

Just Space memorandum on Opportunity Areas

24 February 2022

A draft of this document (and a [one-page short memorandum](#)) was circulated to members and officers of the Planning and Regeneration committee of the London Assembly ahead of their meeting on 27 January at which they discussed Opportunity Areas. This expanded version follows and is designed to further substantiate and illustrate the points made briefly in our short memorandum, drawing on experience reported from member-groups across London.

We must stress that the shortcomings of Opportunity Areas are now so serious that a substantial review should be commissioned or undertaken by or for the Assembly over the coming months and perhaps years in addition to routine monitoring (which is deficient at the moment). We maintain our insistence that no new OAs should be designated until this review is complete and the findings digested. Meanwhile much could be improved in the way existing OAs are operating.

The original justification for OAs, to manage the re-use of abandoned industrial and railway lands, is no longer valid. OAs now play a mainly negative role in facilitating speculative development at the expense of poorer Londoners and protected social groups.

Two of London's Opportunity Areas are governed by Mayoral Development Corporations which are also Local Planning Authorities. Evidence from them is mentioned here where necessary but a fuller and focused briefing on them will follow for the committee's March 17 2022 meeting.

This paper was drafted mainly by Jason Katz and Desara Malaj, postgraduate students at the Bartlett School, UCL, drawing on past submissions by member-groups and Just Space to London Plan and other consultations and examinations. The draft has now been reinforced with contributions from the named community organisations and additional editorial comments from Prof Jennifer Robinson. Edited by Michael Edwards UCL/Just Space

Overview of Opportunity Areas

Opportunity Areas (OAs) are identified in the current London Plan as locations with significant development opportunities to accommodate new construction, jobs and infrastructure of all types, especially new transport infrastructure. While the specific criteria and process for selecting Opportunity Areas and determining their particular targets for housing and employment are opaque, areas are brought forward by local boroughs or the Mayor. The London Plan states broadly that "they are linked to existing improvements to public transport and typically have capacity for at least 5,000 new jobs or 2,500 new homes, or a combination of the two".

Opportunity Areas (OAs) have a long history. They were discussed in the early 1990s at a time of policy ferment, when reports on London's future as a global city were prepared by LPAC and London First. Specific mention was made at this time of a familiar list of places for growth: Kings Cross, Paddington, Docklands, East Thames Corridor, and Old Oak Common.

The early definition of Opportunity Areas (LPAC, 1993) resonates with those in use today, 30 years later, although there were two important differences – they were initially focused on employment generation, and national government played a role. Opportunity Areas were identified as growth points in local UDPs. They were areas where developer interest had been attracted in the "final years of the 1980s boom" (LPAC, 1993, p. 21), and represented then "the

Capital's few opportunities for very large scale, integrated, mixed use development where the emphasis must be on employment generating non-retail activity to broaden London's economic base". Co-ordinated activity was envisaged through the Department of the Environment Task Force, and also co-ordination with transport provision to link to areas of high unemployment. At the same time, concerns with increased density resulting from development (and protecting the character of neighbouring areas) and with defining and concentrating development around high public transport accessibility were discussed (1993, p. 48; p. 56). These concerns with density, impact on existing areas, and transport links were discussed in relation to the first London Plan (2004), and continue to shape the horizon of strategic planning in London in 2022. Most importantly, though, the availability of large areas of disused former industrial or railway land is no longer a feature of London: Opportunity Areas are increasingly delineated in fully-occupied, valued areas of the city.

Opportunity Areas in the London Plan: OAs were included in the first iteration of the Mayor's *London Plan* (2004), and identified across the city as "capable of accommodating substantial new jobs or homes and their potential should be maximised" (§2.8). OAs were noted as a key part of the policy objective to accommodate London's growth within its boundaries and without encroaching on open spaces, to "Enable the centre of London and the main Opportunity Areas for development to intensify and to accommodate much of the growth in jobs". (2004, p. 6). But in the subsequent years, it is arguably the challenge of meeting housing targets which has become a key driver of OAs. The lack of alternative sites for housing (e.g. Green Belt, development outside of the GLA area, small sites) has placed extreme pressure on OAs to deliver on housing targets.¹ This has led to additional provisions to enable intensification e.g. that Opportunity Areas may set their own "character", regardless of their location i.e. tall buildings will be acceptable despite adjacent land uses. In this way, they have been established as exceptions to planning policy as applied in other areas of London.

To meet the growing emphasis on London-wide targets for housing, Opportunity Areas have been defined in successive London Plans to have considerable freedom from density controls and other regulatory restrictions. In an already fragmented governance landscape, many of the 45 established OAs are in interstitial zones, cross-cutting political jurisdictions. Most include land in more than one of the 33 councils of the Greater London area and also involve the GLA in preparing plans for development. The exact procedures for generating and consulting on plans for Opportunity Areas are unclear. More fundamentally, Robinson and Attuyer (2021) have described OAs as "spaces of exception", whose housing and employment targets are often set, "with little technical evidence in a high-level policy framework (the London Plan) and ...not... opened to subsequent interrogation". These strategic London-wide housing and employment targets depend on highly contested (GLA welcome of) projections of high population growth in the Greater London Area. The Bedford Letter sent by the GLA Planning team 20 February 2014 famously acknowledged that housing demand was being displaced to areas outside the GLA, a trend which COVID has surely intensified. The process of intensification which the OAs enable mobilises development which proceeds through a process of destruction and redevelopment that sees London turn in on itself, with physical expansion confined by the green belt while all growth is welcomed as an unquestioned policy axiom. The Inspectors of the 2014 London Plan commented directly on the negative implications for London of these pressures.

