

Sadiq Khan (Mayor of London)

New London Plan

GLA City Hall

London Plan Team

Post Point 18

FREEPOST RTJC-XBZZ-GJKZ

London SE1 2AA

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## By Email

Dear Sir or Madam,

### Comments on the New Draft London Plan

On behalf of my client, Aitch Group, please find set out below their representations on the Draft New London Plan. Given the early stage of preparation the comments set out below are 'strategic' in terms of being focused on the documents direction of travel and broad themes.

Aitch Group are a 'medium' sized developer. The size of the company allows them to make a significant contribution towards London's housing need, whilst at the same time remaining dynamic, responding to the rapidly changing market and planning policy context.

As a general comment, we welcome the ambition of the London Plan in terms of getting to grips with the significant housing challenge facing London. Previous versions of the London Plan have not been sufficiently robust in providing the framework required to deliver new homes.

It is my clients experience that all too often developments have been refused planning permission, or been held up by the planning system due to 'local politics'.

It is critical that this new version of the London Plan addresses this issue to provide the policy framework that enables sustainable development to obtain permission without delay.

We make our comments in reference to the chapters set out.

Where we do not comment on a policy, we have no specific comments to make at this time, but reserve our right to comment on them as the plan progresses.

## Chapter 1 – Planning London's Future (Good Growth Policies)

### *Policy GG2 Making the Best Use of Land*

My client fully supports the aspirations of this policy to create high-density, mixed use places, that make the best use of land.

We note that the density matrix has been removed from this draft version of the London Plan and we welcome that as a general approach. However, it has been my clients experience that the matrix has been a useful tool to help justify development density in areas, particularly the outer boroughs, that do not always support the need for delivering at the higher densities.

We would request that this policy is made stronger to provide the policy framework that makes it clear that full advantage needs to be taken of the development of all suitable brownfield land to deliver housing. The policy should make it clear that unless a development results in a demonstrable significant adverse impact on amenity or townscape, permission should be granted without delay.

### *Policy GG4 Delivering the Homes Londoners Need*

As stated above, we welcome the Mayor's ambition to deliver the 65,000 homes London needs a year. If the Mayor is serious about achieving this target it is critical that the policies within the London Plan takes a 'no-nonsense' approach to supporting that level of delivery.

A step change will be required from all the boroughs in their approach to delivery and supporting applications that optimise the use of brownfield land.

We do not feel that the current draft provides the necessary policy basis for achieving this.

Part A of the policy needs to be clarified to show how the Mayor will '*ensure that more homes are delivered*'. It is not clear how the Mayor will do this and require boroughs to deliver their fair share of housing units.

In relation to Part B of the policy, my client supports the need for delivery of genuinely affordable homes, but has significant concerns that the 50% target is not achievable.

It is my clients experience from operating across the capital that this will be almost impossible to achieve on the open market, particularly in regeneration areas where residential land values are challenging.

If the Mayor is serious about delivering housing numbers then it is critical that he does not try and impose unrealistic affordable housing targets that will become a barrier to housing delivery.

We would strongly suggest that the Mayor does not set himself up to fail and relook at the wording of this policy so that it still provides the requirement to provide maximum reasonable levels of affordable housing, but whilst still enabling delivery.

#### *Policy GG5 Growing a Good Economy*

My client has significant experience of provision of employment space as part of mixed-use development, including successfully delivering B1(b) and (c) uses alongside residential.

The nature of employment space is changing within the capital and we welcome this recognition within the policy.

It is necessary the policies are sufficiently flexible to support the changing employment needs in London and should not be inflexible. For example, policies should not require like for like replacement of floorspace where there is no realistic prospect of being able to let the floorspace, or if the same level of job creation can be accommodated in a more efficient way.

### *Policy SD1 Opportunity Areas*

We support the thrust of this policy as drafted. We would however suggest that the Mayor take a look at greater rationalisation of Strategic Industrial Land to create further opportunities for increasing housing provision.

My client's recognise the need for safeguarding industrial land and that it is not always possible or desirable to mix it with other uses, including residential. However, it is their view that a more strategic approach could result in making more efficient use of industrial land and identifying areas which are best located for intensification. This would result in freeing up more brownfield land for housing delivery/opportunity areas.

