

BY EMAIL & POST

Sadiq Khan (Mayor of London)
New London Plan
GLA City Hall
London Plan Team
Post Point 18
Freepost RTJC-XBZZ-GJKZ
London, SE1 2AA

Email: LondonPlan@london.gov.uk

28606/A3/IF
2 March 2018

Dear Mayor,

NEW DRAFT LONDON PLAN - REPRESENTATIONS ON BEHALF OF BARRATT DEVELOPMENTS PLC

On behalf of Barratt Developments plc we hereby submit representations on the new draft London Plan.

Barratt London is a market-leading residential developer, with over 30 years' experience in the Capital, delivering over 2,000 new homes in London each year. Barratt London is part of Barratt Developments plc, the UK's largest housebuilder.

Barratt Developments plc sold 17,395 homes in the year to June 2017, making it the biggest housebuilder by volume in Britain. Over the past six years Barratt has increased its housing output by more than 55% – building more of the homes the country needs. Barratt is committed to building quality homes and this year was awarded five stars by the Home Builders Federation (HBF) for customer satisfaction and received more NHBC Pride in the Job awards than any other housebuilder.

Additionally, as a result of Barratt's development activities in FY2017, the combined effect of direct, indirect and induced employment is equivalent to 3.1 jobs per dwelling.

Key Points

Barratt welcomes the draft London Plan's objectives to pursue '*Good Growth*', '*build a city that works for all Londoners*' and address London's '*housing crisis*'.

A schedule at Appendix 2 provides detailed comments, however Barratt particularly wishes to draw out the following:

- **Identifying land for housing** – In view of the '*housing crisis*', Barratt welcomes the draft London Plan's increased housing target and the focus on making the best use of land.

Analysis undertaken by Barton Willmore (Appendix 1) sets out concerns that housing need is underestimated, housing supply is overestimated and that housing delivery rates may be unachievable. In this context, the draft London Plan should:



FS 29637

Registered in England
Number: 0C342692

Barton Willmore LLP
Registered Office:
The Blade
Abbey Square
Reading
RG1 3BE
F/ +44 (0)118 943 0001

- encourage Boroughs to review Green Belt and Metropolitan Open Land boundaries;
- encourage Boroughs to consider the release of land at appropriate industrial sites;
- as set out in Appendix 1, through working with local authorities outside London
 - identify willing partners that can help meet the significant shortfall in meeting London's housing needs; and
 - identify growth locations beyond London where there is a realistic prospect that growth will be secured.

In terms of where the draft London Plan identifies supply, Barratt's view is that it seems perverse that some London Boroughs that are exceeding housing targets have had their targets reduced whilst others, which have never reached the required numbers, have been set targets that appear unrealistic. Additionally, there are no penalties if figures are not reached.

- **Optimising density** – Barratt supports the draft London Plan's ambition for delivering density in London. To pursue this ambition, the draft London Plan should incorporate the recommendations made in Appendix 2. These include the following:
 - **Density matrix** – This should be retained as London-wide guidance but revised upwards to reflect the density levels required to meet housing need, especially at more suburban locations. Boroughs should be discouraged from developing their own density assessment methodologies as this may lead to the continued use of suburban densities.
 - **Response to local context** – Optimising development as sought by the draft London Plan will mean development coming forward at a scale that may be unfamiliar to some communities. The London Plan policies must be drafted to ensure that decisions are made which support the Mayor's strategic aspirations. It is essential that the Plan avoids subjective language and provides clarity on terms used, for example where character means 'physical character'.
 - **Taller buildings** – Taller buildings provide an important source of London's new homes. It will be counterproductive if draft London Plan policies come to impose costs on such schemes that discourage their coming forwards or mean that they cannot sustain the same level of affordable housing provision.
- **Housing design** – Barratt supports the recognition in the London Plan that the delivery of 1 and 2 bed homes in the market tenure can help free up family-sized housing.

