

## Comments on draft lists of Matters & Participants

### By Just Space 11/10/18

**M = 'Matter'** – the topics to be considered at the Examination in public. The panel's draft list is at [https://www.london.gov.uk/sites/default/files/lp\\_panel\\_note\\_no.3\\_-\\_annex\\_1\\_matters\\_final2.pdf](https://www.london.gov.uk/sites/default/files/lp_panel_note_no.3_-_annex_1_matters_final2.pdf)

Other capital letters indicate Policies in the draft pa, e.g. **D6**

Just Space had been invited to participate in 37 of the proposed sessions in the Panel's draft list:

[https://www.london.gov.uk/sites/default/files/nlp\\_ex\\_04c\\_panel\\_note\\_no.3\\_-\\_annex\\_2\\_participants\\_.pdf](https://www.london.gov.uk/sites/default/files/nlp_ex_04c_panel_note_no.3_-_annex_2_participants_.pdf). A few of the following items are requests to secure a voice for a community group member of Just Space at additional sessions.

## Matter M1 Sustainability Appraisal:

### (Just Space is on draft list of participants)

In Just Space's response to the IIA, serious misgivings were raised on the adequacy of the assessment. As the Panel will recognise, assessment is a continuous process beyond the preparation of the draft Plan. Consequently, there is a need to reflect on the fitness of the IIA for the next stage, i.e. 'Stage E'.

Whilst **Question M1** questions its present adequacy, it should usefully explore whether it is fit for the continuing effective monitoring of the effects of implementing the Plan throughout the Plan's life following formal publication.

Namely, by adding:

*and c) is there certainty that the IIA will effectively monitor the significant effects of implementing the Plan?*

## M6 Consultation and Engagement

Request to participate:

Throughout its existence, since 2007, and in its response to the Plan, Just Space has advocated effective and meaningful consultation and engagement in the planning of London. Over time and through its widening reach among diverse community groups throughout London, deep knowledge has been generated on this matter. Just Space will be able to draw upon its network of community groups to help answer the question posed, particularly around ...early and meaningful engagement and collaboration with the community.

## M7, 8 Format, Scope and Content of Plan:

The '**Format, Scope and Content of the Plan**' should be distinguished from the preceding process-related Matters M1 to M6 by **being made a Main Matter** in its own right. This would then enable an additional dedicated and focused debate around the Plan's Chapter 1 on a par with the other Chapters that each have been assigned Main Matter status.

Chapter 1 with the 6 'Good Growth' policies sets the basis and framework for those chapters and policies that follow. Presently, the draft list does not explicitly direct questions to these policies.

Consequently, following on from Questions M7 and M8 there should be added **Question on the 'Planning London's Future (Good Growth Policies)**.

This should facilitate the interrogation of:

*For whom the Plan is for – the term “Londoner” is used throughout with no definition or explanation;*

*Good growth as the approach;*

*The inclusive participation of diverse communities;*

*The achievement of sustainable development across its social, economic and environmental dimensions – to include consideration of: lifetime neighbourhoods currently in the 2016 London Plan as a delivery mechanism for sustainable communities;*

*the chosen centralised spatial organising and governance of London;*

*a critical assessment of the Opportunity Area approach (for M13 presently does not facilitate debate of its appropriateness in principle as a major instrument of the Plan.)*

## **M19 Small Sites**

We consider that question c is much too narrowly drawn.

Has the Mayor adequately considered the social impact of this policy, especially the type of affordable housing which will be lost, much of it well-located family housing, which is hard to replace. Also that vulnerable private renters will be exposed to additional risk and displacement, especially when and where a borough has not yet developed guidelines.

M19 H2 Small Sites A (4). This is the policy that gives support to community led housing and Just Space commented that there should be specific initiatives and targets for community led housing. The issue could be picked up under M17 or M18 h) but it seems an omission that **nowhere in the Matters is there a mention of community led housing**. Possible new question, e.g.

M19 (i) Is policy H2 A (4) elaborated enough to ensure that community-led housing initiatives are enabled to make the substantial contribution which the Plan expects from them?

