

## **FURTHER ALTERATIONS TO THE LONDON PLAN**

### **JUST SPACE SUBMISSION**

Just Space is a community-led London wide network of voluntary & community groups influencing plan making and planning policy at neighbourhood, borough and strategic levels to ensure public debate on crucial issues of social justice and economic and environmental sustainability.

It operates mainly through mutual support but also through sharing of information, research and resources. We operate at 3 levels or scales – the city wide, the local government and the neighbourhood levels. Our meetings are open to everyone from the voluntary and community sector who has an interest in planning issues and Examinations.

This submission is informed by the input of Just Space member groups and by the involvement of lots of other voluntary and community sector groups who have taken part in events, workshops and discussions on particular topics. Most important have been the *Consultation event for the Voluntary and Community Sector* held at City Hall on March 6<sup>th</sup> (jointly organized by GLA, London Forum and Just Space), *the Just Space Community Conference* on Saturday March 15<sup>th</sup>, *the Economy workshop on March 20<sup>th</sup>* (led by our Economy and Planning Group), *the Housing Workshop on March 25<sup>th</sup>* (organized by London Tenants Federation) and *the Just Space network meeting* on April 4<sup>th</sup> 2014.

This submission should be read alongside our separate response to the Economic issues, which for reasons of clarity and focus has been produced by the Just Space Economy and Planning Group.

## **CHAPTER 0 OVERVIEW AND INTRODUCTION**

Although the Mayor's public consultation announcement on his website outlines the reasons why the FALP have been prepared, including (to) develop the concept of the London Plan as the "London expression of the NPPF", the altered text within the Overview and Introduction (paras 0.16A to 0.16D) asserts that the Revised Early Minor Alterations made to the Plan in 2012-13 have ensured that the London Plan reflects the NPPF.

However, the Mayoral Decision (MD1295) which authorized the consultation on the FALP, identifies tensions with some key aspects of NPPF. It says: "in agreeing these Alterations, the Mayor is in effect seeking flexibility in implementing national policy". It also does not accept certain recommendations from the Integrated Impact Assessment.

Analysis and responses being made to the FALP highlight inconsistencies with national policy and guidance and are dealt with in the appropriate parts of the responses.

## **CHAPTER 1 CONTEXT AND STRATEGY**

The Mayor in preparing or revising the London Plan ('Strategic Development Strategy' - SDS) has legal duties to have regard to, among other things, the effect on the health of persons in Greater London, the achievement of Sustainable Development in the UK and the contribution towards the mitigation of or adaptation to climate change, and consistency with national policies and international obligations. These duties are enshrined in the GLA Acts.

This legislation also requires that the SDS be first subjected to an Examination in Public and that the examining person assesses whether the plan has been prepared in accordance with the relevant legal requirements and whether it is sound – including consistency with national policy to enable the delivery of sustainable development, the golden thread of the NPPF.

As the Integrated Impact Assessment explains, the key outcomes of the draft FALP include an increased focus on housing delivery, an emphasis on creating employment opportunities through the delivery of new infrastructure and increased focus on development of Opportunity Areas and Town Centres. The thrust is for significant growth, making it critical to consider policy interrelationships. The scale and degree of the planned growth are such as to bring into question the coherence and effectiveness of the strategy. In particular, the selective approach to policy changes has implications and consequences.

The population increase and the thrust for growth are not addressed by appropriate policy-strengthening within the London Plan despite the growing evidence of, among other things, harm to existing businesses, the need to tackle carbon dioxide emissions and the need to improve air quality, retrofitting, walking and social infrastructure. Consequently, sustainable development in accordance with national policy is unlikely to result. Given the present and immediate harm to the health and wellbeing of persons in London and the associated equalities issue arising, the Mayor has failed to prepare Alterations in accordance with those legal requirements and national policy that should frame the London Plan.

The FALP flows from the 2011 Census showing that London had been growing at a much more substantial rate than predicted in the 2011 London Plan. There was a population of 8.2 million in 2011 compared with the 7.8 million assumed in the 2011 Plan. The census showed that London grew by an average of 87,000 p.a. between 2001-2011.

Whereas the 2011 Plan assumed an average growth of 51,000 p.a. from 2011-2031, the Alteration uses a projection that London will grow by an average of 64,000 -88,000 p.a. to 2036 but with a much higher growth in the decade to 2021 (96,000 – 106,000 p.a.). This is lower than the Office for National Statistics projection of 117,000 p.a.

The FALP concludes that “the soundest response is to recognise this uncertainty and to plan for it” (para 1.10B).

The requirement in the NPPF is for the London Plan to be based on “adequate, up to date and relevant evidence about the economic, social and environmental characteristics and prospects of the area” (para 158)

The Alterations introduce a statement of the London Plan’s underlying philosophy “to seek to accommodate growth within the capital’s boundaries and without intruding strategically on its protected green and open spaces.” (para 1.10B).

Yet the demographics challenge this model and there needs to be at least

- Proper inter-regional cooperation so that neighbouring authorities in the South East Region make provision for London’s housing needs
- A review of the usage and boundaries of the green belt
- A debate among Londoners about these issues

The FALP is based on the expectation that as housing supply increases house prices will come down. Where is the evidence to show this will be the outcome? It seems more likely that with the population explosion fuelling demand the supply side is almost infinite. No amount of new housing in London will bring down the price of housing – we just don’t build enough housing for ordinary Londoners to affect the price.

We then need to consider the impact on London’s people. The first chapter of the London Plan sets out the Mayor’s commitment to ensure that all Londoners have equal life chances and a good quality of life through access to housing, employment, social and green infrastructure and other services. One of the objectives of the London Plan is to address deprivation, exclusion, discrimination and social inequality through meeting the needs of everyone who lives in London.

But for many of the community and voluntary groups representing the needs and aspirations of marginalised Londoners these phrases in Chapter 1 have not managed to translate into reality.

When you look at the Alterations, a lot of Londoners feel they are left out of this Plan, that their needs are not mentioned in it – or that they are directly threatened by it. For groups such as Black, Asian and minority ethnic people, gypsies and travellers, the LGBT community, the young, the unemployed, social housing tenants, those with a range of disabilities there is no differentiation to recognise the specific needs they have.

The Integrated Impact Assessment, is clearly limited in its evaluation of the changes. It seems to be not fit for purpose, in paying little attention to the impacts of the scale of development planned, and not even properly evaluating the impact of changing policies. But most importantly the IIA queries why this scale of change is not going to a full plan review (Appendix G, point 1).

At the very beginning of the IIA, pages. 5-6, the contradictions of the population predictions begin. Option 1 is rejected for not accommodating the growth; Option 3 is rejected because the growth pressures are uncertain. This preferred option is then evaluated as sustainable purely on the grounds of density and compact developments – the fact that there will be commuter residential concentrations dependent on new high speed infrastructure, with much travel generated across the city is not evaluated, nor are the effects of the construction period, loss of sunk carbon investments in the existing fabric, nor the loss of the existing character of the city which is central to London's success as a vital and diverse city, which is inconsistent with the LP (Paragraph 7.30). Employment takes no account of jobs lost (preferred option) or jobs protected (alternative) by keeping strategic industrial land.

Other demographics show an increase in the number of people over 64 by 64% (a 580,000 increase when the 2011 Plan only forecast an increase of 300,000), an increase of 17% in the number of school age children and over a million additional people of working age.

The Alterations propose 39,000 new specialist older persons housing units by 2025 (of which only 3,250 will be “affordable”). This may keep pace with the increase in the number of over 90's (para 1.11) but not with the population increase of those between 64 – 90 years.

The Mayor's 2020 Vision identifies a need for 4,000 extra primary classes by 2020, but a robust study of the development capacity to accommodate this need is not presented. The Alterations rely on free schools to fill the gap.

The Alterations do not respond to these challenges. The number of new jobs provided in the Opportunity Areas increases to 568,000 (up from 490,000) and in the Intensification Areas 8,000 new jobs (down from 13,000). Para 2.60. These are the capital's major reservoirs of brownfield land and growth in Outer London is estimated at only a quarter to a third of that in inner London.

There is no evidence of the number of new jobs that will be provided in the strategic outer London development centres, whilst the policy direction for other town centres is to reduce employment use (policy 2.16 and Outer London Commission Reports).

The plan's approach risks extinguishing - rather than supporting and building upon - significant parts of the London economy, notably the services which cluster around and behind town centres and on scattered suburban employment land. Just Space is bringing forward evidence on this.

The Alterations have clearly not been informed by the 2050 Infrastructure Plan which is still in process, its first findings collated on 8 January and the final report due in the summer. Reference to infrastructure in the Plan is left very vague. Again this goes against paragraph 158 of the NPPF as the Plan is not informed by adequate and up-to-date evidence. Interesting to note is that on 8 January the Infrastructure Panel stated *“There is potential here for London to develop its industrial base and skills to become a beacon city in infrastructure delivery.”* while the London Plan is choosing to reduce the amount of industrial land.

The EiP must include a debate on the Infrastructure Plan; we cannot keep on putting off a discussion of the real development options for London's growth.

It seems that the Mayor's chosen strategy has simply been to run the existing planning model for London for another 5 years, so that large scale development is being proposed but is not being planned for, thereby creating major problems to be dealt with at the next full review of the London Plan and enabling planning decisions that we believe will be wrong for London.

## **CHAPTER 2 LONDON'S PLACES**

### **Policy 2.4 The 2012 Games and their legacy**

Policy 2.4 offers an extensive treatment of the LLDC planning priorities, including discussing the legacy commitments, ambitions for closing the deprivation gap, and achieving sustainable development and job opportunities, housing needs for local people, direct guidance on the strategic plans (e.g. for Stratford as a “Metropolitan Centre, strategic transport hub and strategic location for growth in office, retail, academic and leisure uses”).

#### **Recommendation 1: LLDC**

We are very concerned that the Mayor's guidance here has been altered to dilute the legacy commitments of the LLDC. In paragraphs A and B of Policy 2.4. In paragraph A he suggests he “will seek to close the deprivation gap” rather than the stronger “will close”. In paragraph B (p. 43) he proposes to

alter the policy from directing the LLDC, the LLDC **“will”, to offering guidance, it “should”** “also consider social, community and cultural infrastructure requirements”; ... and he has also changed, “and ensure that new development within and surrounding the Queen Elizabeth Olympic Park .... should focus on the **development of the area for accessible and affordable sport” to “new development... will facilitate** accessible and affordable sport and recreation.... And maximise opportunities for all...”. This last-mentioned change may reflect the new phase of development (ie sports provision is complete). But **we strongly propose that the original wording of “will also consider social community and cultural infrastructure requirements” be retained** to ensure the effective transmission of the Olympic legacy, as set out in paragraph A of this policy. However, section (g) which replaces old section (g) but leaves out that the facilities should be “accessible and affordable”. If they are not to be accessible and affordable, this is in contradiction with the Mayor’s Olympic Legacy obligations.

The Mayor provides extensive guidance in Policy 2.4 C as to the Planning priorities of the LLDC, and notes that “In conjunction with the London Plan, the LLDC’s DPD will provide the local development plan for the area for development management purposes”, further elaborated in paragraph 2.19. Paragraph 2.18 observes that “The Olympic investment in east London, and the recognition arising from association with the Games **will** be used to effect a positive, sustainable and fully accessible economic, social and environmental transformation for one of the most diverse and most deprived parts of the capital”.

However, we also note the absence of a direct strategic commitment to working with communities in the area to deliver on these commitments, and on the Mayor’s wider responsibility to meet Olympic Legacy goals through the LLDC, for the local and future communities in the area. [i.e consistency with National Olympic legacy policies]<sup>1</sup> Given the great disturbance experienced by these communities during the preparations and conduct of the games, with construction noise, limited access, removals and loss of common land and business premises, this commitment should be a core requirement of the new planning authority.

More generally we note that in establishing MDCs the Mayor is now creating his own plan-making bodies (paragraph 2.19), and will assume at least some direct planning responsibilities of Boroughs. But we note that the Mayor does not offer

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<sup>1</sup> As noted in the FALP IIA, The changes to Policy 2.4 will enable the LLDC, and boroughs, to continue to work together to deliver the legacy of the 2012 Games. The bid to host the Olympic and Paralympic Games stated that the most enduring legacy of the Olympics will be the regeneration of an entire community for the direct benefit of everyone who lives there. (np. Appendix D Opportunity Areas).

clear direction or guidance to his planning bodies as to best practice community engagement; he also does not have a Statement of Community Involvement.