¹ Just Space has always opposed the GLA's approach to housing targets, especially the belief that maximising total housing output is the way to solve the affordability problem, and continues to point out that the backlog of unmet housing need continues to increase under this regime. This is not the place for any more extended statement. [[Read more](#)]

The designation of OAs allows for very high-density developments to be built which would not gain approval if they were located elsewhere in London by virtue of an exemption from policies which govern density elsewhere in London. These developments have the potential to remarkably alter the character of neighbourhoods and impact substantially on existing land uses, transport and social infrastructure and thus upon residents.

Impacts of OAs on existing land uses: The typical pre-designation character of the areas has changed over the 2 decades. Initially many of the OAs were on disused railway or industrial land – genuine ‘brownfield’ land in common-sense usage. As these areas have been used up the focus has switched to land already in use and occupied by housing and/or businesses, and in many cases by estates of social housing - often the only large remaining sites of consolidated ownership.

In their reviews of successive London Plans, the Planning Inspectorate has repeatedly commented on how unsustainable the continued intensification of development in inner London is:

“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.” (2019)

The Inspectors have also repeatedly noted that including OA housing and employment targets in the statutory London Plan needs to be undertaken with due process. Just Space has strongly opposed targets for housing and jobs in the London Plan which are set in advance of any planning or evidence-based assessment, but then given substantial planning weight through being part of the London Plan, and included in the SHLAA in a circular fashion on that basis. (Policy SD1 B4 and B6). (The 2019 Inspectors’ Report §119). Targets are now clearly stated as purely indicative and to be tested in local authority planning processes. *“It is also now made clear that all of the capacity figures are to be tested through the preparation of planning frameworks and/or local development frameworks.”*

The impact of OAs on existing land uses is deeply exacerbated by the lack of any central government financial contribution (beyond housing grant), as envisaged in their earlier iterations. Currently, OAs follow a purely private sector (developer) funding model where developer contributions as planning gain (S106 and CIL charges) pay for the major infrastructural investments needed in OAs (including roads, rail and tube stations, land remediation etc) and for social housing. Currently, if registered housing providers are involved, some government grant can be accessed via the Mayor to enhance “affordable” housing but otherwise there is no general public funding.

Requirements for social and what has, since 2010, been called ‘affordable’ housing have been set as targets in successive London Plans. The new (2021) London Plan has a general target of 50% ‘affordable’ homes and schemes which offer 35% or more [50% on most public land and certain industrial land] can use a fast track approval process. Schemes which claim that they cannot afford this level of ‘affordable’ housing have to present viability studies for scrutiny. This approach is called the Threshold approach and applies both to OAs and the rest of London. However, Opportunity Areas are described in the Mayor’s Affordable Housing and Viability SPG as being, “by their nature, complex to bring forward and often require significant investment in infrastructure. They are also of a scale that can create fundamentally new places and communities.” (2017, p 31). This places pressure on the funding model, as high infrastructure costs need to be met from developer contributions, reducing scope for affordable housing

provision and increasing density and height of developments to be able to squeeze more out of the development to pay for the infrastructure. In addition, OAs are often planned around future transport infrastructure (e.g Vauxhall Nine Elms tube stations), which rely to some extent on developer contributions, again placing pressure on the funding model. Needless to say, OAs are not meeting affordable housing targets by a large margin, especially targets for social rent housing, and this is true even where the GLA is a major development partner as at Barking Riverside.

In the absence of any review, oversight or evaluation of Opportunity Areas, there is no systematic assessment of the impact of this funding model on the outcomes. In our view, the model is fundamentally broken, and is causing untold harm to the built form and social infrastructure fabric of the city and to London society, especially working class and protected groups.

Summary: The development of Opportunity Areas scattered across the city and reliant on direct negotiations with developers (Urban Design London, 2015; Robinson & Attuyer, 2021) has produced mixed or disappointing results in delivering on employment, affordable housing and public infrastructure, while (since there is very little truly brownfield land left in London) creating displacement of households and enterprises over and above the displacements which have been going on for decades through the operation of market processes and the shrinkage of social housing stocks. A 2021 study by the Runnymede Trust and the Centre for Labour and Social Studies (CLASS) found that displacement of lower income residents was higher in LSOAs located within Opportunity Areas than in LSOAs outside of them. Population churn was also significantly higher across all three of their case-study boroughs within OAs than in non-OA areas (CLASS, 2021). The displacement of households and entire communities in case study redevelopments including OAs is carefully documented by Watt (2021) and [current research by Lees](#). In the draft local plan for the Old Oak Park Royal area, intensification of strategic industrial sites in the Park Royal Area is currently envisaged to proceed without any re-provision of existing uses, exemplifying the characteristic wholesale displacement of current land uses and employment associated with Opportunity Areas.

Many of these failings of Opportunity Areas can be seen in the story of the Elephant and Castle, one of the longer-established OAs, contributed by the 35% Campaign:

The Elephant and Castle – the lost Opportunity Area – a microcosm

The Elephant and Castle Opportunity Area was established by 2004. Development since then has proceeded apace, with the headline targets for housing and jobs likely to be met and probably exceeded.

The new developments are mixed use, mainly residential and the largest, Elephant Park, formerly the Heygate estate, is more than half complete. The other main site, the shopping centre, has been demolished, in preparation for construction. Several other large residential tower blocks have been completed.