## **M20 Monitoring Housing Targets**

Request to participate:

The difficulties in monitoring the achievement of net and gross housing targets (in aggregate and especially for distinct rent/tenure bands) has been a central concern for Just Space groups in every relevant London Plan. The challenge becomes greater as all types of providers now produce for all rent bands and tenure forms, and the rent/tenure status of a dwelling can be switched subsequently. We consider that our experience and evidence would help the Panel to give adequate consideration to this crucial Matter.

## **M22 Affordable housing**

H5 (a) what does “genuinely affordable” mean here? Is the draft Plan precise enough in relating affordability to evidence of actual income levels in the SHMA and elsewhere?

(d) question should be broader – how will the policy (not just on-site provision) limit meeting local needs ie high needs for social rented homes but 35% minimum is much less than is needed & could mean developer benefits enormously.

## **M27 Build-to-Rent**

suggest the addition of a new question

(d) Policy H13 C. Will the requirement for affordable housing at 35% (and 30% at LLR), and the preference for DMR (4.13.3, 4.13.4) ensure the effective delivery of affordable housing at a level appropriate to this sector?

## **M32 Gypsy and Traveller Accommodation**

Request to participate

How will your participation assist the Panel's consideration of the EIP Matters (**200 words max**)

We have done significant project work with Traveller communities in London – we will detail in our written statement – and our representation sets out the required London wide strategic policies that are needed based on our experience and knowledge.

Just Space is a diverse network, including protected groups under equality legislation and those that are not protected. The wider community sector should be represented at this session, not only groups from the Traveller communities, to show that equal opportunities is for all.

## **M33 and M34: Good design; inclusive design**

M33 (c) the phrase “diverse character” is too vague and weak. We suggest “...to protect valued existing economic, social, cultural and residential uses”

We made strong representations on the need for community input to **design review** and consider that there should be a question on the lines of:

*33 (h) How should the views and knowledge of adjacent and nearby communities be reflected within design review processes or alongside them?*

[Since we wrote we have become aware that the Mayor has established a Community Review Group (parallel to design review) for schemes in his Old Oak Park Royal Development Corporation. This is a valuable precedent.]

also on M33 we suggest adding a question to ensure consistency:  
(h or i) Is policy D2 B consistent with the role and procedures in place for planning procedures in Opportunity Areas?

Similarly for Inclusive Design, something like

*34 (c) How should the experience and needs of excluded groups feed in to the evaluation of major schemes and into the evaluation criteria applied generally?*

## **M38 Density/design**

This is perhaps the most important bit of the Plan. It is complicated and needs careful exploration. In particular It would be good to have a question about the circularity of the approach: if density relies on future infrastructure; and said infrastructure is financed through increasing density (DF1), and social infrastructure is de-prioritised, then all this just pushes up density for the sake of it, reducing S106 supply of social etc housing?

Eg: additional question

c) Will the approach of D6 B (1) in concert with Policy DF1 (D) ensure effective outcomes, consistent with other policies in the London Plan and providing

appropriate consideration of Impacts as set out in D7?

### **M39 Public Realm**

Request to participate

We are concerned with one specific issue:

The draft Plan, as recently revised, places emphasis on the need to design to avoid over-heating, both at city scale and within and between buildings. That is welcome.

However in our representations we argued strongly that design must ensure adequate **sunlight** in shared spaces and in public realm. This is a matter of great concern to many of our member-groups, including some where recent high-density development has robbed play-space and public space of direct sunlight, especially in winter. The issue arises in various parts of Chapter 3 but this is the key place where the Plan needs strengthening.

We consider that the Panel would be helped by direct evidence from Londoners on this and the need slightly to re-word policy.

### **M40 Tall buildings**

d) is an important question – but it needs an extension as it only asks about whether it provides for assessing the impact of the tall buildings – not whether it provides a robust and effective tool for managing, avoiding or mitigating these impacts.

The Panel's matter M38 (a) uses the phrase, "provide an effective and justified basis for development management" – and that could be added on here to give the question more bite.

### **M50 Delivering Social Infrastructure**

New question

Is there an understanding of what is valued about existing places and the ability to use this as a catalyst for growth and place-making, strengthening London's distinct and varied character.