We note that the LLDC has developed its own Statement of Community Involvement. We also note that there have been some efforts at community engagement and consultation on the part of the LLDC. However, we have some concerns with examples of inadequate community engagement on the part of this flagship MDC. We submit that the Mayor needs to give clear direction to his planning bodies on best practice in community involvement.

We bring to your attention a summary of some community experiences of the challenges of limited community involvement in LLDC work in the post-ODA (based on discussions amongst a network of community groups in the area, facilitated by the London Tenant's Federation and Just Space, the Newham Network; comments from specific community groups in the area; and research by MSc students at UCL's Development Planning Unit) which we submit provides evidence that Mayoral direction in the form of a best practice Mayoral Statement of Community Involvement and adequate funding of community participation is essential (more is available):

**LLDC community engagement** has often remained informal rather than consequential (communities have been told to “wait for the formal plan and then comment”), and has focussed on information sessions rather than community input to or co-production of plans. Community groups feel that they have often been brought into the development planning process at a very late stage, leaving the community with limited ability to shape outcomes, aside from commenting on already finalised plans. At times they are asked to attend inappropriate sessions about high end developments from which they are excluded. The LLDCs commitment to community involvement is reflected in the short term contracts for community workers, meaning there is a revolving door of personnel who are as a result vulnerable, and thus have difficulties with representing community views or challenging inappropriate policies. Furthermore, although the LLDC consultation staff themselves might be helpful they often aren't privy to the key information requested.

Some London Boroughs have also acted inappropriately in their interactions with communities in this area, including trying to retain Olympic parking restrictions and holding up payments of money allocated for local businesses.

There are no community or voluntary sector representatives on the LLDC board, and no formal, accountable consultation structures have been set up (although numerous informal community meetings have been held). Furthermore, in terms of the LLDC's area, consultation via the boroughs was very poor prior to the establishment of the LLDC. And as 80% of the sites already had planning permission before the LLDC was established – based on borough strategic planning policies – the scope for building effective community involvement to

ensure delivery of the Olympic legacy has already narrowed. Community experiences of the LOCOG and ODA were not very positive, leaving a legacy of bad practice in the area (for example, very well attended meetings which were poorly organised and thus ineffective; renegeing on the Ethical Olympics contract signed by the former Mayor; evictions of communities), and indicate that a review of past practices in the area might be helpful to ensure improvements for future MDCs.

It is of concern that development corporations have a monopoly on consultations. Given the scale of development proposed in this FALP, there should be an Independent funded community-led body as an anchor point for consultations within community who can undertake the preparation of the statement of community involvement with the MDC and facilitate effective engagement. This could avoid negative outcomes such as a loss of identity, community, sense of place, diversity and vitality of areas, which have been experienced in the LLDC area. Through creative and effective community participation, the cultural history of communities should be protected and reflected, for example, in neighbourhood names.

MDCs are not only about infrastructure development however much these may benefit communities, they are also making places in particular historical and community contexts. Here, the Mayor's London Plan guidance provides some general ambitions to foster the vitality and diversity which the Mayor observes is at the heart of London's success both economically and as a place to live (paragraph 7.30); how to achieve this in situations of large scale redevelopment of an area still needs considerable attention in his plan. In these circumstances, community involvement is even more critical if London is to avoid becoming a series of bland and generic centres, rather than the diverse and vital city which has been the source of its social and economic success.

### **Some positive experiences:**

Some community workers have done well, especially with youth consultations and with helping with access to LLDC sports facilities, and some residents have been able to access new properties. However, while the LLDC have been extremely helpful at informing and enabling community takeup of new amenities, there has been little involvement of the community in decision-making even on these matters.

### **Some best practice suggestions:**

Just as strategic co-ordination of cross-borough projects is challenging for boroughs and developers, it is so for community consultation. Communities are used to co-ordinating their activities within boroughs, and interacting with borough-level bodies. Evidence from London's large scale developments suggests that effective community involvement benefits from funded support for

co-ordinating interactions amongst and engagement from affected communities across several not always well-connected areas. Strategic direction for MDCs on how to enable community involvement in this context would be appropriate, and we consider it is also essential to guide best practice in Opportunity Areas which often have a similar scale and complexity.

We propose that lessons be drawn from previous experiences of governing large scale long term development experience in London to inform governance of the numerous large-scale strategic developments proposed in this DFALP.

(1) Some aspects of the Kings Cross Railway Lands Group (KXRLG) contribution to the Kings Cross development (1987-present) offer examples of good practice and of how community involvement can enhance a development: in this case a Community Developer Forum enabled some protection of community assets and gave the development a distinctive feel for reflecting some aspects of local heritage; and in securing protections for local communities during construction and development also encouraged more efficient and less costly construction practices. There was some external recognition of the achievements of the KXRLG forum, winning planning awards in 1991 from the Royal Town Planning Institute and in 1992 from the Times/Royal Institute of British Architects Community Enterprise Scheme.

(2) A recent example involves building community capacity to engage with large scale development projects in Opportunity Areas, a London Tenants' Federation - Trust for London funded project, which started in January 2013. The Trust For London project aims to facilitate local networks of tenant and other community groups coming together, in areas where these large scale developments are taking place, to engage in understanding, influencing and challenging local development policy (much as Just Space does at the regional level). It also aims to further link these networks to LTF and Just Space regional networks. Tenant and community groups often find that it is incredibly difficult to influence or challenge development policy in Opportunity and Intensification areas.

**Recommendation 2:**

**We propose a new subsection (h) for Policy 2.4 (B) which addresses community involvement in MDCs.** The alterations should explain the processes that MDCs will apply for community involvement and decision-making and that MDCs should follow the same localism, consultation and engagement activities as expected of any LPA. The process should include the representation of community and voluntary sector on the LLDC Board.

**Recommendation 3:**

Policy 2.4 C is very focused on attracting new residential development and businesses . This is not enough to meet the 'convergence' objectives and this kind of regeneration will not benefit existing communities in the surrounding boroughs or communities that were displaced to make room for the Olympics.

We propose:

- clear references to raising levels of income, education and health for existing deprived communities.
- to ensure that the future needs of the communities that were relocated to build the Olympic Park, such as the Gypsy and Traveller population will be met within the LLDC and that they will benefit from the new infrastructure and services

### **Policy 2.13 Opportunity Areas and Annex 1**

We do not support the addition of new Opportunity Areas (Annex 1) and the increase in targets for jobs and housing in the existing 33 Opportunity Areas unless there are stronger conditions in place to deliver the strategic vision and objectives for London (Policy 1.1) and specifically “help tackle the huge issue of deprivation and inequality among Londoners”. This requires changes to Policy 2.13 to be brought forward.

We have detailed evidence to present of the seriously adverse economic, environmental and social impacts of Policy 2.13 and the need to carefully assess the operation of the Opportunity Areas policy before proceeding to impose new Opportunity Areas without consultation.

Communities in existing Opportunity Areas report that:

- The OAPF is developed without adequate public consultation and appears to be drawn up when developer proposals are already coming forward or even after land has been handed over.
- Too often OAPFs make no reference to what the area is actually like and appear to have been drawn up in a desk top manner.
- The wrong types of housing and jobs are coming forward. OAs are not delivering the sort of housing needed: size/affordability/social infrastructure
- Displacement effects on existing residents and businesses can be severe
- The loss of jobs in unglamorous economic sectors which need cheap space and are displaced by increasing land prices
- No correlation between development and solving deprivation

- The promotion of demolition of existing housing estates is undermining the achievement of climate change targets when one takes account of the amount of embodied carbon compared with the climate impact of refurbishment. Embodied carbon and climate change targets need to be included in pre- assessments of whether to demolish or renew.

All of which raise the point “opportunity” for whom? Why does the area need an Opportunity Area designation?

We put forward *Urban Pamphleteer #2: Regeneration Realities* as an evidence base.

We would argue that designations need careful discussions with local residents and businesses, to ensure they know an opportunity area is proposed, and that there are benefits and opportunities for all. Social impact assessments, employment land reviews and longitudinal research are key tools – they must be transparent and open to real input by all those affected.

Opportunity Area Planning Frameworks should be inclusive of neighbourhood planning and lifetime neighbourhood principles thereby articulating the relationship between London-wide high-level policies and their likely impact at a more local level.

As the density guidelines in the opportunity areas increase, this increases land prices (because you can get more high value housing in the same space. The negative impacts are that this causes speculation, where landowners hold on to land rather than developing it and OAs seem to work to open up parts of London so that vast international capital flows can access London. Rising land/housing values MUST be able to supplement good provision of housing at social rents (should now be ‘viable’).

## Changes to the Opportunity Areas

**Applicable to all Opportunity Areas and Intensification Areas:** It is noted that all the” indicative estimates of employment capacity and minimum guidelines for new homes (are) to 2031” (para A1.1). As stated elsewhere on Policy 2.13 the ‘across the board’ approach to bringing forward increases in target numbers and areas lacks evidence and justification. Furthermore, the FALP have been rolled forward to 2036and, therefore, there could be greater development provision made in all OAs and IAs than that stated in the Annex. Substantiation that the development targets are the product of the rigorous analysis and application of the policies of the London Plan and Local Plans and do not involve unacceptable relaxations of policy incompatible with the realisation of sustainable development have not been advanced in support of the alterations.

**Change proposed:** That all alterations to Annex1 be withdrawn.

### **City Fringe – Tech City Opportunity Area**

We strongly object to the way in which the City Fringe OAPF 2008 is transformed without any public consultation into Tech City with a hugely expanded boundary that includes Whitechapel, Kingsland Shopping Centre and Ridley Road Market.

We particularly object to the inclusion of Dalston and Hackney Central within this Opportunity Area. Both are strong town centres, serving the needs of the local population. An Opportunity Area is likely to accelerate the rate of loss of affordable office, retail and industrial space in and around these town centres. There is also a risk to well established ethnic minority businesses in these parts of Hackney. Super high density housing development will most likely mean the demolition of existing council rented homes which are genuinely affordable and meeting local needs.

In the Dalston Area Action Plan (AAP), adopted in January 2013, Tech businesses are mentioned alongside other employment areas, and the AAP doesn't promote a tech cluster. It also opposes tall buildings in Dalston Town Centre, saying they should remain located in Shoreditch/City Fringe. Strategic objectives of the AAP include:

- to strengthen local character and identity by enhancing the qualities the community cherish in terms of heritage, vibrant street life, diversity of uses and fine grain townscape
- to promote a mix of well integrated uses that drive a dynamic local economy through an offer of services, housing, employment etc aimed at a variety of users

An LSE study “Dalston is Unique” (2014) by Nicolas Bosetti, Maddie Guerlain, Pedro Herrera, Shengzhe Li and Rachita Misra emphasised Dalston's ‘unique’ character :

- Diversity – vibrant cultural and social mix
- Mixed use, ethnic, independent retail
- Creative community
- Legacy of industrial growth

Dalston ethnicity (2011 data): 56% White, 44% Non-white; Ethnic make-up: Black African 25%, Black Caribbean 19%, Black Other 9%, Mixed 14%, Asian 22%, Other 11%

The LSE study found that active community and social groups like OPEN Dalston, and Bootstrap, have different views to those of the Local Authority on

what the identity and character of Dalston are and should remain. In their view, new development might be eroding the character of Dalston and gentrifying the area.

The conclusion of the study is that Hackney Council is unable to replicate or perpetuate 'uniqueness' through its strategies. The same could be applied to the Mayor of London.

### **Old Oak Common Opportunity Area**

Although discussions of a second MDC are far advanced with London Boroughs of Ealing, Brent and Hammersmith and Fulham, local communities have not been invited to any discussions of the scope, purpose, aims or governance structures which will be assumed for the major strategic development of Old Oak Common/Park Royal. The lack of any strategic guidelines whatsoever concerning the Mayor's intentions in the establishment of MDCs, including involving or even informing affected communities, or the incorporation of Voluntary and community sector representatives in processes of consultation and governance, provides a scenario of great uncertainty for local residents in areas where these arrangements are being discussed. Uncertainty about the future liveability of an area experiencing extensive development, and about security of their homes and neighbourhoods is detrimental to health, conducive of stress and undermining of communities.

This is exacerbated by the wider strategic ambitions of the FALP which associate major new strategic housing and employment developments with significant infrastructure projects (Policy 2.13 Table 6.1). Communities in MDCs and other Opportunity Areas face significant disruption to their lives for many years, and in order to protect their homes and neighbourhoods have to engage with major development bodies (such as HS2, Cross Rail), at the same time as there is great uncertainty about the nature of the planning body (MDC) responsible for overseeing the development impacts locally and no opportunity to influence its structure and scope. The Mayor urgently needs to provide strategic advice on this matter.

