

Silver linings in the London Plan

Personal comments by Michael Edwards 11 December 2019

This London Plan is probably the worst yet from the point of view of meeting the needs of low- and middle-income Londoners and does little to transform the city to respond to climate and other environmental imperatives. Much is being written about the failures of the Plan but this note lists the positive features we can point to in the draft Plan or, in some cases, recommendations for beneficial changes coming from the Panel of inspectors. Even a disappointing London Plan can be useful in some of Londoners' struggles.

An SCI next time?

Neither Mayor nor Panel grasped the gravity of our objections to the consultation process. "However, concern was expressed that the information regarding consultation, particularly with groups with protected characteristics, was not clearly set out" (§21). Consequently, the Panel recommends: "*PR2 When next altering or replacing the Plan publish a statement setting out how consultation requirements will be met and evidence clearly demonstrating what was done to meet those requirements*".

This, to Just Space, seems to be a hybrid of elements of a Statement of Community Involvement (SCI) which Just Space has long argued for, and a Statement of Consultation.

Is London full?

The Panel recommendation to review the Green Belt potentially draws a firm line under devastating London's poorest communities through (un)Sustainable Intensification. Even though the argument of the Inspectors was mostly linked to the unfeasibility of the small sites policy targets – a victory for middle class outer London suburbs – the effect is also to raise questions about continuing to displace and erase the city of the poor – as §599 explicitly states:

"Furthermore, the position in London is that capacity for new housing development is finite. Indeed, the Plan relies on re-cycled land. **The approach of sustainable intensification can only be taken so far without having an adverse impact on the environment, the social fabric of communities and their health and well-being.** Therefore, in our view, there would be little to be gained from requiring an immediate review until such time as a full review of London's Green Belt has been undertaken as recommended to assess the potential for sustainable development there and whether and how the growth of London might be accommodated. Therefore we make no recommendation that an early or immediate review of the London Plan should be carried out."

Perhaps there will be a breather on intensification plans – and perhaps these observations from the Inspectors provide grounds to contest over-development, especially in many Opportunity Areas.

A victory on industrial land

The draft Plan had already taken some steps to arrest the very damaging high rates of loss of industrial and workplace land to housing in recent decades (much faster than planned) but the Panel considered that needs had still been under-estimated and have sought changes. This is a great victory for us and others, though whether implementation will be any better than before remains to be seen..

There is a higher need for industrial land to meet demand until 2041 than assumed in the Plan. There will be requirements for new locations and specifications of industrial sites, including in and around the Central Activities Zone and accessible locations

The approach to meeting industrial land needs in policies E4-E7 may not be realistic

Several modifications are recommended by the Panel to make the policies sound:

- Strengthen E4: "... future demands for industrial and related functions should be provided and maintained ..."
- Modify the categorisations of boroughs in Table 6.2 in order to provide a more positive strategic framework for the provision of industrial capacity. [Mayor subsequently rejects this recommendation.]
- In a future London-wide Green Belt review consideration should be given to industrial development if needs are not met in non-Green Belt locations

E7 should be strengthened to protect non-designated industrial land: “Mixed-use or residential development proposals on non-designated industrial sites should only be supported where ...” Accepted by Mayor.

Small reforms for Opportunity Areas

Far short of what we sought, but the Panel (§120) support changes which the Mayor has inserted strengthening commitments to “public engagement and consultation at an early stage and throughout their development”. SD1B(9).

And the targets set for OAs without due analysis or (often) without any democratic process are now declared to be ‘indicative’ and to be tested in Local Plans §119. We are not sanguine that Boroughs like Southwark will stop granting permissions in places like the Old Kent Road pending such testing, however.

Opportunity and Regeneration Areas are now accepted as disproportionately impacting low income and (some) ethnic minority and protected groups, with new commitments (though weak ones) to monitoring impacts (§122-125, 593).

Shops, parades, high streets

Just Space has long campaigned to protect and develop dispersed services near where people live, including protections for shops and other workplaces which lie outside ‘town centres’.

