

Further Alterations to the London Plan: Comments from London Councils

Introduction

The Mayor is required to keep the London Plan under review and to undertake alterations to or replace the Plan in accordance with legislative guidance.

The first London Plan was produced in 2004. Two sets of alterations were later consolidated in an altered London Plan published in 2008, which provided a framework for strategic planning through to 2026.

In 2008, the current Mayor conducted a full review of the London Plan, leading to the publication of a replacement Plan in 2011. In parallel, the Mayor also published:

- The London Housing Strategy (February 2010)
- The Mayor's Transport Strategy (May 2010)
- The Mayor's Economic Development Strategy for London (May 2010)

The 2011 London Plan took the year 2031 as its end date for strategic planning. In the draft alterations to the 2011 Plan, the year 2036 has been chosen to reflect Government advice on strategic planning across a 20 year period. Full draft alterations to the 2011 Plan were published in January 2014 for consultation.

The alterations to the 2011 Plan are being proposed primarily to address housing and employment issues arising from data contained in the 2011 census, which revealed that London's population was growing at a considerably higher rate than expected, and meant that the Plan's forecasts for future growth between 2011 and 2031 were likely to be inaccurate. The census revealed that London's population grew at an average rate of 87,000 per annum between 2001 and 2011, while the Plan had assumed an increase of 51,000 per annum between 2011 and 2031.

The alterations are also intended to account for:

- Further development of the concept of the London Plan as the 'London expression of the National Planning Policy Framework', following the changes made in the Revised Early Minor Alterations to the London Plan (REMA), as adopted in October 2013;
- The Mayor's priorities as set out in the '2020 Vision: The Greatest City on Earth – Ambition for London';
- Minor changes in fact, changes in national policy, support for the Mayor's housing and other strategies and address other advice to the Mayor e.g. from the Outer London Commission.

Chapter One – Context and strategy

Key changes

This chapter sets out the context for the London Plan and its alterations and establishes the key strategic planning issues facing London over the period to 2036. It draws on data and trends which have emerged since the 2011 Plan was published, in particular the

accelerated population growth, how this has affected London's demographic, socio-economic and environmental character and the challenges this presents to London as it plans for the future.

Central to the Mayor's alterations in this chapter is the evidence from the 2011 Census and analyses by the Office for National Statistics that London's population growth has accelerated at a much quicker pace than projected in 2011, with the 2011 population reaching 8.3 million rather than the predicted 7.8 million. Using a central demographic growth scenario, alterations to the Plan project London's population to reach 10.11 million by 2036. The broad social, economic and migratory factors driving this growth are set out in the Plan, alongside population, household and employment projections to 2036 updated to reflect latest analyses.

Response

London Councils welcomes the Further Alterations to the London Plan (FALP) recognition of the pressure which a significantly accelerated population growth will have on London's infrastructure needs. Boroughs have been working hard to meet the challenge of this growth over the past decade, and London Councils has for some time been calling for a step-change in the way councils are enabled and supported to meet the challenges across housing, transport, education, health and economic growth.

In relation to housing in particular, London Councils welcomes the Mayor's aspiration to increase the delivery of new homes in London over the next ten years. However, this aspiration must be viewed in the context of the system having not delivered the number of new homes required to keep pace with both household growth and London's housing need backlog for very many years.

Any acceleration in the speed and overall quantum of housing delivery is to be welcomed but we believe will require a more strategic and creative approach to both the leveraging of additional housing finance but also the action that will be needed to increase both house building capacity as well as to reduce the level of land banking in London.

London Councils remains concerned that whilst the Mayor's overall new housing supply aspiration has increased, (in some measure to reflect the level of new households requiring housing), 42,000 new homes a year will not fully address current and future housing need in London. London Councils submission in relation to the Mayor's Housing Strategy made the case that the Mayor's London Strategic Housing Market Assessment illustrated two growth scenarios ranging from 43,300 to 54,600 new homes a year, which resonated with London Councils' work which estimated a new build requirement of 52,600 new homes a year. London Councils urges the Mayor to reconsider his position on housing ambition to ensure that London is working towards meeting the future needs of its population as well as the historic backlog.

Chapter 2 – London's Places

Key changes

This chapter sets out the Mayor's vision with regard to meeting the challenges of economic and population growth, and of improving the environment. Owing to the

revisions in forecast housing and employment growth, many of the proposed changes to this section are concerned with where such growth should be located and how its wider impacts may be managed.