Just Space in its representation considers how Social infrastructure is not necessarily delivered, it develops, over time and is contributed to by a wide array of community provisions over time and space. Has this been sufficiently factored in to policy S1 in support of not only G1 and G3 but also G2?

### **M57. Central Activities Zone + Isle of Dogs n ("CAZ")**

We wish to propose a new question to be added to this Matter: Should specialist clusters and Special Policy Areas include Migrant and Ethnic Business clusters and should these be more widely applicable in Town Centres and high streets outside the CAZ?

This would reflect the issues raised in our consultation response around the need to recognise the strategic and local importance of these clusters for London's diverse communities and diverse economic functions, and the need for further protection from redevelopment.

### **M59 Town Centres and Retailing**

We wish to propose a new question to be added to this Matter:

Do the policies provide sufficient protection to the whole range of existing activities in and around Town Centres and High Streets? (including community and social infrastructure, industrial and other types of low cost workspace, markets, food production, cultural activities etc)

This question would address the issues raised in our consultation response concerning the loss of diverse Town Centre and high street uses caused by redevelopment and replacement with unaffordable housing and high value uses. It would provide the opportunity to discuss the evidence and impacts on existing communities and on social, environmental and economic sustainability.

## **M61 Hot Food Takeaways**

We wish to propose a new question to be added to this Matter:

Has the policy sufficiently considered the impacts on low-income families and Migrant and Ethnic Businesses? In particular, has there been a social impact assessment of how the proposals connect with economic and social dynamics and relationships that exist at the level of the Town Centre or the High Street?

This would reflect the issues raised in our consultation response around the wider implications of restricting hot food takeaways for social and economic sustainability, particularly in terms of access to affordable food, employment and start-up opportunities and wider links with local economies and the food sector more generally.

## **M62 Offices**

We wish to propose a new question to be added to this Matter:

Does the policy ensure the protection of existing low cost office space that meets local needs, especially those of micro and small and medium sized businesses located on high streets, industrial estates and residential areas?

This would reflect the issues raised in our consultation response about the loss of low cost office space outside the locations offered protection by the policy, and it would provide an opportunity to discuss the evidence and impacts for micro businesses and SMEs with wider implications for the diversity and sustainability of local economies across London.

## **M63 Low Cost and Affordable Business Space**

We wish to propose two new questions to be added to this Matter:

-Does Policy E2 provide sufficient protection to existing low cost business space catering for a diverse range of activities? In particular, would policies need to be more explicit in order to protect clusters of migrant and ethnic economic activity in London's high streets and markets?

- How would Policy E3 ensure that affordability would be secured in perpetuity to cater for a diverse range of activities? Should there be a definition for what constitutes affordability?

These questions would reflect the issues raised in our consultation response about the challenges of providing new low-cost business space and affordable workspace

in diverse contexts and therefore the need for stronger safeguarding and other approaches (e.g. zoning policies), as well as clear definitions and requirements in terms of securing affordability.

## **M65 Land for Industry, Logistics and Services to Support London's Economic Function**

We wish to propose two new questions to be added to this Matter:

- Should the policies set targets for the provision of new industrial capacity?
- Should Boroughs be required to audit and map industrial activity across their area, including on non-designated industrial land and other locations?

These questions would reflect the issues raised in our consultation response about the need for a much stronger vision and strategic policy to ensure the provision of new industrial capacity particularly given the high rates of loss of industrial land and impacts on London's economy, as well as the need for baseline data of existing capacity, which is currently missing.

## **M67 Green Infrastructure, open space and urban greening**

Participation request

Just Space in its response to the Plan has emphasised the importance of linking 'green' with 'blue' spaces and only belatedly have the 'Minor Modifications' added 'blue' to the definition of Green Infrastructure.

There is underrepresentation within the Plan, particularly here in Chapter 8, of policy attention to 'blue' spaces and a lack of recognition for the synergies that arise from an integrated and holistic blue-green approach. Just Space would assist in the debating of the sufficiency of the proposed policies.

### **Comments on Matter M67:**

Insert into Question M67: Would the policies ... provide an effective *spatial and strategic context for the London Environmental Strategy and for the preparation of local plans...*;

the additional questioning of whether policies and criteria are *sufficient*. This would allow for the consideration of omissions.