The Elephant remains a busy place, despite the disruption of the regeneration– it is an important traffic nexus and home to two university campuses. The superficial impression is that the area is being reinvigorated, with new housing and an attractive public realm replacing the old and tired Elephant. Closer examination shows a different picture.

Social housing deficit

Just Space notes ‘OAs theoretically follow a public-private funding model, where private investment is sought... and some of the substantial development surplus is allocated to provide high-quality social housing...’ (JustSpace statement, citing Ollie Wainwright, 2021).

The record at the Elephant OA on this count is dismal. The major private developments are providing, at best, only 298 social rent/social rent equivalent homes out of a total of 5,937 units. The local plan policy requirement would have secured roughly 1,000 social rented homes, at minimum, had it been applied.

	Social rent	Total units
Strata Tower	0	408
Eileen House	0	335
One the Elephant	0	284
Uncle (360 Tower)	79*	457
Shopping Centre/UAL	119**	983
Elephant Park/Trafalgar Place (Heygate)	100	2924
Elephant One (Tribeca Sq)	0	546***
Total:	298	5,937

* Southwark Council purchased 115 units including 79 social rent from Peabody Group

**includes 3 social rent equivalent units

***includes 173 ensuite student units

Displaced and disadvantaged

In terms of community, we would identify at least 5 categories of local people who have been displaced or disadvantaged by the regeneration and by finding themselves within an Opportunity Area.

- 1 Secure council tenants. First and foremost, those who lived on the now demolished Heygate estate. These either lost their council tenancies, by opting for a new-build housing association property, or simply forewent the option of a new-build home, and were rehoused in extant council housing. In the event most took the latter option, increasing pressure on the housing list and denying others the opportunity of a council home.
- 2 Council estate leaseholders. These had to be content with compensation that was insufficient for a new home purchase in the area. Many had to leave Southwark and many moved to the outer boroughs, in the effort to find affordable new homes.
- 3 Insecure council tenants on the Heygate estate. These were tenants who had only short-term licenses for their homes and typically came from BAME backgrounds. They formed a significant proportion of the estate by the time it was decanted. No central record was kept of where they were rehoused.
- 4 Local independent traders, mainly at the shopping centre. These were also mainly from BAME backgrounds, particularly from Latin America, for whom the shopping centre was a social hub. Some have been relocated to other premises, but most, again, have had to leave the area.
- 5 Shoppers and users of the shopping centre. The shopping centre was as much a social hub as a retail venue. The bingo hall and bowling alley occupied the entire third floor. The bingo hall was one of the largest in the UK and attracted custom from across South London, particularly the elderly and people from the Afro-Caribbean community.

In sum...

In all, these disadvantaged groups constituted a significant part of the local community and while there has been some mitigation of the adverse impacts, it cannot be claimed that their lives have been improved through living in an Opportunity Area.

In the obverse side of the coin the benefits of new homes have fallen to those coming to the Elephant, rather than those already living here. There have been no gains for social housing. More generally there are also serious concerns about whether the delivery of affordable housing is being properly monitored, in the Elephant Opportunity Area and elsewhere in the borough, following a finding by the Local Government Ombudsman in 2016.”

Just Space Policy Positions

Developments in OAs are often not reflective of the objectively assessed housing needs of the local community and there are no effective provisions for processes of consultation with local people or businesses concerning development plans. There has been no effective monitoring of the impacts and implementation of OAs over time, so their implications for London’s strategic development have not been assessed, beyond the simple addition of net job estimates and net housing completions..

We note that during the 2019 EIP process and the subsequent revisions to the draft London Plan there has been some movement in response to our concerns, but these are far from adequate and need to be significantly strengthened.

Just Space argues that loss of employment, destruction of social housing, especially family homes, loss of open space, and the limited provision of social infrastructure as well as affordable housing are of grave concern. Moreover, as a result of land use and land value changes, shops, cafes and service providers that serve the local community tend to be priced out of the area. In order to ensure that existing community and business needs are met through new planned developments, appropriately collaborative and community focused processes need to be included in OA designation, targets and detailed planning. Just Space argues for planning and implementation of Opportunity Areas to be subject to formal process of consultation which should adhere to strict public participation principles as laid out in the *Towards a Community-Led Plan for London: Policy directions and proposals (2016)*.

The following is a review of concerns raised by Just Space members over the past two decades as it relates to the Opportunity Area designation. They are reframed here for reference as the London Assembly revisits the Opportunity Area Programme.

Lack of transparency and democracy in the designation of OAPFs

The process and procedures for designating OAs are unclear and undemocratic. OAs seem to be contrived in discussion between developers/landowners and boroughs and then assimilated by the GLA into the London Plan. Citizens are sidestepped. (Kingston is a good example of where an OA was declared, affecting many parts of the borough, with no explicit public deliberation.)

Only one half day was programmed in the 2019 EIP for discussion of the generic policies AND discussion of ALL the established OAs and new ones This is not an adequate designation process, since the London Plan carries significant planning weight for Local Planning Authorities and for development management.

There is relatively little detailed information on each proposed Opportunity Area. This includes the new OAs which appeared in the London Plan with no public pre-discussion and ongoing areas where plans for development have, in some cases, reached an impasse because of the failure of the approach being taken. Just Space has argued for systematic baseline studies (‘community audits’ or social impact analyses) of areas being considered for major change, and

their surroundings so that decisions are grounded in the needs of the local people and economy as well as metropolitan imperatives.