There are concerns however with other parts of the draft London Plan which set out policies more onerous than the Mayor's Housing SPG or the adopted London Plan. This includes discouraging single aspect units and seeking a lift per core. The design responses required from applicants would increase the cost of carrying out development and raise service charges. It would discourage schemes coming forwards and adversely affect the ability to provide wider benefits, including affordable housing.

The adopted London Plan recognises that applicants may bring forwards exemplary schemes in which not all homes achieve housing standards. The draft London Plan does not. This flexibility should be retained, particularly for market tenure homes where more compact homes can be delivered that are more affordable to Londoners. Appendix 3 provides case studies drawn up by Barratt which demonstrate how such exemplary homes could be laid out.

- **Co-location of employment and residential uses** - Barratt and SEGRO have prepared a scheme together in Hayes that involves the co-location of employment and residential uses and understand the intricacies of this subject. Their advice is that this co-location is unlikely to be deliverable if like-for-like replacement floorspace (or indeed a greater quantum generated by a plot ratio calculation) is sought. Such an approach suggests a misunderstanding of how many employment sites work. Additionally, their advice is that an expectation for 50% affordable housing will render mixed-use employment and residential schemes unviable.
- **Addressing barriers to and burdens on development** – As set out above, where the draft London Plan imposes additional costs on development this impinges on the capacity of a development to provide wider benefits, including delivering affordable housing.

London Plan policies must address the barriers to development being brought forward, encourage efficient decision-making that optimises development potential and minimise the burdens placed on developments. This includes the level of information sought at the application stage and the matters that can be appropriately addressed via planning condition.

- **Emphasis on delivery** – In addition to the above, the draft London Plan is light on how the Mayor will achieve its objectives.
 - **Bringing land forwards** - There should be more guidance on how the GLA and the London Boroughs will use their land assembly and CPO powers to unlock sites. Similarly, there should be more emphasis on how the GLA will assist other public sector landowners to bring their land to the market.
 - **Use of GLA planning powers** - The GLA will need to continue to use its intervention powers to support home builders who are refused planning permission by local planning authorities. This should also extend to intervention when Section 106 negotiations become unnecessarily protracted.
- **Focus and application of the Plan** – The London Plan is required to be a strategic planning document and should not contain detail that should be provided within a Borough's Local Plan. The Greater London Authority should remain a strategic planning body. The Mayor should attach very limited weight to the draft London Plan policies until its adoption.

If there is anything that Officers would like to discuss, please do not hesitate to contact us at these offices.

Yours sincerely

**BARTON WILLMORE LLP
ON BEHALF OF BARRATT DEVELOPMENTS PLC**

Appendices:

- Appendix 1 – Draft London Plan - Unmet Housing Need and Wider South East Collaboration (Barton Willmore)
- Appendix 2 – Schedule of Detailed Representations
- Appendix 3 – Case Study Layouts for Compact Homes

APPENDIX 1 – DRAFT LONDON PLAN - UNMET HOUSING NEED AND WIDER SOUTH EAST COLLABORATION (BARTON WILLMORE)

The GLA's 2017 London Strategic Housing Market Assessment (SHMA) identifies a need for 66,000 dwellings per annum (rounded) across the London Boroughs. This figure does not feature within any of the draft London Plan's policies. Notwithstanding this, housing need for London could be in excess of 72,400 dwellings per annum (dpa), based on the Government's proposed standard methodology for assessing need as it is currently proposed. Uncapped, the standard methodology would suggest a need for 95,300 dpa. The uncapped standard methodology figure is 44% above the SHMA figure, and the difference between the two figures represents approximately 10% of the Country's total housing need.

The Plan (Policy H1) provides the 'net' housing completions which each Local Planning Authority should plan for (2019-2028). In total, the Plan proposes 65,000 dpa which compares with 42,000 dpa under the existing Further Alterations to the London Plan (FALP). The Plan proposes an increase in delivery of 53% compared with the FALP, to be achieved by the date of the Plan's adoption.