### *Bakerloo Line Extension/ Old Kent Road Opportunity Area*

My clients fully endorse the Mayor's intention to support the Bakerloo line extension. They consider the provision of this infrastructure critical to get anywhere near delivery of his ambitious housing targets. The Mayor should give the Bakerloo line extension his full support and look at every possible opportunity for its early delivery. This includes granting permission for development at the earliest opportunity to release CIL payments.

In relation to the Old Kent Road and comments made in paragraphs 2.1.4 to 2.1.5, my client support the Mayor's approach to significant housing delivery within Old Kent Road area as well as replacement provision of employment space. It is my clients experience that such a mix of uses can work very well together when properly planned.

However, we fundamentally disagree with the statement made in paragraph 2.1.14 about this leading to no net loss of industrial floorspace.

The paragraph should be amended to allow for the intensification of floorspace that is properly planned to meet identified employment needs to ensure that it can become a vibrant and successful neighbourhood. It should not arbitrarily require like for like floorspace provision as sites within the Old Kent Road area often have large amounts of floorspace but employ limited numbers of people.

The ambition should be to intensify employment use to accommodate more jobs but not necessarily reprovide floorspace on a like for like basis.

It should be made clear that the Old Kent Road Opportunity Area should optimise sites to their full potential to support housing delivery.

### *Policy SD6 Town Centres*

My client fully support the intentions of this policy and town centres, in addition to Opportunity Areas, should be seen as the main reservoirs of housing delivery/ growth. However, it is critical that the policy is stronger and goes further to require town centres to deliver development at the highest possible densities, consistent with other objectives of this plan.

It has been my clients experience, particularly in outer boroughs that there isn't sufficient local support for higher density development and that applications are refused because of compatibility concerns with existing townscape, rather than planning for future growth.

There are two factors that are critical to this.

Firstly, the policy should make it clear that applications should not be refused on townscape or design grounds where there are no other symptoms of overdevelopment, such as amenity impacts or impacts on heritage assets. Where there are no such impacts, buildings in or on the edge of town centres should be at least five storeys.

It is often the case that new developments may be larger in scale than existing neighbouring buildings, particularly in town centres that have not seen significant investment in recent years. To constrain development to match such townscape will not allow the delivery of sufficient new homes to meet London's housing need.

Secondly, a coordinated approach should be taken to car parking. This is particularly relevant to outer London boroughs that do not have Controlled Parking Zones in place or there is a piecemeal approach.

This policy, should be amended to reflect the NPPF and make it clear that permission should not be refused on parking grounds unless there is a 'severe' impact. Furthermore, it should make it clear that permission in town centres or on edge of centre sites should not be refused due to a CPZ not being in place.

Boroughs should plan strategically to accommodate development and if there is parking pressure should introduce CPZ's so that it doesn't exacerbate the problem.

We also support the policies recognition that town centre and edge of centre sites are most suitable for smaller households, including studios, one and two bed units. My client recognises the importance of the provision of some family accommodation but in practice, this can be difficult to provide in significant quantities due to challenges of required amenity space and parking.

#### *Policy SD8 Town Centres: Development Principles and Development Plan Documents*

My client supports the proposed sequential approach to provision of town centre uses. The policy should make it clear that the requirement to arbitrarily reprovide employment/ commercial floorspace in out of centre locations should be resisted particularly if the location cannot be accessed by public transport and relies primarily on private car trips.

This policy should make it clear that development in town centres should be of at least five storeys, unless it can be demonstrated that it causes significant adverse impacts on neighbouring amenity or heritage assets.

Boroughs should not refuse planning permission on design grounds reflecting subjective judgements, where it can be demonstrated that the proposal accords with design principles set out within the development plan and/ or there are no significant objections from design officers or borough appointed design review panels.

#### Chapter 3 – Design

#### *Policy D1 London's Form and Characteristics and D2 Delivering Good Design*

My client fully supports the aspirations of these policies and are committed to delivering good design. They invest in architects and design teams that have a proven track record of delivering good design.

In many instances, they will go further than the minimum design standards, such as in relation to minimum unit size and floor to ceiling heights to differentiate themselves from the rest of the market and provide a better-quality product.

However, and consistent with the comments made above, the policies need to reflect that a step change is required for housing development to increase density and deliver the required level of housing.

Too often schemes are refused permission because they do not reflect existing building typologies, particularly in relation to height and massing.

It is entirely possible to achieve very high standards of design in buildings that are bigger/ taller than their neighbours. London is full of such examples.