In particular, the chapter proposes changes to town centre policies (policy 2.15) to provide for consolidation of retail uses and, where appropriate, new high density housing-led redevelopments in these centres. The Plan now expects that boroughs revise their retail capacity requirements to take “realistic” account of changes in consumer expenditure and behaviour, and manage the changing roles of centres with a view to promoting diversification.

Such diversification may include “high-density, residential-led, mixed-use redevelopment”, with larger centres being redeveloped as destinations for multi-channel shopping facilities and complementary uses including new housing; ‘consolidation’ of medium sized centres to secure a sustainable retail offer, as well as the provision of non-retail functions and new housing; and the promotion of local and neighbourhood centres as locations for convenient access to day-to-day goods and services, with surplus capacity being brought forward to meet housing and community needs. In addition to promoting these changes through planning policies, boroughs are also expected to proactively support town centre redevelopment through planning tools such as Compulsory Purchase Orders.

It is also expected that opportunity and intensification areas will play a significant role in delivering the increased level of housing growth. Boroughs are expected to make a ‘realistic’ assessment of employment capacity projections to ensure that housing output is optimised in the opportunity areas. Surplus industrial sites around public transport nodes are also identified as a key area for housing growth.

There is new support for the management of ‘clusters of uses’ through planning policy (also expressed in policy 4.8 in chapter 4); clustering of leisure uses can promote regeneration and “boost economic growth and employment, “provided it is managed effectively” with the planning process used to avoid saturation and associated negative impacts.

The revised chapter now also proposes that boroughs should take a “flexible approach” to the implementation of parking standards in outer London boroughs to secure the ‘vitality and viability’ of town centres. The same should apply to residential parking standards in areas with low public transport accessibility levels.

Response

London Councils welcomes in principle the identification of further locations for meeting increased housing need in the capital. We understand that the approach to management and consolidation of town centre economies is not intended to be prescriptive and believe that it strikes the proper balance between promoting policies for sustainable growth and leaving to boroughs the responsibility for their planning and implementation. We also agree with the approach to prioritise opportunity areas and surplus industrial sites close to public transport for further housing growth.

We also recognise the importance of proactively managing surplus retail and office capacity to ensure the viability of centres. However, we believe there is scope for the

London Plan to take a more robust position with regard to the protection and creation of viable uses.

While we agree that housing and employment capacity assessments in the opportunity areas should be revised in the light of the significant additional housing need identified in the census data, we are concerned that the reference to “realistic” assessments of employment capacity may imply a downgrading of the importance of employment uses in the opportunity areas by comparison with residential uses. We accept and support the need for the opportunity areas to help provide an increment to minimum housing supply targets but would emphasise the need for major developments to incorporate a sustainable mix of uses. We are also concerned that the references to higher quantities and densities of housing in the opportunity areas are not accompanied by proposals for improved supporting infrastructure.

The government’s new permitted development rights notably do not distinguish between viable and non-viable commercial uses and, while the FALP correctly provides for stronger protection for viable office uses in the CAZ, we believe the Plan should also provide strong support for such uses elsewhere. We believe the language of these additions is too oriented towards consolidation, and that the recommendation for high density housing will not suit every centre.

Chapter three – London’s people

Key changes

This chapter sets out policies to support delivery of the Mayor’s vision and objectives, specifically those ensuring London is:

- A city that meets the challenges of economic and population growth.
- A city of diverse, strong, secure and accessible neighbourhoods.
- A city that delights the senses.

Taking up the demographic growth challenge outlined in chapter one, the Plan alterations here tackle the detail of housing supply, affordability and social infrastructure. The Plan sets out minimum 10 year housing supply targets for each borough and an annual monitoring target, and additionally adds an emphasis to the Mayor’s policy (3.4) on larger residential developments to “encourage higher densities”. There are also new references to explicit support for the planning system providing support to the private rented sector (policy 3.8) in meeting housing need and increasing delivery.

In relation to policy 3.11 on affordable housing targets, an alteration is made to the supporting text to policy 3.11 to state that local eligibility criteria for intermediate housing “should not compromise policy 3.11 to maximise affordable housing provision”. Alterations also update the annual household income ranges which set the eligibility criteria for intermediate housing and adds that “if boroughs wish to set eligibility criteria for intermediate housing below these levels, planning conditions or agreements should secure them at the reduced levels for no more than three months from the point of initial marketing and they should then be offered without further restrictions to those who meet the London-wide eligibility criteria set out in the London Housing Strategy”.