A particular problem arises where a company or corporation manages or is a partner in an OA. Only if they are public authorities or public bodies do FOI, PSED and some other crucial bits of legislation apply to them. Examples are the Mayoral Development Corporations, Barking Riverside Ltd and Heathrow Airport Ltd. An [earlier decision](#) by the Information Commissioner's Office (ICO) has been overturned by the [Information Tribunal](#).

The ICO had held that Heathrow Airport Limited (HAL) was a "*public authority*" for the purposes of the Environmental Information Regulations 2004 (EIR), opening up the potential for anyone to ask HAL for information it holds relating to the environment. And, as "*environmental information*" has a broad definition under the EIR, this could encompass a wide range of information on subjects such as planning applications, emissions, buildings, energy consumption, waste and noise.

[What Do They Know website](#) offering a convenient and transparent system for lodging Fols/EIRs still contends that "*despite the position taken by the tribunal we list Heathrow Airport Limited on WhatDoTheyKnow because we think access to information legislation should apply to it, and the current position may be overturned by future cases. The Environmental Information Regulations which give a right of access to environmental information, apply to private companies which have been given special legal powers. Heathrow Airport Limited has been given special powers, including those relating to the creation of byelaws, the regulation of drone flights, and the compulsory purchase of land.*"

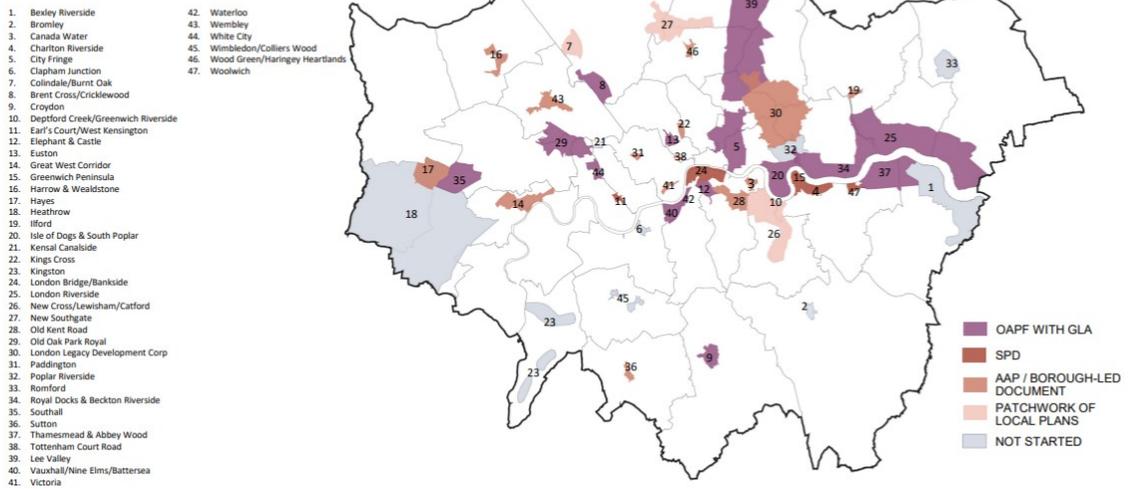
Some clarification is needed: it is quite unacceptable that London's main implementation mechanism should be under the control of any agencies which escape the obligations of public bodies.

Lack of Public and transparent processes for target setting and Plan Making for the OAs

Targets for housing and employment are often set at unrealistic and ambitious levels without any consultation or review, without adequate research or justification, and with long term consequences for excessive density and minimal delivery of community and social infrastructure. The Inspectors' report on the 2017 Draft New London Plan led to clarification that targets for houses and jobs in OAs are purely indicative and should be subject to review as part of the local plan process. Therefore, a transparent and rigorous technical and consultative procedure for establishing an ongoing review of targets now needs to be put in place.

The ways in which initial plans for an OA are made and brought into force are a patchwork of varied procedures (see Map 1)

Opportunity Area Planning Instrument



Some Opportunity Areas even-lack formal plans. OAPFs (Opportunity Area Planning Frameworks) are usually SPGs (Supplementary planning guidance), a few are Area Action Plans). Just Space has always taken the view that both target setting and plans for OAs should have to go through a process of Examination in Public and become a formal part of the Development Plan prior to being designated.

The Waterloo Community Development Group reports the contrast between good and bad consultation frameworks: *“This is such a serious issue, as the difference between the Waterloo and Vauxhall OAs demonstrates.*

“In Waterloo a planning consultancy was appointed to work up a baseline document and then a draft OA through lots of community consultation - we ran several workshops for them - over a 3 year period. The result was a document with lots of legitimacy and buy-in from the community on the massive intensification and densification of the area, but only in ways and places that everybody agreed needed redevelopment, with appropriate land uses and acceptable scale. Between 2000 - 2008 we had had 4 major public inquiries triggered by local opposition; from OA adoption in 2008 we have had only one so triggered (there have been 3 call-ins), and that one was triggered by an additional location for tall buildings illegitimately smuggled in by the GLA at the end of the consultation process.

“By contrast a draft Albert Embankment/ Vauxhall SPD by Lambeth was overtaken and subsumed by a Vauxhall OA led by Boris' GLA team from 2009 with no community consultation whatsoever, and no buy-in for what emerged as a disastrously blunt and short-sighted charter for a developer's open-season. The result has been 6 public inquiries (including 3 call-ins) since 2010, and what is generally regarded as the poster-boy for how not to do regeneration: no meaningful residential or business community, with many flats left vacant as safety-deposit boxes in the sky (joining swimming pools in the sky); no significant public spaces or retail centre, indeed no sense of place whatsoever - and the most recent debacle of the tallest tower of 200m being abandoned halfway through construction by struggling Chinese developers to whom Boris 'sold' the site during his Mayoralty.