Add to Question M67 b: ... *and address the important relationship between blue and green infrastructure?*

## **M69 Biodiversity, trees, food growing and geodiversity**

Participation request:

Through its network of community groups, Just Space's views and proposals for community food growing and food production have reached a very detailed level relevant to Policy G8. In addition, it now has more to contribute, to situate the debate on this within a wider discussion of the appropriateness of food supply, distribution and marketing linking back to Policy GG3 Creating a Healthy City, (vide GG3G).

**Comments on Matter M69:**

Insert into Question M69: Would the policies ... provide an effective *spatial and strategic context for the London Environmental Strategy and for the preparation of local plans...*

Add to Question M69c  
... and urban agriculture generally.

## **M70 Sustainable Infrastructure – Air Quality and Water infrastructure**

Participation request

Meeting air quality targets requires greater regulation and restriction of vehicular traffic than the Mayor proposes. An integrated and holistic approach is needed to tackle the situation that London is in, namely both in a water-scarce area and subject to flooding. Just Space is able to contribute to the exploration of these issues by drawing on the knowledge and experience that lies within its network of community groups.

**Comments on Matter M70:**

Insert into Question M70: Would the policies ... provide an effective *spatial and strategic context for the London Environmental Strategy and for the preparation of local plans...*;

the additional questioning of whether policies and criteria are *sufficient*. This would allow for the consideration of omissions.

## **M71 Greenhouse gas emissions etc.:**

**(Just Space is in the draft list of participants)**

Insert into Question M71: Would the policies ... provide an effective *spatial and strategic context for the London Environmental Strategy and for the preparation of local plans...*;

the additional questioning of whether policies and criteria are *sufficient*. This would allow for the consideration of omissions.

Add to c) *and does it consider thermal comfort in the round without inadvertently giving rise to adverse impacts on external amenity or to greenhouse gas emissions?*

Add e) *do they place sufficient emphasis on renewables and the need to secure a much higher proportion of energy in future from renewables.*

## **M72 Digital Connectivity**

Participation request:

Proposed policy SI6 is directed towards the creation of an ultra-smart city, but does not address digital exclusion for those left behind in the spatial gaps in connectivity highlighted in the supporting text. Just Space would contribute to the discussion on the effectiveness of this Policy from this particular perspective of the excluded.

## **M73 & M74 Waste and Circular Economy**

Participation request:

Just Space in its response to the Plan argued that more should be done to move towards a more sharing lower carbon intensity lifestyle and economy through a green and localised economy. Presently, the Plan's approach to the **circular economy** concept does not ensure a transition from 'business as usual'. Just Space would contribute to the debate on the effectiveness of Policy SI7.

### **Comments on Matters M73 or M74:**

Given the current high degree of awareness of and intended action on plastic pollution, it is relevant to additionally question *on how will policies facilitate a reduction in non-recyclable/plastic waste?*

## **M76 Hydraulic Fracturing**

Participation request:

Community representation is presently lacking in the draft list of participants and Just Space will call on its network of community groups to contribute an understanding from a community perspective of the implications of hydraulic fracturing and the associated community engagement processes.

### **Comments on Matter M76:**

As currently worded Question M76 has too narrow a focus whereas broader considerations need to be taken into account. Rephrase the first question as follows: *Is Policy SI11 justified in light of national policy, UK legally binding targets to reduce greenhouse gas emissions and the policy aspiration for to become zero carbon?*

## **M97 Monitoring:**

Given the slimmed down simplistic broad brush monitoring proposed (more fully critiqued in the Just Space response) which underrepresents particularly the social dimension, as in, for example, housing affordability and standards as measured against household income, **Question M97** should be more wide ranging.

Namely, asking *if monitoring is sufficiently comprehensive and effective to:*

- *ensure that the effects of implementing the London Plan meet legal and national policy requirements, viz: to achieve sustainable development and the Integrated Impact Assessment objectives, and to address health, health inequalities, climate change, implementation resources, equality of opportunity etc.;*
- *enable public scrutiny; and*
- *assists the implementation of mitigations and/or alterations to the London Plan and other relevant Mayoral strategies.*