There has also been no contact with communities by the London Boroughs and the GLA concerning the governance arrangements for the development, although a public consultation on the Vision Document has been held and some community groups have submitted their concerns. The scale of development is daunting for the local community, and the potential for the heritage and community assets that do exist (industrial history and character buildings, railway cottages, distinctive clusters of activity, vital and vibrant industry) to be lost (as is reported around the LLDC, where community identity has been undermined by fragmentation and relocation of neighbourhoods, for example), as well as the uncertainties of governance arrangements (an MDC) make this a daunting

prospect in which some people stand to lose their health (older people will live the rest of their lives in the shadow of this development, at a time when they are most vulnerable to pollution) and where noise from construction could significantly affect mental health. The Mayor's amendments on noise in this FALP do not address construction-related noise.

The community has many concerns about the proposed development at Old Oak Common, as set out in the DFALP Table A1.1. Opportunity Areas 26 and 27 including, the apparent removal of established housing, the very high density of the planned construction, overshadowing of the Wormwood Scrubs by very tall buildings, loss of distinctive, wild open space to function as an amenity for the planned development. The absence of consideration of community infrastructure in the plan (hospitals, schools etc, how will they be funded and where will they be located). Without including the Scrubs this is a very small area of land in which a very large amount of development is planned. There is great concern that a vital and unique wild green space is to be lost.

Further detail about the implications of designating Old Oak Common as an Opportunity Area are provided in Chapter 8 under Mayoral Development Corporations.

### **Old Kent Road Opportunity Area**

The proposed designation does not fit with the consultation process begun by Southwark in 2013. We are particularly concerned by the review of the Strategic Industrial Location, which is a departure from the Southwark Core Strategy. We are seeking reassurances that this review will be co-produced with local businesses and their support organisations and will not follow the conventional top down methodology.

Southwark's Core Strategy commits to an area action plan to be prepared with the local community, local businesses and retail operators, private developers and landowners.. It states that "we want to exploit the expected increased growth in innovative industries in this area, particularly new sectors in green manufacturing, bio-sciences and the knowledge economy, which could provide a range of jobs for Southwark residents".

In order to start thinking about the issues and challenges facing Old Kent Road, Southwark Council arranged a series of walkabouts and a workshop with local residents in July 2013. Walkabouts provide an opportunity for local residents, community groups and businesses, ward councillors and council officers to meet and walk particular routes, observing the design characteristics of the area, the quality of the landscape and public realm, and identifying those areas, buildings and spaces which are liked, which are disliked, where opportunities for change lie and the form which future development might take.

The findings and notes from each of the walks and the workshop have been collated into a report. We were told they would be used to inform the local plan issues paper to be published in autumn 2013 and that a further public workshop would be held in autumn 2013 on the issues paper. These have not taken place

Issues raised included:

- The diversity of business, ethnicities and languages in Old Kent Road is a real strength.
- The lack of pedestrian crossing points and cycle parking is inadequate and poorly designed,
- the Bricklayers Flyover should be removed,
- severe air pollution
- a number of ideas for encouraging businesses to invest in the area, including workspace for small businesses, green technologies and research light industrial uses and a Startup Park.

However, a critical point is that local businesses from the industrial area on the north side of Old Kent Road did not take part in the walkabouts and workshop.

### **Southall Opportunity Area**

The area for Southall remains unchanged at 46ha from the 2011 Plan, but the job & home targets have been increased somewhat along the lines of the draft Southall OAPF which has a much larger geographical spread than before. This has the enlarged area at 530ha, but also has a different employment target at 3000; although the new homes target is the same at 6000. But it is noted that all the” indicative estimates of employment capacity and minimum guidelines for new homes (are) to 2031” (para A1.1). Therefore, there could be greater development provision made in Southall and all OAs and IAs than that stated in the Annex as the FALP have been rolled forward to 2036.

However, (uncorrected errors apart), FALP proposes that the minimum number of houses be increased by 50%.to 2031. There are issues with the range, distribution and adequacy of existing community space in Southall to meet the present needs of the very diverse population of Southall and visitors from elsewhere to faith, cultural etc. facilities within Southall. Whilst, the draft OAPF has a policy on Social and Community Infrastructure, concerns are expressed as to its adequacy in light of the scale of additional development proposed through the Opportunity Area targets

**Change proposed:** Correction of errors. Substantiation that the development targets are the product of the rigorous analysis and application of the policies of the London Plan and the Local Plan and do not involve unacceptable relaxations of policy incompatible with the realisation of sustainable development.

### **Policy 2.14 Areas for Regeneration**

We do not support the Alteration which says that the overriding objective is “to drive and shape growth” (para 2.63A). The delivery mechanisms outlined are not consistent with the preceding paragraph 2.63. The approach is unlikely to meet the particular needs of the most deprived or of minority groups unless these needs are carefully assessed. The Mayor’s funding schemes should focus on these groups more specifically or they risk being the victims of growth.

The Alteration should say that the overriding objective is sustainable development which can include growth but is wider and better reflects the fact that the purpose of planning is to contribute to the achievement of sustainable development.

Map 2.5 Regeneration Areas has been revised to include all super output areas, and as a result is finer grained and more sensitive to the local level. We propose that this change is described in the text and needs to be reflected in both the Policy and its implementation.

### **Policy 2.15 Town centres**

*These are our key points. For a full analysis see the submission of Just Space Economy and Planning.*

- The alterations to Policy 2.15 are likely to undermine the health of London’s town centres and their associated economic, social and environmental functions.
- We disagree with the focus and analysis of the review of retail conducted by Experian which have informed these alterations.
- We highlight also the very late release of the 2013 London Town Centre Health Check, which was only published towards the end of the consultation period on the FALP, on 25 March 2014, and yet is considered by the GLA to be part of the evidence base for the FALP.
- We recommend that the alterations to Policy 2.15 are removed, as well as the relevant elements of supporting text (e.g. paragraphs 2.72B - 2.72H).

#### *Para 2.72A:*

- We welcome the recognition of the role of planning in managing positive and negative impacts of clusters on town centres, which is also referred to in alterations to Policy 4.8. We recommend this wording is also included in Policy 2.15 in order that it has impact.

*Para 2.72B:*

- While this alteration notes that the Mary Portas review of the UK's high streets does not apply directly to London's high streets, this is downplayed in this alteration and in the new approach to Policy 2.15.
- We are concerned that the FALP present a severe risk to the health of London's town centres and high streets. In the short term, we recommend that the alterations are removed pending a full, transparent and participatory review of the economic evidence base and economic development strategy for London.

*Annex 2 London's Town Centre Network:*

- We oppose the de-designation of town centres which will lead to the loss of existing shops, businesses and services. The policy objective to replace these uses with housing is environmentally unsound, as the absence of local jobs and services will increase the need to travel. We are particularly concerned at the loss of the lively shopping areas of Plumstead (Greenwich) and Lee Green (Lewisham).

**Policy 2.18 Green Infrastructure**

The deletion of "open" from the Policy title's broad explanation of the scope of Green Infrastructure is inconsistent with the unchanged definition in the Glossary and with the prevalent use of the phrase open and green spaces throughout the London Plan and support documents. (For example, the IIA refers to "Policy 2.18 - The Network of Open and Green Spaces").

Policy 2.18C's change on regional and metropolitan parks from meeting deficiencies to "help address" is a retrogressive step in policy strength. It represents a diminishing of the necessary strategic protection, promotion, enhancement and extension of open and green space provision to meet objectively assessed needs, including the accommodation of the growth and change set out elsewhere in the FALP.

Policy 2.18Fa's change to include biodiversity into policy is supported as this recognises its important contribution and potential as a component of green infrastructure, and for that matter, for the rest of the urban environment. More referencing of biodiversity and its enhancement should have occurred elsewhere throughout FALP and not, as in para 2.88, confined to Policy 7.19. This would have reflected the duty placed on all public authorities to have regard to the purpose of conserving biodiversity as required by the Natural Environment and Rural Communities Act 2006 (s40). Because of the prevalent use of the phrase "open and green space(s)" elsewhere in the London Plan, for the reason given above in respect of the policy title change, the green infrastructure strategies

should cover all forms of open and green space. Therefore, there should not be the deletions of “open” and “and open” from Policy 2.18Fa.

**Changes proposed:** retain “open and” in the title to Policy 2.18. Delete proposed alteration to Policy 2.18C by the retention of “meet”. Keep “open” and “and open” within Policy 2.18Fa so as to read: ‘...networks of biodiversity and green infrastructure strategies that cover all forms of open and green space.....design and management of all forms of green and open space.’ Biodiversity and its enhancement should be referenced throughout FALP, for example as at Policy 7.5D.

## CHAPTER 3 HOUSING AND SOCIAL INFRASTRUCTURE

### Policy 3.2 Improving Health and addressing health inequalities

### Policy 3.17 Health and Social Care Facilities

The Alterations concern changes in health infrastructure without reference to health issues, and how these are being assessed or addressed spatially. These need to be inserted given the Mayor of London’s duty to reduce health inequalities in London, and to ensure that the Joint Strategic Needs Assessments, now with a central role, harmonise with London wide spatial strategies to reduce health inequalities.

#### Recommendation 1

Boroughs should identify areas of under provision (as well as areas of regeneration) that constitute a hindrance to ensuring health equity and tackling health inequalities by using Joint Strategic Needs Assessments and Joint Health and Well-being strategies.

#### Recommendation 2

Health Impact assessments for significant developments should be *required not considered*. Our evidence shows that the impact on health and well being of large scale developments and demolitions are significant.

#### Recommendation 3

Recognition that community empowerment is essential to address health inequalities.

This is supported by both the Marmot Review of health inequalities ‘Fair Society, Healthy Lives’ and UCL/Lancets ‘Shaping Cities for Health’. The UCL/Lancet report recommends ‘....that attention to health inequalities within urban areas should be a key focus of planning the urban environment. Such efforts will necessitate community representation in forums of policy making and planning for urban health and might need local government to support under-resourced and less well-organised sections of the urban population’

## London's Housing Requirements

Just Space is firmly opposed to the further changes now proposed to the London Plan which reduce the Plan's ability to meet the pressing housing needs of Londoners on low incomes and median incomes, are likely to add to the inflation of housing prices and rents in London, increase the displacement of non-housing uses and add to the backlog of unmet need each year, rather than reducing it.

This submission tries to avoid lengthy repetition of submissions made by groups which are member-organisations in the Just Space network and should be read in conjunction with those other submissions, notably that of the London Tenants Federation (LTF) and local groups which bring to bear detailed experience and evidence.

Key points:

1. Just Space is less concerned about targets for the total number of homes (off all types) than about the number of genuinely affordable homes that might be delivered. Since the Mayor confesses that even his own targets for total housing output are lower than London needs and probably cannot anyway be met, and because increased targets are the justification for excessive densities and will fuel speculative development of housing London does not need, **we are opposed to the new targets for total output – i.e. 42,000 p.a.- and favour the retention of the 32,210 p.a., within which the Plan should prioritise housing which Londoners need.**
2. The estimates of need for housing at various levels of affordability for various levels of income are not adequately evaluated in the SHMA as we have argued through our membership of the Strategic Housing Market Partnership. The Mayor's insistence that housing at the new "affordable" rents will meet need depends upon the open-ended availability of Housing Benefit even though there is now abundant evidence that in much of London this is already not the case, especially for families, because of the local limits on benefit and the cap on aggregate benefits. We are also critical of the fact that the SHMA fails to consider the distinctive needs of private tenants, especially vulnerable private tenants, or of Gypsies and Travellers, LGBT or BME communities. Important equalities issues are thus written out of the plan and render it not fit for purpose.
3. The proposal to incorporate into the targets the catch-up with the backlog of need from the past over 20 years instead of the 10 years adopted in previous plans or the 5 years stipulated in the NPPF is extremely damaging. The backlog will grow, not reduce. **We strongly support the retention of the new target for affordable housing output of 17,000 p.a.**
4. Much of the delivery of genuinely affordable (social rented) homes in London was achieved in the period up to 2008 partly through Section 106 agreements. Property interests successfully convinced government and the

GLA that the effects of the economic crisis after 2007 on disposal prices meant that affordable housing targets in plans and in individual developments should be revised downwards - and even secured the right to re-negotiate downwards the affordable percentages in past agreements.