“We (Londoners, the GLA) can't afford a minimal OA consultation process.”

Barking Riverside is an example of an OA run by a company (BRL) jointly owned by a developer (L&Q) and the Mayor of London (who took over from a private developer who withdrew), which has no framework for consultation with local residents or businesses, holds its meetings in private and publishes no minutes. This is a case where there is a lot of trust-building to be done, given the political culture of LBBB. For example,

“after the 2019 Barking cladding fire, residents set up a resident-led inquiry that engaged with those burnt out of their homes and their neighbours. It was ignored by BRL and the Council, in addition to a lack of engagement with a resident-led safety action plan, supported by the Barking Reach Residents Association, British Red Cross, UCL experts and Thames Ward Community Project.

“Note that after the residents did their own inquiry, the council did a separate inquiry led by Sir Steve Bullock and Diarmuid Ward (LBI) who praised the council response but little else - and made no reference to the earlier resident-led inquiry yet called for more resident engagement !”

The Thames Ward Community Project also reports that

“BRL (the developer, L&Q and GLA) – have put a lot of work into what will be a resident-led CIC (community interest company) to manage some of the halls / community centre buildings – subsidised by service charges on some of the residents. This work has seen 17 residents working for a year and a half on how the CIC and also a future charity might work. So they (developer / GLA) has a good story to tell and/or counter with. It is true that this CIC is not up and running but it will be soon.”

Old Oak Park Royal which spans three Boroughs was assigned a Mayoral Development Corporation but the far flung residential and business communities around the area have needed innovation and support on the part of community and residents’ groups to participate effectively there. The London Tenants Federation and Just Space, with grant support from Trust for London, helped establish the Grand Union Alliance of local organisations across the boroughs as an initial response. An application to establish a neighbourhood forum covering the MDC/Opportunity Area was refused.

The Inspectors’ report on the new London Plan required a change in policy to clarify the need for effective participation in OA planning. Paragraph 120 of the Inspectors’ report supports the Mayor’s changes strengthening commitments to “public engagement and consultation at an early stage and throughout their development”. (SD1B(9)).

In our view this is not sufficiently detailed to lead to effective democratic planning processes. Robust consultation, participation and public inspection of OA plans is an urgent requirement to ensure that the destruction of community assets, housing and built environment is stopped; and that social housing targets and social infrastructure needs of existing and future communities are met through any new development.

Here at OPDC and at the Olympic Park (LLDC) the development corporation was required, as the local planning authority, to make a Local Plan and take it through the public Examination process. In the LLDC case our members at the London Tenants Federation, who acted as support to local groups, write

*“1. Having a Local Plan for the area covered by an OA has been valuable, bringing all the full opportunities for community participation including the EiP. (that is, compared with many OAs where there is none of that)
2. Having a somewhat independent corporation responsible for doing the regeneration has had some democratic benefits, providing a countervailing power centre to the one-party-state... of Newham. It enabled a beleaguered and abused community to do a community plan with a bit of support and listening... Since LLDC was only the planning authority and did not get ownership of the land (including Carpenters) this was of limited value in the long run.”*

At Old Oak and Park Royal, according to people from the Grand Union Alliance of community groups,

The OPDC Draft Local plan is still some way from adoption, even after an examination which began in Sept 2018. [We] persuaded the Inspector to hold extra EIP hearings in January. One of these was on whether the Draft Plan conforms with the new London plan Policy D9 on tall buildings. The Inspector has told OPDC officer to come up with further modifications. All has gone quiet on this for the past month.

We have challenged the origins of the 25,000 housing target for the OPDC Local Plan at every stage of the process. We continue to try to fight off applications for hyper-density buildings at North Acton (the current one being an application from Imperial College for a 56 storey tower as part of a 7-building development).

Hayes OA in Hillingdon: This account demonstrates the deficiencies inherent in top-down target setting, lack of up-to-date comprehensive planning framework to manage impacts of development stimulated by the promises of Crossrail connectivity and a democratic disconnect between the GLA, borough and the community. Hayes community group writes:

In 2016 Hayes Town was included in the Mayor's designation of Housing Zones (Phase 2) (ref. MD1632 17 March 2016). Later, "in order to help plan and manage the growth expected for Hayes, the GLA has been working with Hillingdon Council on ... an OAPF" (ref ADD2115 decision of 25 May 2017). However, this work was not fulfilled and master planning for only part of Hayes Town, a Development Infrastructure Funding (DIF) Study and incremental site by site development management happened. Given the absence of an OAPF the GLA had originally intended to develop the master planning into a wider comprehensive one for the Housing Zone. But due to resource constraints the GLA was unable to progress this (source: email and meeting of GLA planners and local MP/local Councillors 21 March 2018). However, the attempts to fill the policy vacuum of a Local Plan Part 1 of 2012 that predated contemporary development pressures and targets, no OAPF, only a partial masterplan and the DIF Study proved inadequate to meet the challenges of genuinely affordable housing, social, environmental and movement infrastructures keeping pace with development.