Past housing completions in each of the London Boroughs demonstrates that over the past 5-years (2011/12 to 2015/16), there have only been an average of 32,100 dpa completed. To achieve the draft Plan's housing targets would require a 105% 'increase' compared with past delivery.

The theoretical nature of the SHLAA raises significant questions over the deliverability of the sites assessed, and the volume of units identified through the SHLAA modelled process.

As drafted, the draft Plan would result in an annual shortfall in housing provision (unmet need) of approximately 1,000 dpa against the identified need in the GLA's SHMA. The Plan makes no commitment for how this shortfall will be addressed, nor any contingency in the event that delivery falls short of the Mayor's expectations. This is wholly inadequate, given the current position through the FALP, and the risks of significant under delivery continuing. Our client concludes that the shortfall in housing provision will be significantly larger, with a realistic overall London-wide target of 53,000 dpa – resulting in annual shortfall of at least 13,000 dpa.

In response to the objections raised, our client seeks Modifications to Policy H1 to include an increased housing requirement to at least the 'capped' standard method housing figure of 72,400 dpa. Alongside this, realistic housing targets, potentially totalling 53,000 dpa, should be set out in Policy H1. Thus, Policy H1 should identify the scale of unmet housing need which is likely to result, cross-referring to Policies SD2 and SD3, as setting the strategy for how this shortfall will be resolved.

The Plan relies upon the identification of "willing partners", and supports the identification of "growth locations" based upon the identification of thirteen (13) Strategic Infrastructure Priorities (SIPs). These representations conclude that some of the SIPs are unlikely to be delivered within the Plan period, and therefore unlikely to offer any potential to support additional growth. By contrast, our client considers there to be opportunities for other SIPs to support increased growth within the WSE in the short to medium term.

The Plan's provision for collaborative working with the Wider South East (WSE) Local Authorities, as set out in Policies SD2 and SD3, does not provide a robust framework to secure the delivery of increased growth, which would include helping to meet London's unmet housing need. Despite ongoing collaborative working between the GLA and the WSE authorities since the adoption of the FALP in March 2015, not one willing partner has been identified. In the absence of a clear Policy requirement, we are unconvinced that the draft Plan, and the ongoing joint working, will secure a positive outcome, and therefore consider the Plan to fail in its requirement under to the "Duty to Inform and Consult".

Taking account of the significantly increased unmet housing need which could result, constituting a Nationally significant shortfall in meeting the Country's needs, Policies SD2 and SD3 in the Plan should be revised. The Plan must provide a clear policy requirement on WSE Local Authorities to demonstrate that opportunities for addressing London's unmet housing need have been assessed through the

preparation of their wider Local Plans. We consider that this would be most effectively undertaken at a Strategic level, for example, through coordination with Local Enterprise Partnerships (LEPs), the National Infrastructure Commission (NIC) and/or County Councils (where applicable).

We therefore encourage the Mayor and the WSE Local Authorities to focus upon the identification of willing partners, including progressing discussions with Government regarding the delivery of SIPs, and potential Growth Deals. It is not an unrealistic expectation that the collaboration between the GLA and the WSE Local Authorities should have progressed sufficiently to identify willing partners/growth locations prior to the envisaged draft Plan's Examination in 2019.

