

Please note there are some evidence base documents related to this statement that we wish to file with the EiP Library.

M14. Are the Opportunity Areas identified on the Key Diagram and Figures 2.4 to 2.12 likely to deliver the indicative number of additional homes and jobs assumed in the Plan in a way that is justified and consistent with national policy? In particular:

a) Are sites likely to be available in the Opportunity Areas with sufficient capacity to accommodate the expected scale of development?

The inadequate and opaque procedure for designating Opportunity Areas and determining their development “capacity” means that this question cannot be answered with any certainty at all. Sufficient evidence concerning capacity is not available at the time targets are set in the London Plan. And yet establishing these targets in the London Plan accords them overriding material weight in the planning system.

Thus, this element of the plan (SD1) is fundamentally unsound and not evidence based. Furthermore, the process of delimiting, determining targets and preparing OAPFs for Opportunity Areas is not in conformity with the national planning framework.

In fact, the process of determining capacity is entirely circular – a target is set with no evidence; development capacity studies are then undertaken to conform the quantum of development to that target; and development densities, housing types, public and open space, social infrastructure and responses to heritage settings are set accordingly, often greatly to the detriment of the quality of resulting environments.

There is therefore no way of knowing whether the OAs offer sufficient capacity to meet the scale of development, and there is strong evidence that the consequences of the arbitrary targets and uncertainty regarding capacity is an unacceptable pressure on the scale of development, on open and green space, and on social infrastructure provision, especially given the funding arrangements in which for most developments all infrastructure and affordable housing is delivered via S106 and CIL.

This is also undertaken without any consistent or appropriate (and sometimes without any) consultation. Thus it is distinctly against the intentions of the NPPF (2018) 3 (16) c, concerning “early, proportionate and effective engagement”.

b) Have the Opportunity Areas been chosen having due regard to flood risk in accordance with national policy?

Given the limited preparatory work done prior to declaration of Opportunity Areas and the non-statutory nature of the OAPFs, we anticipate that there is no due regard given to flood risk. This will escalate the high costs and wider planning risks which we can already evidence as being associated with such developments.

c) To be effective in preventing unacceptable risk from pollution and land instability and ensuring that development only takes place on sites that are suitable for the use proposed, is it necessary for the Plan to set out a strategic approach to dealing with despoiled, degraded, derelict, contaminated and unstable land in Opportunity Areas?

A strategy on the high costs of land preparation and development in Opportunity Areas is absent from the London Plan, and is urgently needed.

This matter speaks to Just Space concerns regarding the wider unsustainability and unviability of the Opportunity Areas.

Thus, the Mayor's own review (2017, p. 2, submitted to EIP Library) of the Old Oak Park Royal Opportunity Area (OPDC) concludes:

"2.4 In addition to impacting on the ability of developments to provide an acceptable level of affordable housing, the high cost of infrastructure may force a quantum and scale of development that is unacceptable in height, scale, density or mass – and at the expense of community infrastructure."

d) How would the development proposed be likely to affect the character and appearance of existing places within and around the Opportunity Areas including with regard to heritage assets and their settings?

e) Is the necessary transport and other physical, environmental and social infrastructure likely to be in place in each of the Opportunity Areas in a timely manner?

The Mayor answers this question himself – clearly not:

11.1.66 Through this Plan the Mayor is determined to tackle the housing crisis and support London's continued growth in a sustainable and inclusive way. This chapter has set out how the funding gap must be met if the infrastructure to support growth is to be planned and delivered at the right time. The step change

in housing delivery that London needs cannot happen without it. The Mayor needs new fiscal tools to fund this infrastructure. Where it can be funded privately, he requires a supportive regulatory regime so that it can be provided when needed.

f) Would the development proposed in the Opportunity Areas support policy GG1 “building strong and inclusive communities” and Policy SD10 “strategic and local regeneration”?

We do not believe that OA development as proposed in SD1 can or is achieving either of these.