Policies SD7A(4) and E9BA(8) encourage the comprehensive redevelopment of edge and out of centre retail and leisure uses for a diverse mix of uses to realise their potential to provide housing and encourage sustainable transport... based on sequential tests and impact assessments

Policy E9BA(7) and paragraph 6.9.4 set out a positive strategic framework for London’s markets in their full variety, and acknowledge their valuable economic, social and cultural roles.

Just Space has pressed hard for protection of high streets, parades of shops and other premises which meet local needs and provide local jobs. The GLA has made many changes of wording which may help but probably not enough to prevail on Boroughs to resist developer blandishments since local centres and premises outside of ‘centres’ are Borough, not London Plan, matters.

Density: The Panel has sided with the GLA and LSE (against us) in scrapping quantitative density limits but the Panel has at least removed the policy which would refuse developments which fail to “optimise” capacity (D1 BD).

Design panels: GLA has inserted quite a lot of improvements, requiring consultations on the lines we sought with communities in general and with representative organisations. (3.3.1)

Missing infrastructure: D1A part D Panel says §285 “When a proposed development is acceptable in terms of use, scale and massing, given the surrounding built form, uses and character, but it exceeds the capacity identified in a local site allocation or the site is not allocated, and the borough considers the planned infrastructure capacity will be exceeded, **additional infrastructure proportionate to the development should be delivered through the development.** This should be identified through an infrastructure assessment during the planning application process, which will have regard to the local infrastructure delivery plan or programme, and the CIL contribution that the development will make. **Where additional required infrastructure cannot be delivered, the scale of the development should be reconsidered to reflect the capacity of current or future planned supporting infrastructure.**”

Housing needs and targets

The Panel accepts the GLA’s estimates of needs (though reluctantly permits them to under-achieve, especially on affordability, on pragmatic grounds.) PR6 - Policy H1 - [Increasing housing supply] add text to the effect that: - In conjunction with the boroughs and taking account of the information published in accordance with Policy H1D, the Mayor should take a leading role in setting and updating London-wide housing trajectories and in monitoring supply against targets on a London-wide basis.

PR13 - Policy H12 [Housing size mix] - delete part C of policy H12 and related supporting text. [part C said: Boroughs should not set prescriptive area-wide dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes.]

Panel tells GLA to commission a London wide Gypsy and Traveller accommodation needs assessment as soon as possible to inform next Plan. There's also a suggestion to add supporting text saying the Mayor would take a lead on this issue so that the next version of the Plan ensures land is allocated to meet needs and this is welcome. (The Panel, however, deleted the GLA's broad definition in favour of a more restrictive national one.)

Play

Panel report §363: "Further suggested changes would ensure that good quality accessible play provision for all ages is provided, is overlooked and unsegregated by tenure. The application of these criteria would exclude locations where provision would not be suitable and therefore specific exclusions are not required.". Refers to Policy S4B 2E and 2F. This should provide scope to oppose roof top and isolated play space provision, as well as tenure segregated provision.

Canals: in response to our pressure, references to canals and waterways have been added or reinstated in various places, notably to emphasise the ecological and potential freight significance of waterways.

An instance where Developer arguments are not entirely pandered to:

A lengthy debate from the developers at the hearings questioning the modelling used for the Whole Plan Viability Study – now a requirement of all local plans too – was broadly rejected and the Inspectors agreed the study showed that the cumulative policy requirements of the plan "would not threaten the economic viability of development and put implementation of the Plan at serious risk". The implied way of working, then, is that all developments are to be considered viable with this level of policy obligation, and that land prices should reflect these policy obligations. The caveat is this can only apply where local plans have also done a relevant whole plan viability study (for the whole borough or planning authority e.g. MDC). This has been added in by **PR54**. *But the direction of travel towards land prices that reflect planning obligations is supported by the Inspectors, in the important paragraph 200.*