The alterations also include an addition to policy on education facilities which states that 'Development proposals that co-locate schools with housing should be encouraged in order to maximise land use and reduce costs'.

Response

The London Plan by its very nature cannot be viewed in isolation from the Mayor's other strategies. In particular, the Mayor's Housing Strategy is crucial to fully contextualising the FALP.

London Councils' comments in respect of the draft Mayor's Housing Strategy resonate with alterations around affordable housing and the private rented sector. London Councils and individual boroughs are keen to ensure the successful delivery of the affordable housing programme.

However, London Councils has concerns over the proscriptive approach being adopted towards affordable housing, in particular the directive policies in respect of social capped, affordable and intermediate targets. While a strong commitment to ensuring the provision of adequate and genuinely affordable housing is welcome, policies on affordable housing will restrict the scope for local decision making, where a flexible borough approach is particularly required with respect to the split of affordable rented homes that are provided at discounted and capped rent levels.

What will be crucial for all boroughs in being able to meet their housing needs, (aside from the overall delivery figure) will be the split between homes available at capped rent and discounted rent levels, and particularly the breakdown by bed size within each category. Whilst the 'capped' rent strand of the affordable housing programme is to be welcomed and will deliver up to 4,500 homes annually at capped rent levels, this will only provide enough homes to meet the needs of 30% of newly accepted homeless households in London¹.

London Councils is concerned that the Mayor's borough level housing supply projections fail to recognise local assessment of need or local supply circumstances, and therefore override local strategic planning duties. Establishing borough level targets assumes an overly-simplistic approach to ensuring a managed use of site supply and local environmental and conservation constraints or competing land uses such as for education and health. Local calculations of need across the period to 2036 and therefore appropriate use of sites and scheduling of delivery are better developed at the borough level under a London Plan which establishes a quantum of need, unless there are compelling cross-borough reasons for doing otherwise.

The emphasis on large residential developments being 'high density' (based on their being able to define their own characteristics) ignores the fact that many sites have a close relationship with surrounding residential areas. The Plan needs to recognise the local context and other policy requirements to take account of environment and other constraints, as well as the need for supporting infrastructure including adequate public transport.

¹ Based on 2013/14 P1e DCLG Statutory Homeless return, indicating that 14,812 households were accepted as homeless in London 2013/14

It is unclear to London Councils how the benchmark target for specialist housing for older people has been established. Targets should be based on local evidence of needs, in particular recognition of existing supply and its potential to be re-modelled to meet the current requirements for specialist housing. A range of factors influence housing moves and boroughs should be allowed to develop responses to meet community need. Setting benchmarks through the Plan could jeopardise delivery of other Plan priorities, particularly general needs affordable housing, and viability should be left to borough and site assessments.

Chapter 4 – London’s economy

Key changes

Chapter 4 of the plan is focused on the economy, setting out the Mayor’s plans to ensure that London “meets the challenges of economic and population growth” and retains its status as an internationally competitive and successful city.

In line with the priorities contained in the Mayor’s “2020 Vision”, the revised policy 4.1 on developing London’s economy includes a new emphasis on infrastructure and its importance to the London economy , and on “maximising the benefits” from such infrastructure to secure sustainable growth and development.

Many of the new additions in this chapter reiterate or recalibrate points added to chapter 2. There is further detail on the proposal for enhanced protection of office space within the CAZ (policy 4.3), with boroughs being expected to protect units of below 500 sq m where this is justified by office demand assessments. Residential proposals within the CAZ which would result in the loss of office space should be required to provide for replacement space.

Additional references to town centres also echo content in chapter 2. The forecast growth in demand for comparison goods retail floorspace is downgraded and policy 4.7 on retail and town centre development includes a new reference to “consolidation of surplus floorspace”. The supporting text states that surplus retail floorspace can be addressed through “opportunities for mixed use, high density, housing led redevelopment” as set out in policy 2.15 of chapter 2.

In the context of the government’s proposals for permitted development rights to convert retail uses to residential, there are new references to local plans “including policies for primary shopping areas and primary and secondary frontages in the context of wider town centre management and initiatives”. The revised policy 4.8 on “supporting a successful and diverse retail sector” adds new references to the management of clusters of uses having regard to their impacts on the priorities contained in the London Plan, including vitality and viability; broader competitiveness; and sense of place and local identity.