Now, however, housing disposal prices in London have returned to pre-2008 levels and thus - even if these exceptional reductions were valid for a while - they are no longer justifiable and should cease. It has proved impossible to challenge viability assessments (aka Development Appraisals) because of the commercial confidentiality behind which they have been hidden. There should be a requirement for complete transparency, and certainly no less than the level of transparency required by the government's NPG.

5. Just Space member groups are disturbed and enraged by the reported scale of housing being bought but then not used ("buy to leave"), often by foreign buyers. There is no agreement with the GLA on what would constitute robust measures of vacant, unoccupied, and rarely-used dwellings, an issue on which further research is needed. However it is clear that the growth of income and wealth inequality in London, in Britain and globally has led to more and more London housing being in the hands of multiple home owners, used infrequently or kept vacant as speculation. The importance of this is that scarce sites are diverted from meeting London's pressing needs.
6. The increased reliance placed by these draft Alterations on increased density in new schemes - notably in OAs and IAs and in Town Centre redevelopments - is very damaging for two reasons: (i) the fact that the sustainable residential quality matrix is not being re-calibrated as it should be but instead is to be applied even more "flexibly" means that the certainty required for efficient land market operations is further weakened. Buyers and sellers will be encouraged further to bid up prices in the expectation that they can recoup through ever-higher actual densities. (ii) it is very unlikely that the dwellings produced at these higher densities, and mainly by private developers, will provide the family-sized affordable dwellings which London so badly needs along with high standards of play and green space, social infrastructure etc.

### **Policy 3.3 Increasing Housing Supply**

Given the current policy constraints (flood plain, green belt and open space, protecting some employment sites) and the inability of the current housing delivery models to produce the type of housing that is needed in terms of affordability and mix, we oppose the increase in the annual housing supply target to 42,000 new homes. The overall target should remain at 32,210.

These radically increased housing targets derive from the Mayor's interpretation of likely population trends and his adoption of the GLA 2011 projections which are much higher than the 2008-based projections. We note, however, that he wrote to the planning authority at Bedford urging them that they should base their

work on the use of the 2008-based projections. This is a serious inconsistency and suggests that the mayor is picking and choosing among available projections, and picking the one which supports a high density development boom for London.

**Paragraph 3.19 and Policy 3.7 Large Residential Developments** make clear that this target is to be achieved by higher density development. We consider that the delivery mechanism of super density housing above 1,100 habitable rooms per hectare in Opportunity Areas will not comply with the sustainable residential quality principles in table 3.2. Building at super density will not provide family housing nor social rented housing nor will it comply with internal or external space standards; it will provide housing that is not needed at all. [note – a performance indicator is needed for space standards as there is no monitoring at present]

Super density in the Opportunity Areas has a number of impacts. It is leading to an escalation in tall buildings of 20 storeys or over. Until recently 10 storeys had been the threshold for a tall building; 20 storeys is the proposed new threshold. However, there is no policy framework to manage the super density housing, such as space and design standards.

Super density developments in Central London have a strong reliance on overseas buyers. Ramidus Consulting found that 80% of all new build units in Central London were sold to overseas buyers. These figures were based on data provided by a number of agents active in the Central London prime markets including Savills, Cluttons, Hamptons and Carter Jonas. They took an average - although their figures were all very similar when looked at on a consistent basis. Whilst different commentators use a variety of figures to suit the case they want to make the figures are surprisingly consistent when quoted on standard terms. A report is forthcoming of research on behalf of Westminster City Council on the impact of prime residential investment on the economy and communities.

The phenomenon of overseas buyers is said to be accompanied by new build homes being vacant or rarely used. Ramidus reports that data on the number of vacant homes is very difficult to find. Ramidus undertook extensive interviews and walking surveys and concluded that they are few, albeit disruptive and upsetting for their neighbours and local communities. The far greater issue is homes that are under-occupied, in other words used occasionally but rarely. There are many more of these and the number seems to be growing and yet there is no comprehensive official data source. Some owners might apply for a second home discount on council tax but many will not even do this. In any event a second home could be a pied a terre which is regularly used 4 nights out of 7. On the other hand, it could be used for only 3 or 4 weeks in a year. Ramidus surveyed several mansion blocks where the residents' associations felt very uncomfortable with this and where the balance is tipping towards less full time owner occupation and more second homes.

We support the argument of LTF that the SHMA is not fit for purpose. For example, there is no assessment of the needs of private tenants, especially vulnerable private tenants, or of Gypsies and Travelers, LGBT and BME communities. For Gypsies and Travelers the failure to meet evidenced need by bringing forward new pitches, the provision of which is a strategic need for London, is compounded by Boroughs returning Travelers Pitch Fund allocations.

It seems the needs of marginalised groups in London are not included in the London Plan in a significant or adequate way.

The London Plan, especially in the first chapter and the chapter on London's people, sets out the Mayor's commitments to ensure that all Londoners have equal life chances and a good quality of life through access to housing, employment, social and green infrastructure and other services. One of the objectives of the London Plan is to address deprivation, exclusion, discrimination and social inequality through meeting the needs of everyone who lives in London. The phrase 'meeting the needs of all Londoners' is repeated throughout the London Plan in an attempt to reinforce a feeling of inclusion. But for many of the community and voluntary groups representing the needs and aspirations of marginalised Londoners this phrase does not bear the full meaning it should and it has not managed to translate into reality.

For groups such as Black, Asian and minority ethnic people, Gypsies and Travellers, the LGBT community, the young, the unemployed, social tenants, those with a range of disabilities there is no differentiation to recognise the specific needs they have. The reason given in the SHMA is that they are too small to be counted but there are a lot of community and voluntary groups which have a wealth of evidence on how urgent and high these needs really are.

### **Policy and text changes on housing requirements:**

Because we have been told that this consultation is limited to comments on the proposed Alterations, we are unable to reflect most of the above concerns in suggested changes to the Plan. The plan thus cannot be made acceptable in any way. We have expressed a wider range of concerns above because we consider that it is for the Inspector to decide which issues to consider. Insofar as we are able to suggest changes in line with our framing of the evidence they are as follows:

### Policy 3.3 Housing Supply

FALP proposes changes in section B:

Working with relevant partners, the Mayor will seek to ensure the housing need identified in paragraphs **3.16a 17xx** and **3.16b 18** is met particularly through provision consistent with at least an annual average of **42,000** net additional homes across London 61 which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.

#### **Proposed changes:**

**42,000 should be replaced by the previous target figure of 32,210.**

**Add at the end of section: Within this total, priority will be given to the housing needs of Londoners with low and median incomes as established on the evidence of the SHMA.**

There should be consequential changes in the associated text and the numbers in table 3.1

### Policy 3.3 Housing Supply

There is a completely new section in FALP:

**Da Boroughs should draw on the housing benchmarks in table 3.1 in developing their LDF housing targets, augmented where possible with extra housing capacity to close the gap between identified housing need and supply in line with the requirement of the NPPF**

**Proposal: add at end of new section: ...and paying particular attention to the needs of households at lower levels of income and the probable availability of Housing Benefit / LHA**

### Policy 3.3 Housing Supply

The following change is proposed in FALP:

G Boroughs should monitor housing capacity and provision against the average targets in Table 3.1, **local housing needs assessments** and the sensitivity ranges set out in the SHLAA report **of study** and updated in the London Plan Annual Monitoring Report.

**Proposal: add at end: ...paying particular attention to the affordability of housing to their lower income residents given the likely availability of Housing Benefit / LHA.**

### Policy 3.3 Housing Supply

There are changes proposed in 3.3E: (Not a primarily a housing change - part of economy)

E Boroughs should identify and seek to enable **additional** development capacity

to be brought forward to ~~meet~~ **supplement** these targets having regard to the other policies of this Plan and in particular the potential to realise brownfield housing capacity through the spatial structure it provides including:

a intensification (see policies 2.13, 3.4)

b town centre renewal, **especially centres with good public transport accessibility** (see Policy 2.15)

c opportunity and intensification areas and growth corridors (see policies 2.13 and 2.3)

Proposal underlined: the revised subsection b should read:

b town centre renewal, **especially centres with good public transport accessibility where it can be shown that there will be no damage to local employment and services** (see Policy 2.15)

Text change: changes are proposed in FALP:

§ 3.42 Large new developments **are planned to** make a significant contribution to meeting housing need, **and their scale means they have particular potential to define their own characteristics and accommodate higher density development in line with Policy 3.4. Guidance on densities above those outlined in Table 3.2 is set out in the Housing SPG but such high densities will only be permitted in truly exceptional circumstances.** **Large sites** provide opportunities to create particularly attractive neighbourhoods with distinctive identities, **a good quality public realm (Policy 7.5)** and the critical mass to support social, physical and environmental infrastructure and provide employment opportunities<sup>73</sup>. For these new neighbourhoods to be successful, it is essential that they become places where people choose to live and work. A co-ordinated approach to their development is essential.

We suggest the addition of the phrase underlined above

Text change: changes are proposed in

§ 3.71 In estimating provision from private residential or mixed use developments, boroughs should take into account economic viability and the most effective use of private and public investment, including the use of developer contributions. To expedite the planning process, developers should engage with a registered provider prior to progressing the scheme and secure from them a commitment to provision. In doing so, they should require the provider to identify the resources it is bringing to the scheme and demonstrate that the proposed affordable housing provision makes optimum use of the resources applied in terms of Policy 3.12, and provides the range of affordable rents indicated in the London Housing Strategy. **Developers should provide development appraisals to demonstrate that each scheme maximises affordable housing output and these appraisals should in every case be published with other documents comprising a planning application.**

Boroughs should evaluate these appraisals rigorously, drawing on the GLA development control toolkit<sup>104</sup> and other independent assessments which take account of the individual circumstances of a site, the availability of public subsidy and other scheme requirements. Boroughs are encouraged to review and bring forward surplus land in their own ownership to maximise their contribution to affordable housing provision, including the provision of land to registered providers on a nil cost or discounted basis<sup>105</sup>. The Mayor will provide further detailed guidance on the practical application of this policy.

Insert phrase underlined at end of new sentence.

### **Policy 3.7 Large Residential Developments**

#### **Para 3.42**

The meaning of the phrase “defining their own characteristics” implies developments that look inwards and disregard their context. Already we see the bad effects of the ignoring of local character and it should not be further encouraged. This phrase should be removed.

### **Policy 3.8 Housing Choice**

#### Housing for Older people

The targeted specialist housing for the older person provides only 300 affordable units p.a. We are unconvinced that those in need will be able to afford to buy new build specialist accommodation even if they are an existing owner occupier.

Simple adaptations and conversions together with preventative services, so that older people can remain in their home with a good quality of life, need funding from health and well being strategies. This needs to be covered in Policy 3.2 to ensure an integrated approach to health and housing.

#### Students

The alterations identify the problem of over-concentration of student accommodation in a few Central London Boroughs. This studentification has negative impacts on neighbourhoods, not contributing to local infrastructure and using up valuable land in Opportunity Areas and elsewhere. An example is the Elephant and Castle Opportunity Area where new student housing makes up 39% of total new build, more than double the amount of new build that is affordable housing (17%). Boroughs should be encouraged to bring forward policies to manage the levels of student accommodation, as Southwark has done in the Elephant and Castle SPD.

We would also challenge whether the purpose built student accommodation that is coming forward is passing the affordability test and meeting student needs, other than a prosperous minority.

### Private Rented Sector

We do not recognise the PRS as a tenure of choice; it is a tenure of necessity for most Londoners who can't access council or housing association dwellings or afford to buy and it is not attractive except perhaps at the luxury end of the market.

As the private rented sector expands, it is even more important to have a positive and supportive planning framework in place. We need to understand and learn from other European countries – Germany, France, Belgium, Spain – who have models of rent stabilization in the private rented sector. There has been the start of a gathering of European evidence by London Assembly Members, which we would like to see included in the examination library.

The entry of institutional investors and Housing Associations into the PRS is bringing a new branding and character. Early evidence (e.g the Olympic Park) suggests that these new landlords will invest more, want longer tenancies and have accepted capped rent increases.

This needs to be picked up by the London Plan, so that there is positive support for extending affordable, decent and secure housing throughout the PRS. The Mayor should attach conditions to building on GLA land, for instance that new homes must offer assured rather than assured shorthold tenancies. To provide greater certainty over rents, we propose a London Living Rent based on a proportion of income.

Just Space realises that many of these changes would have to be implemented through the Mayor's Housing Strategy or other means. But since the London Plan is the Mayor's over-arching spatial strategy to which other strategies must align, we consider that these matters should be the subject of statements here. Unless proposals of this kind are included in the London Plan it is deficient.