The new London Plan 2021 separated out Hayes from Heathrow OA to be its own OA. LB Hillingdon was not consulted on this as a proposal in advance of the draft London Plan being published, reasoned that such proposals should be developed with boroughs rather than imposed on them and requested discussions to agree the rationale and potential impact (source: LB Hillingdon Cabinet report 15 February 2018). Despite the positive interest in Hayes community expressed at the GLA planners-MP/Councillors' meeting, no further contact transpired. In fact, the GLA proved uncooperative when the community requested sight of the DIF Study - the Fol request was refused. Even though it was a key piece of evidence on the future of Hayes, it was not released until rather inconveniently shortly before the LB Hillingdon Local Plan Part 2 EIP. How the OA saga unfolds will now depend on the forthcoming LB Hillingdon Local Plan Review, but a community request for early involvement has not met with a positive response.

Closely related is the **Heathrow OA in LBs Hounslow and Hillingdon** (from the proceedings of the LB Hounslow Local Plan Review EiP November 2021): This is an illustration of where an OA extends across more than one borough that there are no set processes to define OA boundaries, to apportion out the indicative homes and jobs targets or to undertake joint working, and since these are starting points to mutually agree how to test these targets. There is no guidance or requirement to agree a boundary with adjoining LPAs and ultimately the Duty to Co-operate does not require agreement between LPAs on plan-making.

In preparing the Review LB Hounslow said that it had consulted LB Hillingdon, sought discussions, but LB Hillingdon responded opposing in principle the OA even though the OA had been around since 2004. (On this issue, [the writer] can confirm that as a participant at LB Hillingdon's Local Plan EiP of 2012 LB Hillingdon gave the impression that it was in denial over the existence of the Heathrow OA).

LB Hillingdon is not able to meet Hounslow's (objectively assessed) needs, nor is it likely to be able to meet its own employment needs within the Heathrow OA. Much of Heathrow OA is Green Belt together with established built out residential and employment enclaves blighted by the functioning of the Airport and related activities. LB Hillingdon's Local Plan had identified the Bath Road area (northside of the Airport) as a growth area, but following the 2018 EiP (into the second part of this Local Plan) the Inspector removed the development proposals for this area. Heathrow Ltd had successfully argued that such would conflict with the potential expansion of the Airport and the National Policy Statement on Airports (which has been held by the Supreme Court to be lawful Government policy).

At the LB Hounslow Local Plan Review EiP the above points were made to the Inspectors to which LB Hillingdon added questioning why Heathrow OA has been designated as an opportunity for growth when, if Heathrow expands, the borough is faced with the demolition of 1000 homes, 3 schools and employment space. There is also the following technical explanation for the lack of meaningful joint working between the two boroughs. Namely that local plan-making is at different stages, with LB Hillingdon having yet to publish an early draft (Reg 18) of its first Review of the Local Plan, whereas LB Hounslow's Review is at independent examination stage (Reg 24). These key processes that would be formative for joint working are significantly out of step with one another. (see LB Hillingdon's Supplementary Written Statement on Heathrow OA).

Perhaps the most egregious, or at least most controversial, of the OAPF processes was the for the City Fringe. This involved a large, diverse area spanning the eastern edge of the City and adjacent parts of Tower Hamlets, Hackney and Islington. It spans from skyscrapers on the edge of the City to mixed-class residential and trading areas miles away in Hackney. Consultation in the preparation of, and deliberation on the draft was essentially focused on property interests with only minimal and reluctant communication with the very diverse residential and business communities. There were strong protests from such organisations, including the East End Trades Guild, Open Dalston and Open Shoreditch, which surfaced again over the planning applications for the Shoreditch Goods Yard. The OAPF was (and is) seen as opening up this very wide area to a speculative development process based on a template so generic that the name of another borough remained in the —evidently cut and paste— text. [An appendix with additional detailed material will be found with the online version of this document at JustSpace.org.uk]

Management, review and implementation.

The management and implementation of the OAs has no general guiding principles, The monitoring of progress, achievements and failures of OAs lacks clarity and transparency. Progress against job and housing targets are reported as part of the London Plan Annual

Monitoring Reports but this is very minimal monitoring and is concerned only with NET change. For local people and businesses it is just as important to know what is lost –demolitions, out-migrations and business closures– as what is newly built.

Revisions to the NLP during the Inspection process introduced the expectation of review of OAs in response to JS concerns. The Plan now states: “12.1.7 For specific geographies such as Opportunity Areas (Policy SD1) and Strategic Areas for Regeneration (SD10), for example, tailored monitoring and investigations will be carried out to inform the implementation of the area-specific policy objectives.”

The monitoring process fails to require recording of key outcomes, for example, in relation to delivery of housing at social rent levels, achievement of effective public and open spaces, levels of occupancy and foreign ownership, levels of family housing delivery and no assessment of the welfare of existing uses in these areas. The evidence is now overwhelming that these developments lead to displacement of existing communities and many businesses and are not subject to effective requirements for participation in planning processes.

The boroughs and the GLA proudly present their new data hub which offers us all ready access to planning statistics. However only a total for “affordable” housing is available with no breakdown for tenure to enable scrutiny of social rent housing delivery. It transpires that (some) boroughs lack a system for integrating this data about completed developments, let alone keeping track of whether homes are actually let at the rents determined in planning consents and agreements. In the words of Darren Richards, GLA officer, to the Committee in January, “We have to get on the phone to get that [social rental] data.”

This monitoring needs to include a longitudinal element: tracking what happens to individuals and households through the development process is crucial. Without it the apparent reductions in measured deprivation, ill health and other measures cannot be separated out between improvements enjoyed by those previously deprived and a statistical illusion produced by the displacement or dilution of poor people by richer ones.