There is a new paragraph on the importance of London’s public houses and of the high closure rates of recent years. Boroughs are now encouraged to bring forward policies to “maintain, manage and enhance” public houses where there is sufficient evidence of need, community asset value and viability.

Response

There is overall little in this section which is prescriptive for boroughs, although there is firmer guidance on the management of reduced retail demand growth. It appears to be the intention that boroughs retain primacy over specific policies to support their local town and district centres. London Councils welcomes this approach.

We also support the provision for 'clear designation' of primary and secondary frontages although, as with chapter 2, we believe there should be stronger language and relevant provision around the protection and promotion of viable retail and other commercial uses. We welcome the amended policy to manage clusters of uses with regard to positive and negative impacts, and to use planning policy to avoid saturation.

We recognise that town centres and 'key shopping areas' may become less retail-centred with changing patterns of consumer behaviour, and support the proposals for management of alternative clusters through the planning policy system to encourage growth and prevent saturation. We also welcome the commitment to the protection of public houses and support proposals for boroughs to bring forward policies for their protection.

Chapter five – London's response to climate change

Key changes

This chapter sets out the policies designed to support the Mayor in achieving his vision for London as "a city that becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy and consuming fewer resources and using them more effectively".

Broadly, alterations establish a new emphasis on increasing energy infrastructure, in particular low and zero carbon energy, to support a growing city. A particular note is made of the long term vision including the need for a resilient and decentralised electricity network with capacity provided where and when necessary.

A number of notable alterations are made to the waste section of this chapter in respect of the Plan's ambition for London to manage as much of the capital's waste within its boundaries as practicable, so that Londoners enjoy both the environmental and economic benefits. The alteration also adds that the Mayor encourages the flow of appropriate materials, including recyclable waste and solid recoverable fuels, into London where economically beneficial.

An alteration is made to policy 5.17 on Waste Capacity to part d under 'Planning decisions'. This alteration relates to achieving a positive carbon outcome and states, "energy generated from London's waste will need to meet, or demonstrate that steps are in place to meet, a minimum CO₂eq performance of 400 grams of CO₂eq per kilowatt hour (kwh) of electricity produced. Achieving this performance will ensure that energy generated from waste activities is no more polluting in carbon terms that the energy source it replaces".

A further alteration to this section also includes the insertion of two tables:

- Table 5.2 – Municipal and commercial/industrial waste at borough level at key milestones to 2036.
- Table 5.3 – Waste to be managed in London apportioned by borough.

Response

London Councils welcomes the work that has gone into revising waste projections and therefore apportionment targets for boroughs (table 5.2). However, London Councils is concerned that the targets set for recycling for 2016 and 2021 are too ambitious, and given the current rate of recycling flattening in recent years, potentially unachievable. Further discussions with the GLA are welcome on how it anticipates these targets will be achieved. London Councils also believes that bringing forward the date by which London is expected to manage its own waste from 2031 to 2026 is too ambitious unless significant investment in infrastructure is made by 2020 to secure the pipeline for development by 2026.

In discussion with GLA officials London Councils has voiced concerns about the drafting of the text, in particular the incorrect reference to out of date data. This needs to be corrected to avoid confusion and provide greater clarity about the evidence base by which some of these alterations are being proposed.

Chapter six – London’s transport

Key changes

This chapter sets out the policies designed to support the Mayor in achieving his vision for London as “a city where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities with an efficient and effective transport system which actively encourages more walking and cycling, makes better use of the Thames, and supports delivery of all the objectives of this Plan”.

Table 6.1 in this chapter, while not an alteration, sets out an ‘indicate list of transport schemes’ in London, including anticipated completion timescales and estimated scheme costs.

Alterations in the text associated with policy 6.4 on ‘Enhancing London’s Transport Activity’ provide detail to proposals for Crossrail 2 and High Speed 2 (HS2). In respect of aviation, alterations have been made to the section in support of policy 6.6 (‘Aviation’) to update the Plan on developments in respect of London’s capacity, in particular that the Government is implementing the recommendations of the South East Airports Taskforce final report and has established an independent Commission (the Davies Commission) to identify and recommend options for maintaining the status of the South East as “an international hub for aviation”.

Significant alterations are made to policy 6.9 on ‘Cycling’. The alterations are made to the three sub-sections of this policy (‘Strategic’, ‘Planning decisions’ and ‘LDF preparation’). Alterations in the section accompanying policy 6.9 set an expectation for planning briefs and masterplans to “clearly demonstrate how new developments will contribute to creating a high quality, connected environment for cyclists”.