### ***2 case studies follow.***

The Genesis scheme in Stratford is here:

<http://www.cih.org/resources/PDF/UKHA%202013/DevLarge%20GenesisHA.pdf>.

This is a £125 million deal with M&G Investments which allows Genesis to rent out and manage the properties, rather than sell them on to buy-to-let landlords. Genesis offers tenancies ranging from one to five years, with mutually agreed rental increases of RPI + 1%. Perks of living in the Halo include an underground car park, an internet connection set-up prior to

move-in and a 24-hour concierge service. Tenants are able to move properties within the Halo for no extra charge and do not have to pay extra fees to renew their agreement.

Thames Valley Housing has put £30 million into Fizzy Living, its joint-venture subsidiary, which aims to have 1000 market rent units by 2015. The rest of its finance will come from banks and institutional investment. In contrast to poplar HARCA and Genesis' new build model, Fizzy Living's portfolio will come from acquiring existing properties across London. Fizzy Living looks to fill its properties using websites such as Zoopla and Rightmove.

Whilst their tenancies are of the standard 6-month type, renewable on a rolling basis, Fizzy Living stress that, unlike many private landlords, they are not looking to cash in on short-term rises in the values of their properties. Tenants can choose to stay in their properties for the long term. Profits from TVH's share of Fizzy Living are paid back to TVH, cross-subsidising its social and affordable housing.

### Custom Build

There is very weak support in the FALP for custom build, housing co-operatives and community land trusts.

Community self-build has a huge potential and chimes with the Mayor's policy direction, and the London Plan should require

- local authorities to identify land available for self-build development.
- local authorities to use Site Allocations DPDs and commuted funds to support community self-build and small builders.

The London Plan should also advocate Community Land Trust as an affordable and sustainable housing model, support to a network of Community Land Trusts across the capital, starting with a Community Land Trust within the Chobham Manor site on the Olympic Park. and include a paragraph on the East London Community Land Trust at St Clements in Tower Hamlets, recently opened by the Mayor.

All the Mayor's public land (635 ha) should be in the secondary housing market, supporting housing co-operatives, self build (custom build) and Community Land Trusts. The mechanism could be for the London Housing Bank initiative to include local land and property banks for non-profit housing providers.

### **Policy 3.11 Affordable Housing targets**

We support the new affordable housing target (Policy 3.11) of 17,000 p.a. (already underwritten by funding and viability tests) within an overall housing target of 32,210 p.a. On this topic we are party to, and strongly support, the analysis by the London Tenants Federation LTF and are not repeating here the detailed material.

### **Policy 3.12 Negotiating affordable housing**

Paragraph 3.71 refers to development appraisals. There is a need for transparency on viability - to be able to see the justification/evidence. On this we are party to, and strongly support, the analysis by George Turner in his own submission and summarised in the Just Space Economy and Planning Group submission. We are not repeating the material here.

**Para 3.85a:** The last sentence in referring to “... sensitive account” in respect of viability in seeking S106 contributions and setting CIL charges goes beyond that required in the NPPF and the underlying principles of understanding viability in planning as stated in Planning Practice Guidance. Adherence to the words and phrases used in national policy and guidance would ensure consistency and understanding. On this point, it is noted that reference to NPPF para 205 has been omitted from Footnote 110. The opportunity to include from PPG the encouragement of transparency of evidence where ever possible should have been taken.

<http://planningguidance.planningportal.gov.uk/blog/guidance/viability-guidance/?print=true>

**Charge proposed:** Reword last sentence to repeat words/phrases from NPPF and PPG. Add reference to NPPF para 205. Incorporate the principle of transparency of evidence within para 3.85a.

### **Policy 3.16 Social Infrastructure**

Policy 3.16 (paragraph 3.87A and following paragraph) needs to expand the notion of needs of community infrastructure (community halls etc.). There are just 9 pages on social infrastructure out of a 354-page document. Social capital / infrastructure brings a lot of added value to a locality and it deserves far more attention in the Plan.

Therefore, there needs to be a greater role for the local community in the Alterations concerning the disposal of assets and the engagement of stakeholders.

### **Policy 3.18 Education Facilities**

We seek deletion of the phrase “free schools” as the alteration is pointless. Currently free schools enjoy certain privileges, but the regulations that allow this may well change in the near future.

If free schools are to be singled out in the London Plan, then they should not cut across the direction of travel of the Localism Act and the rights of the community to rigorous consultation and input in decisions on site allocations for Local Authority schools should extend to free schools.

There should be an amendment to this effect, with Boroughs required to consider the impact on existing uses of the site so that the free school does not displace valuable community assets.

## **CHAPTER 4 LONDON'S ECONOMY**

*These are our key points. For a full analysis see the submission of Just Space Economy and Planning.*

### **Para 4.2:**

- We recommend that this paragraph should acknowledge the need for policy to also promote economic diversity and equality, as well the Mayor's broader duties on the various aspects of sustainable development and as required by the NPPF.

### **Economic context**

#### **Policy 4.1Aa2 and Para 4.4A:**

- Whilst we welcome maximising benefits from infrastructure, we recommend that this alteration is qualified to secure national planning policy and (the three pillars of) sustainable development defined in the NPPF, rather than the securing of sustainable growth and development. The phrase sustainable growth is not defined in the Glossary and does not appear in National Planning Guidance.
- We consider that the Plan does not seek to maximise economic, social and environmental benefits from transport investment, as the alteration suggests. We recommend that reference should be made to the need to fully consider the environmental, social and economic sustainability implications of redevelopment proposals for transport nodes. The economic impact should also consider issues such as business diversity, local jobs and inequality, amongst other measures of economic performance.

**Para 4.5:**

- We welcome the additional reference to voluntary enterprises, but recommend that the reference to social enterprises should not be removed.

**Para 4.6:**

- We consider the Mayor's ambition to encourage broad-based growth is not well-served by the addition of a reference to very specific sectors of the economy, namely the technology, media and telecommunications (TMT) sector. We recommend this is removed, and replaced by a list of the broad range of sectors that the Mayor wishes to encourage. We also recommend that the sectors on which the TMT sector relies, such as machinery supply and repair, are also mentioned.
- We note the inclusion of the word 'resilient' to describe London's economy, but do not see how this has been addressed in the Plan's policies. We recommend more detail is provided if it is to have any meaning or purchase.
- We recommend a full, transparent and participatory review of the economic evidence base and economic development strategy for London is conducted in order that the London Plan is based on an understanding of the diversity and interconnectedness of London's economies.

**Para 4.9A:**

- We recommend that it is clarified how the LEP's work on an economic development strategy for London relates to the London Plan, including in relation to consultation and participation processes. We recommend that the membership of the LEP should be noted, in light of the narrow range of interests represented on it, and commitments made to broaden its membership and make it more transparent and participatory.

**Economic sectors and workspaces****Policy 4.2Ae and para 4.13A:**

- We recommend that the commitment to monitor the impact of the government's liberalisation of permitted development rights should be considerably strengthened if it is to have any effect: for instance, how will this be monitored and what would be the trigger points for reviewing the existing exemptions? The London Office Policy Review 2012 already shows negative impacts on SMEs and the diversity of office stock.
- We recommend that a much more extensive exemption zone is introduced if this liberalisation is not to do serious damage to London's economy through

the loss of existing affordable office space, and would like to see a commitment to bring this forward in the near future.

- We recommend it would be prudent for the Plan to acknowledge the government's intention to extend permitted development rights for changes of use from retail and industrial uses to residential, and that any future impact of such proposed changes also be monitored. This monitoring needs to include data on rent levels and on the SIC categories in which firms operate - which we understand would add variables to the LDD through which the monitoring would be done. Exemption zones should be considered.

***Policy 4.3Bc and d: and para 4.17a:***

- We welcome recognition of the importance of small scale and local offices, but recommend that this should also be applied to Inner and Outer London, not just to the CAZ, if problems of lack of affordable workspace are to be eased (see evidence provided in JSEP submission). Given differential land values, once office floorspace is lost, it is very difficult to get it back.
- We recommend commitments should be made to a long-term approach and vision for the capital, acknowledging the dynamic nature of clusters, their survival and formation in different locations, as part of a full, transparent and participatory review of the economic evidence base and economic development strategy for London.
- Within the CAZ and elsewhere, we also caution against offsetting loss of office space with provision of new office space, in light of the evidence that this tends to be considerable less in quantity and more expensive. We recommend the alteration to Policy 4.3Dd is removed.

***Map 4.1, para 4.21 and 4.23***

- We disagree with the proposals for the highest release of industrial land in areas which are already undergoing rapid release and where the highest concentrations of industry presently exists. We recommend that high rates of release should not be proposed for critical riverside locations, such as in the Charlton/Greenwich Peninsular, given the key strategic functions supporting the London economy that are based there, including freight transport, aggregates and waste.
- The reduction in the target for release of industrial land from 41 ha to 37 ha per annum is a move in the right direction. We recommend that much more

strenuous protections are needed if the release of industrial land is going to be slowed, even to present London Plan targets, let alone the further reduction proposed in the alterations. Alterations to para 4.23 shift policy in the opposite direction, suggesting that release of industrial land should be focused around public transport nodes and should enable high density housing development. We recommend they are removed.

- We recommend a new approach is needed to industrial land in London. The current approach is based on past rates of decline in industrial employment, but this negates the role of real estate speculation for residential conversion in driving deindustrialization; ignores the diverse economic activities undertaken on industrial sites; ignores the importance of these activities to other aspects of London's economies; and risks damaging the new and emerging economic activities which are beginning to make use of such sites for new recycling, repair, manufacturing and industry, that could make a contribution to a more environmentally economy for London. The case of Charlton Riverside is illustrative in this regard (see submission from JSEP). We recommend that targets for release are reduced further, stronger protections introduced, and commitments made to developing a new approach to the management of industrial land in London, as part of a full, transparent and participatory review of the economic evidence base and economic development strategy for London.

***Policy 4.7 and paras 4.40-4.43:***

- We strongly disagree with Experian's assessment of the future prospects of London's retail sector (see the evidence provided in the JSEP submission).
- We have not been able to analyse the 2013 London Town Centre Health Check during the consultation period, as it was only released on 25 March 2014, despite the GLA website suggesting it forms part of the evidence base for the FALP - although to our knowledge it is not cited or referred to anywhere in the FALP. This further calls into question the soundness of the evidence base of the FALP and indeed the FALP consultation process itself.
- We note that the Town Centre Health Check suggests there is no data on town centre employment. We recommend this suggestion is withdrawn and revised in light of the evidence presented in the Just Space Economy and Planning submission.
- The alterations fail to deal with the important contribution of ethnically diverse retailers to the London economy, as well as the lack of attention given to

them by planning policy. We refer again to the evidence provided in the Just Space Economy and Planning submission.

- Drawing on the example of the People's Empowerment Alliance for Custom House (PEACH), which is making progress in negotiating a Shopkeepers Charter with Newham Council (see JSEP submission for more details), we highlight the need for leadership in the London Plan to require councils to take similar steps to ensure existing shopkeepers are not displaced but instead have an affordable and sustainable future in any new developments on London's high streets and town centres. We recommend that alterations to Policy 4.7 and associated paragraphs include wording which would require councils to work with existing businesses to ensure they are able to return to any new developments. We recommend similar alterations re considered in relation to the proposed alterations to office and industrial space policies and in the relevant Chapter 2 alterations.
- In the past, the GLA has introduced revisions to the London Plan to recognise the importance of markets and small shops to London's economy, providing local authorities and communities with supportive policy to protect and nurture them. We are concerned that the FALP reverse such positive changes, and present a severe risk to the health of London's town centres and high streets. In the short term, we recommend that the alterations are removed pending a full, transparent and participatory review of the economic evidence base and economic development strategy for London.

***Policy 4.8Bc and para 4.48A:***

- We welcome the inclusion of words to support local authorities in guarding community assets against loss. But it is unclear why para 4.48A mentions public houses only - this should be extended to encompass other kinds of community assets, for example, markets, small shops, community halls, and places of worship (especially where meeting space and other community uses are provided), which also fulfil social and economic roles. We recommend that the alterations to the Policy and supporting text should explicitly mention assets which are listed on the local authorities' register of community assets.

***Policy 4.8Bg and 4.50A:***

- We welcome the acknowledgement of the role of planning to manage positive and negative impacts of clusters. Points i-vi are well made, but are not given sufficient expression in Chapter 2 or Chapter 4 policies, which in fact go in

the opposite direction. We recommend that the importance of these issues means they should be set more fully in the key policies relating to town centres, namely 2.17 and 4.7, as well as set out more fully and strongly in 4.8.