One suggestion that has been made in a Just Space workshop is that the GLA (perhaps the Assembly) should contract with appropriate universities to secure the independent monitoring and evaluation of OA progress as part of scrutiny. The University of East London undertook such monitoring and evaluation for the Olympic legacy area but funding was later canceled by the 5 Olympic boroughs.

A clear instance of what can go wrong when an OA plan needs re-thinking is **Southall OA in LB Ealing** [from a briefing prepared for the TCPA requesting that PAL set up a planning network for Southall]:

This case reveals the lack of any meaningful monitoring/ evaluation/ review process that identifies the need for updating or replacing an OAPF in the event of circumstances or priorities changing over time or through the unfolding of development trends that need correcting or adjustment. The request for change was prompted by what could be seen as internal political machinations.

A new leader (from same political party) for Council, [Peter Mason](#) (a trained planner) succeeded in ousting a long standing leader in May 2021 and immediately set about asking the Mayor of London to work together with local communities on a new framework for Southall as the OAPF adopted in 2014 was "no longer fit for purpose" and had prioritised new homes over the local economy and creating a "green and sustainable place". This is set within a wider borough refreshing of the Council's approach to development ([here](#)); and early work on [a new Local Plan](#) for the borough - through both regular monthly briefings on various topics ([the Local](#)

[Development Plan Advisory Committee](#)) and the '[Shaping Ealing](#)' opt-in survey on "what matters to you on where you live" for the whole borough by local areas such as [Southall](#).

Concerns related to the overlap with Strategic Areas for Regeneration

Opportunity Areas, as operated so far, have had strong negative effects on low income residents in and around the areas, and on many local businesses and pre-existing jobs (CLASS 2021; Watt 2021 cited above). Typically these effects outweigh any benefits from renewal which can be secured for them through S106 and CIL. It is thus contradictory and counter-productive for OAs to coincide so often with areas 'for regeneration'. The two programmes, as they currently exist, have increasingly incompatible aims: economic growth and profitable development on the one hand versus the relief of deprivation on the other. Regeneration appears to pay little or no attention to the people in the deprived areas and focus only on physical change.

Concerns over the status of OAs as "Spaces of Exception"

Opportunity Areas have a key role in the delivery of London Plan targets; however this is at odds with their status as exceptions to viability norms, density and settings policy and 'affordable' housing norms (as set out in the Mayor's Affordable Housing and Viability SPG, §2.8.0, §2.8.4). The large infrastructure requirements are often very challenging sites to bring forward for development and are deliberately excluded from the modeling of the London Plan Viability Study (§ 5.6.14). Robinson and Attuyer (2021) show how successive attempts to modify the master plan at OPDC proved unable to satisfy the Mayor's requirements for social and 'affordable' housing as well as the high infrastructure costs as well as satisfying the development profit expectations of land owners. Successive attempts, however, raised densities and building heights to a degree unforeseen in the original designation and hotly resisted locally.

Given the new guidance from the Secretary of State concerning the need to ensure suitable location of tall buildings, the blanket exception implied by the existence of OAs is obsolete. OAs are no longer needed, and all developments should be fully subject to all planning policy, including that concerning tall buildings, density, social infrastructure provision, and developer contributions to transport infrastructure.

Conflicting Policies within Opportunity Areas

The major redevelopment of the poorest areas in the city to provide the housing and commercial developments imagined for Opportunity Areas, combined with the lack of funding, the prioritization of transport infrastructure in the application of S106 and Community Infrastructure Levy charges, and weak (negotiable) requirements for social housing in these areas all raise questions about how the ambitions for regeneration can be met in these areas.

If most housing is to be delivered in Opportunity Areas, and Opportunity Areas are by definition hard to develop, involving extensive infrastructure investment (a £1bn TIF to fund new tube developments at VNEB and a £2.5bn bill for OPDC are only two amongst many examples), social and 'affordable' housing needs will continue to go unmet.

Housing needs are not just for numbers: There is a policy in the London Housing Strategy about meeting diverse housing needs but no clear mechanisms for delivery. How would OAs ensure that needs are met for supported housing, family housing, Traveler sites and other specialist needs? In the Old Kent Road there are 3 Traveller sites within the boundary with big

overcrowding issues and pressing need for more pitches; yet this is not mentioned anywhere in the Area Action Plan.

London Gypsies and Travellers add:

“OAs and MDCs generally fail to contribute to meeting the accommodation needs of Gypsy and Traveller families through new sites and stopping places. The LLDC adopted the first Local Plan in London that designated a new Traveller site in 2015, however this has not yet been delivered. A few years after the adoption of the plan, feasibility studies identified high levels of air and noise pollution at the location. While other residential development in the LLDC has been rapidly delivered, progress on building Traveller accommodation has been extremely slow, needing political support from the Mayor and local council. Families have been stuck in temporary and emergency accommodation for years, waiting for this site to be delivered, with huge impacts on their health, family and community.

“In some OAs, there are existing Traveller sites which had been built in the 70s and 80s and have had very little investment recently from local authorities in upgrading the amenities to decent standards, maintaining good site management and relationships with the community. “There is a missed opportunity for local authorities to secure investment through the development in the area for the accommodation, amenities and other social infrastructure to support Gypsy and Traveller communities.

“In addition, some of these sites are or will be impacted by the development going on in close proximity, which causes high levels of pollution that further affects a community that already faces severe health inequalities (for example at the Bashley Road site within the OPDC which is surrounded by development sites and HS2 works, families have been exposed to high levels of dust, noise etc with no mitigation provided).”