A minor alteration is applied to policy 6.13 on 'Parking' to cross reference table 6.2 ('Car parking standards') as "the basis for considering planning applications". The section supporting policy 6.13 contains an alteration stating that "boroughs wishing to develop their own standards should take the standards in this Plan as their policy context".

An alteration is made to the section supporting policy 6.13, specifically with regard to planning outer London town centre parking. The alterations set out the opportunity for a more flexible approach to outer London town centre parking where the need is demonstrable and, in considering the issue, cross references the Town Centres Supplementary Planning Guidance.

Response

London Councils welcomes the Mayor's commitment to supporting sustainable development of London's transport capacity and support for boroughs work to extend and improve cycle routes throughout the capital. However, London Councils is concerned at the potential for the FALP to override local determination in respect of town centre management and provision of sufficient transport capacity, particularly in respect of the alterations around parking. Boroughs are better situated than the Mayor to understand and plan for town centre needs, including parking, and will wish to discharge their duties in respect of town centre management free from overly prescriptive policy. While it is reasonable for the FALP to establish general principles around the need for properly planned parking provision, boroughs are best placed to determine the right approach for their localities and communities.

Chapter 7 – London's living places & spaces

Key changes

This chapter deals with policies on issues around "places and spaces", with particular reference to supporting "diverse, strong, secure and accessible neighbourhoods" and to preserving heritage buildings, supporting the best new architecture and supporting and extending open and green spaces and waterways.

The most notable revisions relate to noise management (policy 7.15), with references to 'minimising' noise being replaced by 'managing' or 'mitigating and minimising'. It is stated that noise management policies "should not impose unreasonable restrictions on development" or add to the costs of business. Noise management should be considered at an earlier stage in the planning process with an emphasis on 'improved acoustic environments' over minimisation of noise in all circumstances.

There are new references in this section to 'lifetime neighbourhoods principles' (policy 7.1), with boroughs being expected to "set goals for neighbourhoods" and provide support strategies for achieving them "through neighbourhood planning mechanisms". This section also now sets out the three principles of lifetime neighbourhoods.

References to 'local open space' are replaced by 'public open space'. Boroughs are expected to undertake audits of all forms of open space and assessments of need. Boroughs should also "identify opportunities for enhancing or extending waterway facilities", especially in opportunity areas and other areas where a particular need has been identified.

Response

London Councils would welcome the support for boroughs integrating noise management policies further into the planning process, but would be concerned that references to 'unreasonable restriction on development' may constrain the ability of boroughs to restrict proposals which risk inappropriate noise impacts. An 'unreasonable restriction' in the context of noise management is subjective and we consider that this is best determined by the boroughs in consultation with communities, with reference to their local circumstances.

It is unclear what is meant by the replacement of 'local open space' with 'public open space' and the implications of this for boroughs' management of their spaces. We would like a clearer definition of the two terms or some contextualisation for this change within the document.

Chapter 8 – Implementation, monitoring & review

Key changes

This chapter deals with the Mayor's proposed implementation of the plan to ensure delivery of his vision, objectives and detailed policies.

New additions include that the Mayor will consider promoting the establishment of further Mayoral Development Corporations (MDCs) and Enterprise Zones (EZs) as well as further Tax Increment Finance Initiatives (TIFIs) where they would assist significantly with realising substantial development potential. He will also work with the government to bring forward Housing Zones, which may help realise the potential of Opportunity Areas.

Promotion of infrastructure planning and delivery "is an important theme of the Mayor's 2020 vision. He considers that there is scope for improvement" and intends to work with public, private and voluntary sectors to realise these improvements in conjunction with his infrastructure investment plan, which is currently being prepared.

With reference to Mayoral planning decisions, the revised plan adds new reference to the importance of "air quality and social infrastructure", which should also be prioritised when negotiating S106 agreements.

Response

London Councils would support the introduction of MDCs, EZs and TIFIs where these help to accelerate development. We would expect that boroughs are fully consulted when any such proposals are made to ensure that they are aligned with local priorities.

We also welcome the renewed support for the planning and provision of new infrastructure and welcome the Mayor's commitment to working with the boroughs to bring this priority forward.

We also welcome the new reference to the importance of air quality and social infrastructure in Mayoral planning decisions, and support the prioritisation of these as part of S106 agreements.

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