- We recommend that Para 4.50A should not focus solely on betting shops and hot food takeaways but cite them as examples of over-concentration alongside others.

### **New and emerging sectors**

#### ***Policy 4.10Ac:***

- We welcome mention of different kinds of workspace, but recommend that the alteration should include a specific reference to affordability.
- We recommend that the role of existing employment space in providing these functions should be recognised, and its importance written in more clearly elsewhere in Chapter 4 if London's economy is not to be damaged.

#### ***Policy 4.10Af and para 4.53:***

- We understand that references to TMT, Tech City and Med City have been added following specific reports on them, but it is difficult to judge how these fit into longer term economic development strategy, as this has not been updated. Additionally, the narrow framing of this alteration on a single sector and a very small area underestimates the scale of the challenge and the interconnectedness between different aspects of the London economy.
- We recommend that other sectors are added which could deliver more good quality jobs for Londoners, for example, the green economy, and the interconnections between different sectors acknowledged and addressed.
- On the Smart London and Tech City reports referred to in the alterations, for example, we draw attention to the flight of start-ups from the Old Street area, following significant increases in the price of workspace (see evidence in JSEP submission). We therefore recommend that the alterations regarding affordable workspace are significantly strengthened.
- We recommend these issues are considered in full as part of a full, transparent and participatory review of the economic evidence base and economic development strategy for London.

**Para 4.60:**

- We welcome references to a 'widespread apprenticeship system', but recommend that this is explicitly written into planning policy if it is to have an effect.

**CHAPTER 5 LONDON'S RESPONSE TO CLIMATE CHANGE****Policy 5.2 Minimising Carbon Dioxide Emissions**

The only alteration to this lead strategy is about demand management, despite the alterations to Policies 5.4A, 5.5, 5.16 and 5.17. Fundamentally, the London Plan is extended from 2031 to 2036 and yet the alterations are not reviewing the climate change targets and strategies ( e.g. the target to cut CO2 by 60% by 2025). This is problematic, as it takes no account of changes in science and technology that will advance in this period.

The GLA London Assembly has done a scrutiny of the Mayor's policy on Climate Change (on housing/building retrofit and renewable energy,). Changes are being proposed and should be reflected in the revised London Plan. See Environment Committee 6 February 2014 (retrofit) and 26 March 2014 (renewables).

**Policy 5.4A Electricity and Gas Supply**

The alterations talk about demand management in new buildings. By far the most important issue in dealing with demand is retrofitting. We propose higher energy efficiency standards for new build; and a bigger push for appropriate retrofitting (this will also help tackle fuel poverty).

The alterations need to enable communities to be part of this process. As well as engaging with the major energy companies, developers and boroughs should be doing far more to develop community action on renewables and community energy projects. For example, support to schools and community halls to install renewable energy technology. There should be a reference to this in Policy 5.4A.

As part of this policy, targets should be set for renewables.

There should also be a reference to infrastructure support for energy storage, with charging points and feed-in to the grid, taking account of technological advances

This new policy and the points above need to be integrated with the implementation and monitoring in Chapter 8.

## **Policy 5.5 Decentralised Energy Networks**

The alterations talk about a switch from gas supply to energy from waste. We are concerned that this could be a disincentive to carrying out proper recycling (e.g. of plastics). We note an inconsistency with paragraph 5.67 which refers to energy from non-recyclable waste.

### **5.12 Flood Risk Management**

Given the increasing impact of extreme weather conditions, as experienced in winter 2013/ 2014, more needs to be done to minimize and manage flood risk.

Flood risk is an increasing danger to London - tidal inundation in South London and fluvial in West London. The Alterations state that some land may have to be safeguarded and development set back, but there is no spatial expression of this.

The Policy needs to be brought up to date with the paragraph alteration, particularly the implications for development within flood plains and the weight (more weight) to be given to Strategic Flood Risk Appraisals.

### **5.16 & 5.17 Waste**

We support the Alteration which brings forward to 2026 the target date for zero waste to landfill, though we would seek the deletion of “work towards” as this should be an absolute target.

We support the Alteration on composting, but would like to see specific reference to food waste given its public scrutiny. This is a waste stream that can be quickly reduced.

We also seek reference to re-use.

## **CHAPTER 6 LONDON’S TRANSPORT**

### **Policy 6.1 Strategic Approach**

#### **Table 6.1 Transport schemes**

The response to population growth should not be to predict and provide through more road space. The more we expect population to grow, the more the answer is definitely not to invest in transport schemes that will worsen quality of life and the environment. It is not a given that a growing population has to generate more road trips, and we do desperately need a fresh approach.

The need is for policies not simply to ensure that transport is available to take people to the jobs, services and amenities they need to reach, but also that jobs, services and amenities should be located as much as possible where they can easily be reached. Reducing the need to travel should be the policy objective, with more jobs located near where people live and more services and amenities within walking distance in the local neighbourhood or town centre.

We need to invest in public transport, cycling and walking modes for new journeys generated by development, and to help move existing journeys off the roads when they don't need to be there (which helps free up space on the existing roads for new essential road journeys).

This requires a switch of emphasis away from high cost mega projects like the Northern Line extension to Battersea Power Station, which will cost two billion pounds, most of it from public funding, and Crossrail 2. These are very expensive way of dealing with public transport. Battersea Power Station could be well served by a tram system and improving suburban public transport, such as West London Orbital, could be a much better strategy than Crossrail 2.

There needs to be proper consultation with local people on what transport schemes are actually needed. Sub-regional TfL networks need to be opened up beyond the Boroughs to include voluntary and community sector groups.

Transport schemes need to be joined up with new development, and good transit systems put in before the 1<sup>st</sup> new residents arrive, so that they don't fall into the routine of believing they must have a car because there is no other transport option..

We also need to look at the transport relationship with the South of England, which is London's hinterland. It is a major criticism of the alterations that they fail to deal with these strategic relationships with regions outside London.

Transport provision is the key link with air pollution and health problems. The choice of the type of transport infrastructure to prioritise funding on is crucial. There should be an assessment of each transport scheme listed and robust evidence that the scheme will not worsen air quality and widen health inequalities.

The transport schemes should include better pedestrian crossings, an expanded Better Junctions programme to make cycling safer (including more of the 100 junctions originally identified), more step free access improvements and more electricity charging points.

We object to the proposed new transport schemes for river crossings by vehicles at Silvertown tunnel (and Gallions Reach). This will increase the number of road

trips by car when the congestion problem should be addressed by an integrated package of non-road modal transport.

### **Policy 6.9 Cycling + Table 6.3 Cycle Parking Standards**

Table 6.3 makes a small alteration to cycle parking in universities. This still leaves the provision of 1 in 2 cycle parking spaces for student accommodation and only 1 in 7 (previously 1 in 8) at universities. This creates an automatic barrier between having cycle parking where students live but not enough where they study.

We propose 1 cycle parking space per 4 students to meet current demand, but a vision of 1 space per 3 students and even 1 per 2 students will be needed by 2036 to achieve and promote the increase towards 5% of all the transport journeys made in London using bikes targeted for **2026**.

[Note In table 6.1 transport schemes, 66,000 cycle parking spaces intended to be delivered by 2012 replaced with new target of 80,000 spaces by 2016].

The London Cycling Network Design Manual, which dates from 1998, refers to the standard for universities being 1 cycle parking space per 8 students. At UCL all cycle parking spaces can be found completely full almost all year long, so that students have to use street railings.

### **Policy 6.10 Walking:**

Alterations to Policy 6.10Ca would replace “strategic walking routes” by “Walk London Network”. This part of the Policy refers onto Map 6.3 which is another alteration. However, the opportunity to update the map has not been taken and still only shows the original 6 strategic routes identified and implemented at least 15 years ago, with one additional route, the Jubilee Walk conceived in 2009/2010 for the Queen’s Golden Jubilee. The London Walking Forum has identified a more comprehensive pan London ‘extended network’ map with some 30 named cross borough strategic walking routes.

This is displayed on the website of the Ramblers Greater London Forum:

<http://www.badfa.org.uk/rqlf/aboutus/aboutus.htm>

(go to p 5 of the document, ‘A new voice for walking in London’ for the map).

Whilst most of the ‘extended network’ already exists on the ground, it lacks cohesion and promotion. The purpose of the London Plan is to look forward and plan for the future; and so the FALP is the appropriate planning opportunity to reinvigorate and fulfil the intent and direction of Policy 6.10 by portraying the ‘extended network’. Then this network would have the necessary status to ensure that opportunities to implement are taken through Mayoral strategies and

programmes and by the boroughs; and be taken into account in planning decisions.

**Change proposed:** Map 6.3 to be updated to include the 'extended network' routes as set out in Ramblers Greater London Forum publications.

### **Policy 6.11 Smoothing Traffic Flow**

Referring to the Road Task Force report, the Alterations seem to be talking about going over some major roads, tunnelling underneath, and not actually dealing with traffic. Experts have known for decades that increased road capacity (e.g. building new river crossings and underpasses) generate new traffic and worsen congestion overall (though the pattern of congestion may be changed - but this can be done by other means).

The big picture is that transport is not playing its part in meeting climate change targets, and air pollution targets. We need to start by designing places to reduce the need to travel.

An important change in the Road Task Force report is the Street Typologies Framework. The idea being that with it, TfL and Boroughs will better and more transparently factor in cycling, walking and the public realm when making decisions about the needs of a road, rather than simply the volume and speed of motor traffic.

The importance given to walking is not reflected in the alterations that have been brought forward. Policy 6.11 needs to smooth pedestrian traffic flow too, with boroughs bringing forward better places for people to cross. We would refer to the Mayor's draft Pedestrian Safety Action Plan and TfL's Healthy Action Plan.

Policy 6.11 should explain that air quality is of such critical importance to the health of the people of London that considerations of air quality should always take priority over considerations of traffic flow. There would appear to be a contradiction between the altered provisions the Policy implementing "the recommendations of the Roads Task Force Report" and the imperative of improving air quality and tackling air pollution. The Roads Task Force report recommends policies that would impact air quality and do little to promote public transport improvements. To effect a positive improvement to air quality, tackling congestion should be through continued policies of traffic restraint and promoting public transport.

**Change proposed:** Incorporate the phrase from para 6.39A ' support a more liveable city and help reduce emissions of carbon dioxide and air pollutants' into actual Policy 6.11A.

### **Policy 6.13 Parking**

The policy change to allow a more ‘flexible approach’ to be taken with respect to car parking in Outer London has been assessed by the Integrated Impact Assessment (IIA). With the conclusion that it would have a ‘minor negative effect’, being likely to encourage travel by private petrol & diesel vehicles and in turn traffic emissions will increase and air quality worsen (p46)..

Appendix D of the IIA with its Table D1 Key Challenges for Health and Wellbeing in London goes further. It concludes that, there may be **adverse effects** on health’ as a result of this policy change.

More relaxed car parking standards will inevitably mean more journeys made by car. There is also evidence that this “relaxation” is giving the wrong message to development schemes. For example, the 3,000 car parking spaces at Battersea Power Station which doesn’t meet any demand requirement or transport assessment.

The best way to support small businesses is by allowing reserved parking spaces for delivery vans, not an increase in parking spaces.

## **CHAPTER 7 LONDON’S LIVING SPACES AND PLACES**

### **Policy 7.1 Lifetime neighbourhoods**

A lifetime neighbourhood must have people at the centre and be based on a bottom up approach. What is missing from the principles is “empowered communities” which should include real involvement in decision making, a sense of ownership, through local self organized networks and the widest, most diverse involvement of everyone.

Therefore the principles for a LTN need to develop from high level planning issues into the detailed character that one finds at a local level.

Using a “thriving local economy” as an example the following components would carry meaning at the neighbourhood level:-

- supporting local shopping parades and small independent shops
- sustainable good quality jobs paying at least the London Living Wage
- small workspaces, incubation units and micro businesses
- third sector as employer - voluntary sector, development trusts and social enterprises
- cultural and creative enterprises
- public realm improvements to benefit appearance of and access to small businesses

- defining and planning local economic initiatives
- setting targets for local jobs
- encouragement of community based employment and training consortia to support local people accessing jobs from new developments
- public procurement geared to local providers
- fair trade

The further changes we seek are:

- point F stronger wording around social inclusion and meeting diverse needs
- a checklist of the features that make up a local neighbourhood
- these principles should be joined up throughout the Plan and most certainly must apply to opportunity areas and town centres.