1. Opportunity Areas are not producing strong and inclusive communities

“Strong and inclusive communities” cannot be achieved when the demands on infrastructure and the need to meet a pre-determined quantum of development within challenging sites lead to (a) exclusion because affordable and especially social rent housing cannot be delivered and (b) existing accessible, affordable and productive housing, jobs and businesses are being lost (c) poor social infrastructure and inadequate public and open space, and (d) processes which are at odds with the requirements set out in SD10 to achieve effective “regeneration” needed to address inequality and needs of the poorest communities.

2. Opportunity Area development procedure is in contradiction with the requirements for strategic and local regeneration

Firstly OA developments are not making a contribution to meeting objectively identified local housing needs.

Secondly, the procedures for robust public engagement required of strategic and local regeneration policy are not met by the OA. Much stronger statements on participation in regeneration areas are made in the Mayor’s Best Practice Guide for Estate Regeneration.

There need to be precise mechanisms that address issues of inclusion and fairness — the new tool of Social Impact Assessments¹ alongside a central role for Lifetime Neighbourhoods, greater weight attached to the protection of existing community assets and unlocking the potential of the Localism Act 2011.

¹ Social Impact assessments

g) Would Policy SD1 provide an effective strategic context for the preparation of local plans and neighbourhood plans?

Policy SD1 and the related text does not set a strategic context for the preparation of local plans and neighbourhood plans, but pre-emptively pre-determines the envelope and form of development without detailed (or any) consideration of the conditions, surroundings and locational characteristics of the site, significantly undermining the democratic and evidence-based plan-making process, and local place-making. This process is not in conformity with the NPPF.

1. THE LONDON PLAN (AND ITS ASSOCIATED INFORMALLY PREPARED SPGS - PLANNING FRAMEWORKS) PRE-EMPT THE FORMAL AND PUBLICLY ACCOUNTABLE LOCAL PLANNING PROCESS

This policy is not sound or effective

We have extensive evidence from numerous residents' groups who are part of our network that the outcomes of Opportunity Areas are consistently and overwhelmingly not consistent with "good growth" or delivery of acceptable levels of affordable housing, leading to non-compliance with the policy ambitions of the London Plan and non-compliance with the NPPF in not meeting objectively identified local housing needs, for example, and not supporting local plan making.

h) Is the approach to development management set out in SD1 consistent with national policy and would it be effective particularly in terms of the role of "planning frameworks"?

1. OPPORTUNITY AREAS "PLANNING FRAMEWORKS" (OAPFs): AN ANOMALY IN PLANNING PROCEDURE

The preparation of OAPFs and the planning of Opportunity Areas is a strong anomaly within the planning system and does not conform with the expectations of the NPPF. The overall targets in the London Plan and the brief paragraphs describing each OA sets high level approaches and ambitions. Policy 2.1.4 sees these as being "translated" into local plans. This significantly pre-empts the planning process, renders trivial consultation on key elements of planning (design, quantum, densities, social infrastructure provision), and sidesteps public participation and scrutiny.

We recommend that the declaration of OAs and preparation of OAPFs be paused immediately with a view to their being reviewed and potentially abolished. Both the process for OA development and their outcomes should be reviewed, and a new procedure for large-scale development across London should be developed which is in conformity with national planning frameworks. It is inadequate to

propose “open and collaborative” planning processes in which consultation has no mandatory form or impact, especially where the planning frameworks have the highest planning weight until the production of a local plan.

There has never been a review of the Opportunity Area policy, and no investigation into how the current planning policy in relation to OA influences the quality of outcomes. These elements of the planning system have simply accreted over the years – identified at least since the 1993 LPAC Draft Strategic Planning Advice for London, A Discussion Document. We repeat our call for an urgent public review into this element of the London Plan which is causing irreparable harm to this city and its residents.

Specifically, we call for an addition to the SD1 (7) to read, “

- (a) To prepare an annual report on the Opportunity Areas in terms of delivery of social infrastructure; loss of existing homes and jobs; consultation processes undertaken and responses to these; monitoring of delivery of affordable and social rent homes targets; and the displacement of residents and enterprises..”
- (b) To undertake within the calendar year following the publication of the 2018 New London Plan a public review into the outcomes and impacts of Opportunity Areas.