This policy should be forward looking and seek to deliver the highest standards of design at high densities without being constrained by historic form where it can be demonstrated there are no adverse impacts on heritage assets or neighbouring amenity.

#### *Policy D4 Housing Quality and Standards*

As above, my client is committed to delivering good design standards, which in some cases exceed those set out.

In relation to dual aspect accommodation and particularly the potential for the provision of north facing single aspect accommodation. Whilst it is my client's preference to provide dual aspect units this can be difficult to achieve on tight sites whilst maintaining density.

In some instance, north facing single aspect units can be appropriate in sustainable town centre locations where a user can benefit from other amenities.

#### *Policy D6 Optimising Housing Density*

We welcome the Mayor's approach to optimising density and for the removal of the density matrix, which in some cases can set unnecessary ceilings on the development potential of a site.

However, it has also been my clients experience that the density matrix has been a useful tool in justifying higher densities during negotiations of applications at borough level.

It is critical that the intent of this policy is made clear to the boroughs and, consistent with comments expressed elsewhere within this letter, high density development should not be refused on subjective

design grounds in sustainable locations unless there is a demonstrable impact on heritage assets or neighbouring amenity.

In relation to density calculations, we would strongly recommend that this is assessed on a habitable room basis rather than on a unit basis, because it provides a much more reliable indication of density. When assessed on a unit basis, housing mix can lead to a significant variation in actual densities.

For example, a town centre site that provides a greater proportion of smaller units (consistent with other policies in the draft plan) could result in a higher density on a unit basis than a scheme with larger units.

Density measured on a habitable room basis provides a finer grained analysis.

## Chapter 4 Housing

### *Policy H1 Increasing Housing Supply*

My client fully supports the Mayor's aspirations for the delivery of 65,000 homes a year. However, as a region London has consistently failed to get anywhere near its annual housing need.

Whilst some boroughs have met or exceeded their housing targets there are others that consistently fail to deliver.

If the Mayor is serious about delivery, this policy needs to provide the necessary framework for ensuring boroughs meet their annual targets. The Mayor should explore using his powers for taking over decisions on applications where a borough has consistently failed to meet its housing targets over a three-year period.

Whilst this may raise resourcing challenges we cannot see that without this measure in place there will be the necessary step change in delivery that London requires to meet its housing targets.

Alternatively, the Mayor should look to the private sector to assist in processing applications.



### *Policy H2 Small Sites*

My client fully supports the Mayor's proposed presumption in favour of approval of small sites, which should be a critical supply of new homes. Too often the processing of applications for these sites can take as long, or in some cases, longer than larger sites.

The Mayor should explore encouraging boroughs to give delegating authority for approval by officers where there haven't been any material planning objections raised to an application.

### *Policy H3 Monitoring Housing Targets*

Consistent with comments made above, the Mayor needs to do more than monitor housing targets. This policy needs to have teeth to ensure boroughs are doing all they can to meet their housing targets.

The Mayor should explore taking over decision making on applications where the borough have consistently not met their housing targets over a three-year period. Alternatively, the Mayor could look to the private sector for taking over decision making on applications in such circumstances.

Whilst such approaches could be considered to be radical, they are necessary to ensure delivery of homes to meet the housing targets.

### *Policy H5 Delivering Affordable Housing*

My client fully supports the Mayor's aspirations for affordable housing delivery, but is concerned that a 50% target is setting himself up to fail, given how difficult it is to get anywhere close to this level on many sites in London.

My client would endorse pursuing maximum reasonable levels of provision on a site by site basis.

### *Policy H6 Threshold Approach to Applications*

My client will always seek to achieve the Mayor's minimum 35% threshold on all sites. However, that can be extremely difficult to achieve. We would suggest that the Mayor relook at the wording of this policy to provide more flexibility, particularly in relation to tenure split, which in some circumstances, may make this target easier to deliver.

My client does not support the Mayor's suggestion for delivering 50% affordable housing on Strategic Industrial Land/ other industrial sites.

In many instances, such sites are the most challenging to deliver affordable housing because by their nature they are often in very low value areas. Affordable housing delivery should be treated on a case by case basis and subject to maximum reasonable levels of provision taking account of the target 35% threshold approach.

The Mayor needs to be more pragmatic if the development of such sites is going to make a critical contribution towards London's housing targets.