Development running ahead of transport

A number of OAs presuppose major improvements in transport. These plans raise hopes and expectations and permissions are given and built out in many cases before the transport improvements are firmly committed, let alone complete. Although there are cautious provisions in the latest London Plan for developments to be re-programmed in such cases, the scale of development is causing great concern at Old Kent Road where the Bakerloo extension is now not expected and at both ends of Crossrail2, affecting the Upper Lea Valley and other places in the North East and Kingston and other places in the South West.

This is just one of the concerns of the Old Kent Road Community Campaign which was formed to challenge the assumptions and criteria on which the AAP is predicated and to engage with local politicians.

“The massive housing targets for the OKR bear no relation to local housing need. There is no correlation between the local authority strategic housing needs assessment and what has been granted planning permission. Of the 9,000 units already granted permission in Phase 1, there is a disproportionate number of 1/2 bedded properties, where the overwhelming local need is for larger properties.

The area has an inadequate public transport network already and as the BLE has been indefinitely postponed and TfL finds itself cash strapped there is no transport infrastructure for the number of predicted residents.

Many of the larger sites have been sold on or the developer is sitting on them. Without the BLE they aren't viable and it's expected that developers will try to renege on their social housing commitments.

The GLA's own report in 2018 provided evidence that the plethora of towers going up all over London were not delivering the fast track affordable housing needed.

We have pressed the Council for over 2 years for a cumulative environmental impact assessment on Canal Grove as the harmful impacts of being encircled by 48 storey towers will be very significant. Despite constant reassurance, no such report has been forthcoming.

There is no recognition of the Climate Emergency or the changes in working patterns as a result of the pandemic that might sensibly lead local politicians and officers to press 'pause' and have a rethink.

The OA designation has been disastrous for local businesses and many have disappeared. A number provide fairly low skilled, low wage jobs (I'm thinking of BnM bargains and PC World) to local people, many of whom are black or other ethnic minority backgrounds. None of these jobs will exist in the future and these folk will be without employment. [The VitalOKR campaign](#) has mobilised the voices of local industry.

Opportunity Areas are being used to fund the Mayor's Transport policy through extreme densification, with devastating impacts on the quality of the built environment and the provision of social housing in London. Alternative funding models for London's transport infrastructure need to be urgently secured if the whole OA approach to expansion in London is to continue.

What could Opportunity Areas be?

'Opportunity for whom?' is an increasingly common question, answered 'for developers'. Just Space also notes that the Mayor is using an extreme densification of OAs, including displacement of valued and important existing land uses to meet transport infrastructure funding deficits and to notionally meet housing targets with lack of attention to his own objectives for "good growth".

More strategically, we contend that the era of Opportunity Areas should now be over – the initial motivation to identify large areas for new development where previous land uses had disappeared is no longer valid. Opportunity Areas now involve declaring areas for extreme intensification and planning without adequate public consultation or procedures leading to the displacement of people and valued activities.

Just Space seeks to embolden the GLA to reframe the meaning of OAs as spaces of experimentation, spaces to explore or be a catalyst for new ways of delivering on London development, processes that build on the energy, know-how and creativity of a wide array of Londoners and take equality seriously.

References:

GLA statistical briefings. Opportunity Areas. 2021. In Assembly Planning and Regeneration committee agenda papers September 2021:

[Annex 2 - Progress of Opportunity Areas](#) , item 4.  PDF 537 KB

[Appendix 2 - Annex 2 Part 2](#) , item 4.  PDF 326 KB

[Appendix 2 - Annex 3 London OAs Progress](#) , item 4.  PDF 9 MB

CLASS and Runnymede Trust, 2021, Adam Almeida, Pushed to the Margins

A Quantitative Analysis of Gentrification in London in the 2010s,

<https://www.runnymedetrust.org/projects-and-publications/employment-3/pushed-to-the-margins.html>

Watt, Paul, 2021 *Estate Regeneration and its Discontents: public housing, place and inequality in London*. Bristol, Policy Press

Robinson, Jenny, and Katia Attuyer, 2021 Extracting Value, London Style: Revisiting the Role of the State in Urban Development, *IJURR* 45(2): 303,

<https://onlinelibrary.wiley.com/doi/10.1111/1468-2427.12962>

EiP 2019 notes

<https://data.london.gov.uk/dataset/london-plan-eip-2019>

Just Space written statement on Matter 14 of the 2019 London Plan EiP

<https://justspacelondon.files.wordpress.com/2018/12/m14-js-opportunity-areas1.pdf>

Enora Robin's notes on EiP 2019 session on Matter 14

<https://justspace.org.uk/london-plan-2021/hearings-eip-2019/m14-notes-23-january-2019/>

Just Space 2016 *Towards a Community-Led Plan for London: Policy directions and proposals*

<https://justspacelondon.files.wordpress.com/2013/09/just-space-a4-community-led-london-plan.pdf>

Southwark Council, Old Kent Road Area Action Plan

<https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/area-action-plans-section/old-kent-road-aap/old-kent-road>

LPAC, 1993. Draft. Advice on Strategic Planning Guidance for London.

Mayor of London Affordable Housing and Viability SPG 2017 <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/affordable-housing-and-viability-supplementary-planning-guidance-spg>

Urban Design London, 2015 (to follow)

Some supplementary material will be attached to the online version of this document at JustSpace.org.uk in the publication list.