**para 7.6** should read neighbourhood plans and community plans

### **Policy 7.5 Public Realm:**

This is important to secure and preserve/protect and then to deal with in appropriately with “sustainable management”. There is a need for quality, context sensitive urban design and landscape architecture design. Hard surfacing or grass is dominating, whereas more native species, enhancing biodiversity should be introduced. Being expressed in planning policy would be a part of implementing the duty placed on all public authorities in their functions to have regard to the purpose of conserving biodiversity as required by the Natural Environment and Rural Communities Act 2006 (s40).

**Change proposed:** Biodiversity and its enhancement should be clearly expressed as an integral component of “sustainable management”.

### **Policy 7.18 Protecting Public Open Space and Addressing Deficiency:**

The substitution of “local” by “public” in the policy title is opposed as the substance of the actual policy refers to local. The insertion of “publically accessible” into Policy 7.18Ca,b &c is contrary to Planning Practice Guidance on Open space etc. which says that “open space, includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks”. Not all such open spaces are publically accessible, but are of public value. The insertion of “publically accessible” is also at variance with the proposed new wording to Policy 7.18D which refer to “all forms of open space” which aligns with the referenced NPPF paras 73 & 74 which concern a broad range of open space, sports and recreational facilities. Not all of these are publically accessible. The placing of

more emphasis within the policy with more protective strong support, as used in the companion Policy 7.17 Metropolitan Open Land, should have been taken. The new wording to Policy 7.18D deletes reference to the helpful Mayor/CABE BPG on Open Space Strategies which, as new para 2.89 informs, will be reviewed. Similar wording in the supporting text/or footnote 249 would be a useful signpost to those not necessarily familiar with the resources available.

**Changes proposed:** In policy title do not substitute “local” by “public”. In Policy 7.18C omit the proposed insertion of the phrase “publically accessible”. Adopt “strongly supports” wording as used in Policy 7.17 Metropolitan Open Land Open Space within Policy 7.18. Retain reference to BPG Open Space Strategies.

### **Blue Ribbon Network:**

**para 7.73:** the proposed alteration to maximise the use of the Thames for river travel is welcomed, but ‘transport’ (for both passengers and freight) should be used to be consistent with the opening part of this paragraph and to enhance sustainable impact .

**Change proposed:** Substitute ‘transport’ for “travel”.

**Policy 7.30Ba/ para 7.103:** These alterations effectively propose an exception to existing policy against partial or complete filling of London’s docks to allow encroachment by development into the Royal Docks. Development proposals have recently included a floating town and an airplane parking area for London City Airport. Because of the very uniqueness of place, as described in the first sentence of para 7.103, there should not be a policy exception and any development proposals should be rigorously tested against existing policies. As a matter of course, policy should not be made or expounded in supporting text outside of the ‘policy box’.

**Change proposed:** delete proposed addition to Policy 7.30Ba and new para 7.103.

## **CHAPTER 8 IMPLEMENTATION, MONITORING AND REVIEW**

### 8.1 B Further Mayoral Development Corporations

Policy 8.1 Implementation discusses a number of new delivery vehicles which the Mayor “will consider” implementing further. In Paragraph 8.6A he mentions the implementation of the LLDC (2012), the Royal Docks Enterprise Zone (2011) and Tax Increment Financing (used in Vauxhall Nine Elms), as well as an as yet undefined vehicle, Housing Zones.

This section offers no detail or strategic guidance on Mayoral Development Corporations, how or why they will be used, in what kinds of areas, and what aspects of them will be useful, or any concerns he may have about their role in delivery.

The Mayor should set out his strategic thinking on MDCs, in which circumstances they could reasonably expect to be implemented, how he will go about establishing them, and how both in their establishment and in their operation they will conform to his own policies. The GLA Act prescribes that the London Plan should provide the basis for public presentation and scrutiny of the Mayor's **strategic planning**; not an ad hoc reporting on past arrangements. Since there is at least one other MDC in progress, this matter is urgent but as the MDC was mentioned in the 2011 Alterations, we suppose there has been plenty of time for the Mayor to consider his use of MDCs.

We note the following specific issues:

It would seem unreasonable for the Mayor to seek to take over development planning wherever he wishes (the legislation gives him the power to implement an MDC despite the relevant London Borough objections). In order to establish the reasonable grounds and circumstances in which this might be done, and the appropriate use of the MDC in general, it is imperative that the Mayor set out his thinking on this matter in this strategic plan for public scrutiny and debate.

We note, for example, that the Mayor is enabled under the Localism Act, Part 8, Chapter 2, to establish Mayoral Development Corporations, assume full planning functions, transfer land from public bodies including London Boroughs, acquire land compulsorily in the MDC area or anywhere else in London (S 207) which the "Mayor may not dispose of (land) for less than the best consideration which can reasonably be obtained **unless the Mayor consents**". Defining the terms of the Mayor's consent to this will be essential to prevent possible conflicts between MDC activities and the Mayor's implementation of his overall strategic vision, and to meet his statutory obligations to balance his priorities, as seeking only the highest value for property in MDCs will limit the potential to deliver social and affordable housing, green space, social infrastructure etc. in these areas<sup>2</sup>. More

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<sup>2</sup> A point which is supported by the FALP IIA commenting on the effect of the implementation policies (MDCs, EZs and Tifs) on housing: This approach is less likely to encourage the provision of housing as it does not make reference to mechanisms which could be used by the Mayor to encourage the delivery of housing.

Minor negative effect." The IIA also notes the need to control gentrification and protect local communities in the LLDC area, Activities to protect and support existing populations, and to control the potential adverse effects of gentrification are likely to develop, and protect, improved mental health: for example London Borough of Newham has developed a programme on community, personal and economic resilience for its residents to ensure that existing

broadly, the ways in which the Mayor plans to strategically allocate business rates income, CiL and S106 charges (including forward financing against such income) within MDCs to ensure adequate provision of social infrastructure and to achieve a balanced outcome across his priorities should be discussed.

Further, we note that after consultation with “such persons as the Mayor considers appropriate” (S219 (2), S220), the Mayor may give guidance and directions to MDCs. Furthermore, in designating an area as an MDC the Localism Act 2011 provides that the Mayor should consult relevant statutory bodies in London, political representatives (MPs, MLAs in the area), and “(h) any other person whom the Mayor considers it appropriate to consult”. **This is inconsistent with the GLA Act** which specifies very clearly the Mayor’s statutory consultees. Thus for example, the GLA Act S32 (2) specifies that in exercising any of his powers, the Mayor must consult with (c) “any other person...” which must include bodies specified in 32(3) ie. “(a) voluntary bodies some or all of whose activities benefit the whole or part of Greater London; (b) bodies which represent the interests of different racial, ethnic or national groups in Greater London; (c) bodies which represent the interests of different religious groups in Greater London; (d) bodies which represent the interests of persons carrying on business in Greater London.”

#### **Recommendation 1**

We submit that the Mayor needs to specify an approach to consultation, notably in relation to designating MDCs under the Localism Act (for example, Chapter 2 S 4 (h) and S219 and S 220), which is consistent with the GLA Act S32 (3).

As a starting point, it is vital that the Mayor direct that there be representation of community and voluntary sector on LLDC and MDC boards; there is no such representation at the moment. This raises the more general point of the governance of MDCs, which is not specified in the Localism Act Part 8 Chapter 2. The Mayor’s views on the governance of MDCs are properly a part of his wider strategic thinking and should be presented for public scrutiny. For example, the expectation that the London Enterprise Board have third sector representation (although we are concerned that this has not been implemented) indicates that the governance structures of the LLDC are out of step with statutory governance practices.

#### **Recommendation 2:**

We submit that with the implementation of MDCs, the Mayor is operating on a par with local boroughs, as a local planning authority with local development planning responsibilities. **Thus implementing MDCs requires the Mayor to give clear direction to MDCs on effective and**

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populations benefit from the changes ahead.<sup>32</sup> This is important across London but particularly important in the Host boroughs which have high levels of deprivation” (Appendix D, LLDC)

**best practice community involvement. He should prepare his own Statement of Community Involvement to ensure practices are consistent with his own policies (see below).** The Mayor should indicate his intention to provide such a Statement and such Guidance in Policy 8.1.

The support for this amendment is reinforced by FALP paragraphs 8.3 and 8.5, which state that the Mayor supports localism and in Paragraph 8.4 that he seeks for “planning decisions to be taken as close to the communities and interests they affect and in as inclusive a way as is appropriate having regard to the planning system and the nature of the decision concerned”. It is also expressed in the London Plan Implementation Plan, London Plan Implementation Plan (2012) where S2.7 The Mayor also supports approaches to planning, regeneration and development that harness the knowledge, commitment and enthusiasm of local communities, enterprises and other groups.

We submit that Mayoral Development Corporations, along with the Opportunity Areas they are likely to encompass, have far-reaching implications for local people, and that lack of consultation and transparency of information regarding their development is detrimental to local populations as well as to the development outcomes.

More broadly, the Mayor’s MDCs must receive direction on expected procedures for full and effective community involvement as part of a wider strategic statement about their place in the Implementation of the FALP.

### **8.1 C Infrastructure and Implementation**

We note the Mayor’s ambitious plans for Infrastructure Development, and also their coincidence with Opportunity Areas and possible MDCS, where strategic large scale development is being planned to meet projected housing and employment needs. We note that the population projections are subject to some uncertainty<sup>3</sup>; and that employment trends in a global city are highly volatile (Fig. 1.4). We note further (Paragraph 3.19) that the Mayor considers that development in Town centres, OAs and MDCs will “reduce the gap between local and strategic housing need and supply”. This seems to mean that large scale developments are expected to bring forward onerous and city-changing developments precisely targeted at meeting the element of population growth which is most uncertain.

We also note the suggestion in Paragraph 3.42 that “the scope for larger areas to determine their own character should be fully realised in terms of housing densities”.

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<sup>3</sup> However, it must be noted that there is a high level of uncertainty associated with the population projections and the Plan should continue to be regularly reviewed and monitored. (Draft FALP IIA, Dec 2013)

Further, we note Policy 8. 1C which proposes that the “Mayor will work with boroughs, infrastructure providers, national government, regulators and others involved in infrastructure planning .. to ensure the effective development and delivery of the infrastructure needed to support the sustainable management of growth...”.

### ***Old Oak Common***

The case of Old Oak Common, we feel, demonstrates the need for the Mayor to significantly strengthen his Implementation strategies in the face of the extensive new large scale development planned (Policy 2.6), the new delivery vehicles being considered, and the imminent creation of significant new planning authorities (e.g. HS2) in London. We think the Mayor needs to take a much stronger approach to monitoring and regulating the conduct of construction, compensation, health impacts of developments, and the management of uncertainty for communities around the capital who will be affected by these plans to meet his statutory requirements for balancing priorities and not causing detriment to the health of the population.

### ***Construction Impacts:***

What we are aware of from both the existing and planned MDCs is the challenge of managing the close co-existence of local communities and very large-scale development projects over a very long period of time (the Kings Cross Railway Group of communities around that development recently marked the 25<sup>th</sup> anniversary of their founding). We would like to see a more timely and strategically interventionist role signposted for the Mayor in the Plan in relation to:

- (1) Representing Londoners’ interests in Parliamentary legislation related to London development e.g. he should seek to ensure that the HS2 Hybrid Bill, reflects in the strongest possible ways a commitment to sustainable construction. He should advocate for prescribing the use of canals and trains for freight and construction (policy 7.26 is currently very weakly implemented and the Mayor could play a large role in removing trivial obstacles e.g. training barge drivers); setting strong compensation procedures for affected communities who cannot sustain healthy lives during construction; mandating effective and punitive regulation of environmental standards in construction.
- (2) Monitoring and controlling pollution and health impacts of development in an effective and hands on way. Currently the monitoring systems related to the Mayor’s achievement of his policies in construction-related pollution and noise are weak or non-existent. We note that the text in the FALP and in the relevant draft SPGs refers largely to London Boroughs doing this work – other planning authorities, such as HS2 also need to be held

accountable, and as the Mayor is collaborating on development and infrastructure, more effective implementation and monitoring, or review through indicators would be appropriate. The Mayor needs to apply some system of monitoring to assess whether his current (largely advisory) policies are effective.

We note that there has been no amendment to these policies (Policy 7.14 and 7.15; 5.18 and 5.20) to address these issues, which will escalate in importance with the additional OAs, increased targets for housing and employment across London Boroughs and OAs, and Mayoral Development Corporations (e.g. Policy 2.13). The Mayor's 2011 commitment to promulgate Best Practice Guidelines on Construction Waste (paragraph 7.49) has not been carried through. However we note that draft SPGs on Sustainable Design and Construction; and on The Control of Dust and Emissions during Construction (both 2013). However, while these offer guidance and best practice, we suggest that, given the scale and ambition of the current FALP, London Boroughs, all planning authorities (including HS2) and Mayoral Development Corporations need DIRECTION and not guidance on air quality and noise during construction.