#### *Policy H7 Affordable Housing Tenure*

Whilst my client welcomes the Mayor's approach in terms of looking to diversify affordable housing tenures, their experience has been that this does not always receive support at borough level who have their own aspirations for tenure split.

The Mayor needs to ensure there is a clear directive and approach to tenure across London.

My client does not support the Mayor looking to set housing mix requirements, particularly for market housing, which should be determined at borough level taking account of site characteristics.

#### Chapter 6 Economy

##### *Policy E1 Offices*

My client supports the thrust of this policy in terms of its recognition of the changing office market.

My client also supports the recognition set out in part D. of the policy in relation to reprovision of office floorspace should be focused in town centres and office clusters.

The policy needs to be made clear that when dealing with the change of use of employment sites outside of these areas/ predominantly residential areas that policy should be sufficiently flexible to allow the change of use, particularly residential. There should be no requirement for long term marketing

campaigns when it is either not desirable to retain the employment use in that location or it can be reprovided in a more efficient way to meet an identified demand.

Boroughs should not be allowed to resist applications for changes of use where continued employment use does not meet the requirements of the policy for focusing such development in sustainable town centre locations.

It is recognised that some re-provision of employment space can cater for local need/ companies.

#### *Policy E2 Low-Cost Business Space and Policy E3 Affordable Workspace*

Many of my client's schemes have successfully embraced the concept of low cost business space, as part of mixed use development, which can work very effectively in certain situations.

The requirements for such provision need to be balanced against other viability considerations such as affordable housing.

#### *Policy E5 Strategic Industrial Locations*

My client does not support the Mayor's approach to Strategic Industrial Locations which is confusing. On the one hand the draft New London Plan recognises certain locations as areas of change, such as the Old Kent Road, that will deliver a mixture of employment space and other uses including residential.

The Mayor ought to make a clear distinction between the areas that are to remain as traditional Strategic Industrial Locations and those that are considered suitable to provide more mixed neighbourhoods such as the Old Kent Road.

#### *Policy E6 Locally Significant Industrial Sites*

This policy should recognise the potential for some Locally Significant Industrial Sites to include residential uses where it can be demonstrated there will be no land use compatibility issues.

## Chapter 10 Transport

### *Policy TR6 Car Parking and TR6.1 Residential Parking*

My client has found parking issues to be one of the most significant barriers to development in London, particularly in the outer boroughs, where many existing residents have cars and lack of proper co-ordinated parking controls in and around town centres have led to significant local parking pressure.

We welcome the Mayor's approach in terms of introducing maximum standards. However, the policies should recognise that the boroughs need to take a strategic approach to introducing Controlled Parking Zones in areas to enable the provision of higher density development.

The policies should be amended to make it clear that the lack of a Controlled Parking Zone in an area should not be a barrier to development or a reason for refusal where an application accords with other aspects of the development plan.

### Summary of Comments

My client welcomes the broad approach set out within the Draft New London Plan, particularly in relation to getting to grips with housing need however the scale of the challenge is significant and the policy framework needs to do significantly more to achieve this.

Key points that need to be incorporated into a revised version of the London Plan:

- Ensure that boroughs do all they can to meet their housing targets and ensure the Mayor can 'step in' to take control of any that consistently underperform;
- Review the 50% affordable housing target, particularly in relation to delivery on Strategic Industrial Locations, to ensure that it isn't a barrier for development;
- Introduce policies that require the delivery of the highest densities of development on town centre/ sustainable sites where there are no conflicts with other aspects of the plan, particularly in relation to adverse impacts on neighbouring amenity and heritage assets;
- Do not impose arbitrary requirements of like for like employment floorspace provision where higher density job creation can be provided, especially if this compromises other aims of the plan, such as affordable housing provision;

- Take a strategic approach to re-provision of employment floorspace to ensure it is in town centres and established business areas. Do not hold up redevelopment of employment sites for residential uses outside of these areas; and
- Ensure boroughs take a strategic approach to car parking and the use of Controlled Parking Zones. The lack of parking controls in and around town centres should not prevent or delay the granting of planning permission for development that accord with other policies within this document.

We would like to thank you again for the opportunity of allowing us to comment on the first draft of the New London Plan.

We look forward to being kept informed of progress and for the opportunity to comment on the next iteration which we hope will take account of the above comments.

We hope you find these representations useful and would welcome the opportunity of discussing them further with the Mayor, his deputies or officers as appropriate.

Yours sincerely,

**Jon Murch**

DaviesMurch