddled, with references to blue roofs at both the top and halfway down the hierarchy. We are unclear why discharge to an open watercourse is at hierarchy 4, and why it features higher than the other forms of rainwater attenuation. We recommend that this is clarified.

We welcome the reference to refusing proposals that incorporate impermeable surfaces, but propose that it should be strengthened:

C Development proposals for impermeable paving should be refused where appropriate unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways.

We are disappointed with the wording in paragraph 9.13.2 that "developments should aim to achieve greenfield run-off". Lower rates of runoff are often achievable but are not offered by developers because of this wording. In 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 then becomes a theoretical exercise.

## *Chapter 10: Transport*

### **Policy T5 Cycling**

The higher cycle parking standards in inner London are welcomed. However, the parking standards remain lower for outer London, which seems directly contrary to the Mayor's objectives for more sustainable travel.

### **Policy T7 Freight and servicing**

A Opportunity Area Planning Frameworks, Area Action Plans and other area-based plans should include freight and servicing strategies. These should seek to:

2) coordinate the provision of infrastructure and facilities to manage freight and servicing, and promote freight consolidation and micro-consolidation, at an area-wide level

3) seek to reduce emissions from freight, such as through sustainable last-mile schemes, and the provision of rapid electric vehicle charging points for freight vehicles, collaborative strategies and reverse logistics arrangements.

## *Chapter 11: Funding the London Plan*

The new London Plan must set out how the GLA will work with boroughs and other key stakeholders to ensure that an adequate level of environmentally sustainable infrastructure is funded and provided alongside housing growth. LEDNet would like to work with the Mayor on developing new and innovative funding mechanisms to address this. For example, Government may wish to consider devolving specific funding streams and taxes linked to certain services and activities. Environmental taxes could fund the growing cost of waste management, and payment for ecosystem services schemes could support growth of green infrastructure.

## *Chapter 12: Monitoring*

In comparison with the current Plan, the new draft London Plan has no targets for cycling as a proportion of trips<sup>5</sup>, SINC's, recycling, renewables or river restoration. The new Plan should incorporate KPIs that address these issues in order to effectively track and fulfil its ambition in these areas, and support the London Environment Strategy. In addition, we would support a new KPI on delivery of the circular economy.

The new draft Plan has also lost a target on green roofs. This is disappointing given the welcome emphasis on greening in the Plan. We propose that a KPI on greening should be included in the Plan, and that it should align with the ambition – which we share – for London to be a National Park City. This should replace the monitoring of 'change in overall green cover', which would only provide

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<sup>5</sup> We do not think that this is adequately replaced by the new target on cycle parking.

information on basic greening, not the delivery of green infrastructure or its climate, air quality and biodiversity benefits.

The KPI for air quality could also be more robust. For example, London Councils provided a list of potential indicators provided in their response to the London Environment Strategy:

- i. The percentage of air quality monitoring stations that meet the legally required levels of air quality;
- ii. Number of schools located in areas of air quality limit exceedances, which can be measured using the next and subsequent iterations of the London Atmospheric Emissions Inventory (LAEI);
- iii. The percentage of air quality monitoring stations in operation and the number of new sites installed, though this would have a cost implication for boroughs if the target is set at an unrealistic level;
- iv. The percentage of the bus and taxi (including PHV) fleet that is zero emissions;
- v. Health data, for example hospital admissions and/or deaths as a consequence of air pollution;
- vi. Public awareness of air quality issues and its impact on Londoners' lives;
- vii. No net loss of biodiversity; and
- viii. The reduction in emissions from transport (though the Mayor and TfL will need to constantly monitor the actual emissions from the transport network as policies are implemented, broken down to source type, such as buses, taxis, private hire vehicles, private vehicles, freight and Non-Road Mobile Machinery (NRMM)).

Finally, we note that new long-term targets (e.g. for 100% renewable energy by 2050) have replaced shorter term targets (e.g. 60% reduction in carbon dioxide emissions by 2025). Whilst we support the ambition of the new targets, we note that milestones will be required to measure progress along the way. We would welcome more detail on these interim targets and how they will contribute to delivery of the first five year carbon budget for London.