Our view is that the current implementation policy (8.1) is insufficiently robust, and too remote from the development activities to cope with the scale and level of development which the Mayor is indicating in the DFALP and that these need to be strengthened. We note that there is no KPI related to construction and development health, environment and quality of life impacts, when infrastructure and housing development is to be the main strategic objective of the current DFALP. We note that the GLA Act directly instructs that the Mayor's strategies may not to cause any detriment to the health of Londoners, and that he is obliged to mitigate any such detriment (GLA Act S41 (7)).

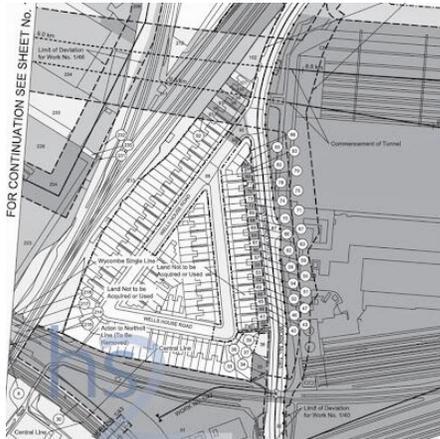
**Recommendation 3:**

We recommend a new KPI, with a measure of construction related pollution and disruption, reporting from all strategic development sites across London, which should have effective physical monitoring and establish an EU-compliant level on major pollutants, especially particulate matter. This will allow the Mayor to evaluate the success or otherwise of his policies (even on a real time basis, with automatic reporting available on pollutants).

We are gravely concerned that major developments associated with MDCs and major transport developments, such as that proposed at Old Oak Common, will have serious detrimental effects on local communities, living cheek by jowl with what will be one of the largest of the OA developments planned<sup>4</sup>.

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<sup>4</sup> Rapid changes in projected development, as the FALP IIA notes (erroneously, as the housing number in the FALP is 24,000) the significant potential for additional housing capacity on OAs: "For example, the potential investment and alterations resulting from Crossrail and HS2 has resulted in the number of homes projected for Park Royal / Old Oak Common / Willesden Junction increasing from 1,500 to 19,000".



We direct attention to the above map of Wells House Road, Old Oak Common, which indicates a community, Wells House Road in Old Oak Common lying in between Cross Rail, HS2 and new station developments. Despite being blighted and bordering two major construction sites, this area has been designated only at medium risk from construction, refused compensation, and yet which will have these major construction works at the end of (and in some cases in) their back gardens. Dust levels are already high [do we have evidence] from cross rail work which has commenced in the area. Inadequate consultation processes characterise the engagement with HS2, for example (Marion Larrey (KXRLG) at LTF Conference Nov 2013) noted that local residents here received notice of an HS2 consultation where much of the consultation period was over Christmas, the biggest festival period of the year, when people are taking holidays from work and time to be with family. They will not want to be holding consultation meetings or making consultation responses. Old Oak community groups report a very general uninformative invitation by leaflet through the door to an “open day” as their only contact with HS2, leaving them unaware their homes were to be in the middle of a major transport development.

### **General Conclusions**

The concerns and impacts of the scale of development planned in this FALP are so high, so long term and likely to impact on many London communities. It is imperative that the Mayor’s implementation policy and approach to consultation and governance be significantly reinforced to enable him to (a) give effect to his statutory requirement not to act to the detriment of Londoners’ health, and (b) to meet all his statutory strategic priorities in a balanced way.

It might be helpful to revisit the core principles of the GLA, from the GLA Act S30:  
 “(2) (a) promoting economic development and wealth creation in Greater London;  
 (b) promoting social development in Greater London; and  
 (c) promoting the improvement of the environment in Greater London.  
 (3) In determining whether or how to exercise the power conferred by subsection (1) above to further any one or more of its principal purposes, the Authority shall have regard to the desirability of so exercising that power as to—

- (a) further the remaining principal purpose or purposes, so far as reasonably practicable to do so; and
- (b) secure, over a period of time, a reasonable balance between furthering each of its principal purposes.”

We are concerned that without more effective strategy on implementation and monitoring, the chosen vehicles of implementation (MDCs, Tifs and EZs) might not deliver the balanced approach which the Mayor is directed in statute to seek.

### **8.1B and Paragraph 8.6A, sections 2 and 3: TiFs and Enterprise Zones**

We note that the GLA receives 40% of the business rates for the Greater London area (DCLG, 2013, *Business rates retention and the local government finance settlement*).

We note that Tifs are a vehicle which allow local authorities to borrow against the anticipated uplift in business rates in an area to support forward funding of infrastructure development and that in relieving some borrowing of the resets associated with business rates distributions this can seem favourable ways to secure funding in a dynamic economic context.

We furthermore note that Tifs can be implemented independently by all London boroughs.

Business rates (based on evaluations of rentals) growth in London has been robust (a 30% real increase between 2000/1 and 2010/11, according to the Centre for Cities, 2011, *Capital Gains*). However, the Parliamentary briefing (SN/PC?05797) on Tax Increment Financing itself acknowledged that although there has been successful use of Tifs in some places, there has also been criticism of TiFs in the US, for example, they cite a study which noted that: “Policy makers should use TIF with caution” (“Tax Increment Financing: A Tool for Local Economic Development”, by Richard F. Dye and David F. Merriman, *Land Lines*: January 2006, Volume 18, Number 1).

In planning to use Tifs, risk is being taken against both land use (which cities can control to some extent) and economic growth, which is not generally within the scope of influence of local government – and London has certainly been subject to downturns as well as growth. Furthermore, securing multiple tifs for development in many locations across a single city, as is currently possible across London, can lead in times of downturn or economic stress to a zero-sum game across localities and mean that all financial obligations cannot be sustained. We are gravely concerned at the direction of travel of the Mayor’s London Finance Commission’s review of London’s finances (2013, *Raising the Capital*) which encourages financialisation of all assets to significantly expand borrowing to fund large scale investment.

We note that in a sizeable area of new developable land (Royal Docks Enterprise Zone) business rates uplift is already allocated to the Lep's strategic use across the city as a whole for 25 years (which can of course be allocated to specific strategic infrastructure financing, but the priorities are set by the lep, which we observe works closely with the GLA). We express our concerns that income generated through perhaps disruptive development in one part of the city is applied to economic priorities elsewhere, rather than to address wider social and environmental issues associated with that development, or to fund the general activities and business of local authorities. We also note that Sir Edward Lister, deputy Mayor for Planning, GLA, is reported by the Financial Times (April 8 2013) to have commented that the current Tif loan for up to £1billion to finance infrastructure for the Vauxhall-Nine Elms development represents "a hell of a risk", albeit, in his view, a measurable one. For the Tif to be effective it needs to generate a real increase in business rates uplift. It needs high demand and rising property prices.

Our primary concern with Tif financing, aside from the intrinsic riskiness of speculative financing of local infrastructure, is that it pre-allocates business rates expenditure to economic growth generating infrastructure priorities. Since in the new local government settlement business rates are effectively replacing to some extent central grant contributions to \*general\* local finance, the long term allocation of this income to economic growth and property development priorities could pre-determine a situation in which commitments to promoting social and environmental needs of the city are compromised. Delivering infrastructure and housing through developer charges (CiLs and S106) has already put great pressure on development choices, as was expressed in the Nine Elms OAPF (2012):

"The strategic priorities set out in the London Plan are affordable housing and transport. Given the importance of the NLE and other transport projects to the success and viability of the whole opportunity area, in this instance, transport is prioritised above affordable housing. Therefore, the 15% affordable housing option is considered the most appropriate for the majority of the opportunity area. However, the affordable housing level required by Lambeth will normally be 40%, although for sites within close proximity to the proposed station at Nine Elms and those which may not be suitable for family housing, 15% affordable housing may be considered." (10.7)

The extensive use of Tifs creates a potential moral hazard where developers and planners can rely on debt financing in the face of refusals to pay adequate developer charges, leading to gains by developers from public risk, paid for by other enterprises who later occupy the developed space or by communities who sacrifice future services. We are concerned that Tifs place greater pressures on current choices about the kind of development undertaken, and prejudice future development choices because of pre-existing financial commitments.

The extensive large-scale development proposed in this FALP, in a situation where any London Borough can apply for a Tif, in addition to the GLA, poses a very significant danger that in any situation of economic downturn or slowdown, different developments will have to compete with one another for viable investment. This is especially a danger as these numerous authorities rely on a single economic arena ie all are dependent on the same economic base, and the overall success of London. Especially in cases of economic downturn the implications of extensive borrowing and financialisation of local government activities could be very damaging for the Mayor's ability to achieve a balanced delivery of his statutory priorities.

This could also have significant equality concerns, steering investment to areas which have potential for highest value housing and business, and which often involve significant displacement or marginalisation of local populations and their needs. These types of financing do not lend themselves to meeting social rented and affordable housing targets. Failures of Tifs will have even stronger equality concerns as developers and property owners will have already benefitted from Tif funding, while poorer residents could find the provision of social and environmental needs significantly undermined as financing costs must continue to be covered for years to come.

We are very concerned about the numerous examples of Tif failure, and by the fact that they have caused severe fiscal stress, most famously in California, but also in many US cities. Prof Kevin Ward (Manchester), researching the use of Tifs in the UK, comments that in the US in the boom times of the 1990s and early 2000s property rates were rising, so TIF districts were established and an "increment" would follow without any investment, and hence, any borrowing. This was certainly the case in many in downtown Chicago. However, also in Chicago, the poorer neighbourhoods which suffer the most blight and thus would appear to be areas where TIF projects should be established were not selected as TIF sites. Even with investment it was believed that no "increment" would be forthcoming. The overuse of Tifs can place a city in significant fiscal difficulty in times of downturn. Rockford in Illinois, for example, has thirty two TIF districts. The current consolidated TIF district annual deficit was estimated to be \$2.75 million by the end of the 2013 financial year. In the next decade, the annual deficit in the TIF Allocation Fund was projected to be \$4.1M, not taking into account the recent drops in the city's TIF tax increment. The city's consolidated TIF Allocation Fund isn't projected to have a positive balance until 2031, 18 years from now, and only two years before many TIF terms expire (they run for 23 years in Rockford). The consolidated TIF deficit will require continued support from successful adjacent TIF districts and the General Fund until such time as property values reverse their downward spiral or until the TIF terms expire in 2033, resulting in higher property taxes or diverting funds from other city services to repay the TIF bonds.

This example is especially pertinent to the London case where multiple competing Tifs secured by individual London Boroughs could lead to a long term collective financial failure. The Mayor should be taking a strategic view of the city-wide use of Tifs and create a suitable mechanism for ensuring strategic collaboration and oversight of the use of these financing vehicles.

**Recommendation 4:**

There should be a strategic discussion in the London Plan of the strategic concerns with relying on Tax Increment Financing and other financialised solutions to delivery, and how these can be reconciled with the Mayor's statutory obligations for a balance or his priorities and to meet his equality commitments.

Immediately, we propose the insertion of the following phrases as replacement for the existing text:

**Policy 8.1.B**

The Mayor will consider, **with due caution and prudence**, creating further Mayoral Development Corporations, Tifs and EZs ... **He will prepare, at the earliest opportunity, a strategic statement about his approach to tax increment and other borrowing to finance development, weighing how they impact his strategic agenda.**

**Policy 8.2 Planning Obligations**

A new priority for s106 funding is the improvement of air quality. This recognises that Air Quality is a key sustainability issue – London's air is still so polluted it breaches EU legal limits and is the worst of any city in the UK and amongst the worst in Europe.

But, notwithstanding the growing evidence of harm arising from air pollution, London Plan Policy 7.14 remains unaltered. And this is in a context of significant population growth, recent and predicted. As the Integrated Impact Assessment explains, the key outcomes of the draft FALP include an increased focus on housing delivery, an emphasis on creating employment opportunities through the delivery of new infrastructure and increased focus on development of Opportunity Areas and Town Centres.

These are not addressed by an appropriate policy strengthening within the London Plan for the tackling of air pollution and the improvement of air quality which is commensurate with the additional growth. Consequently, sustainable development in accordance with national policy is unlikely to result.

## **Glossary**

### **Sustainable development**

We support the definition of sustainable development. This enshrines within the London Plan the UK Government's Sustainable Development Strategy and is consistent with NPPF.