APPENDIX 2 – SCHEDULE OF DETAILED REPRESENTATIONS

TOWN PLANNING
MASTERPLANNING & URBAN DESIGN
ARCHITECTURE
LANDSCAPE PLANNING & DESIGN

ENVIRONMENTAL PLANNING
GRAPHIC DESIGN
PUBLIC ENGAGEMENT
RESEARCH

DETAILED REPRESENTATIONS FOR BARRATT DEVELOPMENTS PLC - NEW DRAFT LONDON PLAN

Ref	Topic	Commentary	Recommendation
Chapter 3: Design			
Chapter	Physical character	<p>No relevant definition of 'character' is provided in the draft London Plan.</p> <p>Policy D1 states inter alia that:</p> <p><i>'B Development design should: 1) respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and shape that responds successfully to the identity and character of the locality, including to existing and emerging street hierarchy, building types, forms and proportions'.</i></p> <p>As supporting paragraph 3.11 makes clear, the intended meaning here is <i>'physical character'</i>.</p> <p>However, Policy D2 when addressing plan-making states that this should be informed by an evaluation of <i>'historical evolution and heritage assets (including an assessment of their significance and contribution to local character)'</i>. Supporting paragraph 3.2.2 then implies character includes <i>'social, cultural, physical and environmental influences'</i>.</p> <p>It must be clear that Policy D1 does not address the <i>'cultural, social, economic, perceptions and experience'</i> meanings of character. Good planning means that architectural and urban design responses should, whilst responding to heritage considerations, focus on the future for a locality and for Londoners. Good planning should not be directed by the cultural, social or economic characteristics of a place</p>	<p>All relevant instances should explicitly define <i>'character'</i> as <i>'physical character'</i>. The imperative to optimise development potential means there should be no ambiguity on this.</p> <p>This includes:</p> <ul style="list-style-type: none"> • Policy SD1 Opportunity Areas • Policy SD6 Town Centres • Policy SD8 Town centres: development principles and Development Plan Documents • Policy D1 London's form and characteristics • Paragraph 3.6.9 • Paragraph 3.7.3 • Policy D8 Tall buildings • Policy H2 Small sites • Paragraph 7.1.6 • Glossary definition of Strategic Views and paragraph 7.3.1

Ref	Topic	Commentary	Recommendation
		(or the perceptions and experience of it) at a particular moment in time.	
Policy D1	Encouraging higher densities	<p>The ability to deliver higher densities successfully rests with the local planning authorities and its Councillors. As per the above, the Mayor of London needs to be clear to local planning authorities and its Councillors that this is highly likely to result in a change in the physical character of some highly accessible town centres in the Outer Boroughs, which may not be received with a positive response.</p> <p>Building on points made above, Part B 1) of Policy D1, which requires Development Design to respond to local context and to the scale, identity and character of the locality, is written in a manner that could be used to suppress increased density and scale.</p>	<p>We therefore suggest that the actual wording of the policy should make it clear that opportunities to intensify the scale and density of development in high PTAL areas, in opportunity areas and in town centres should be actively encouraged, rather than relying on a general statement with no context, as set out in paragraph 3.1.1 which explains that <i>'efficient use of land requires optimisation of density'</i>.</p> <p>We also recommend the Mayor of London produces a design guide that provides information on how these higher-density schemes can be delivered, using established precedents, to encourage LPA and developers to approach schemes with more confidence.</p>
Policy D1	Consistency across Plan	Policy D1 states that <i>'development design should... aim for high sustainability standards'</i> .	This statement should be removed as the relevant planning policy expectations are set out elsewhere across the Plan.
Policy D1	Utilising heritage assets	Policy D1 states that <i>'respect, enhance and utilise the heritage assets and architectural features that make up the local character'</i> .	The London Plan must define <i>'utilise'</i> . If the intended meaning is to make use of existing buildings where appropriate then this should be explicitly expressed.
Policy D2 & Paragraph 3.2.3	Building heights	<p>Under Part A 3) of this policy LPAs are encouraged to undertake a borough wider assessment of appropriate building heights and densities for an area, which will then be used to identify the growth capacity of an area and be cited for planning applications. This broad-brushed approach is inconsistent with the discretionary planning system that operates in England and which requires each application to be considered on its own merits.</p> <p>The approach suggested could lead to policies and guidance artificially constraining the full development potential of sites. The true test of development capacity should be properly tested at the planning application stage.</p>	We suggest that paragraph 3.2.3 acknowledges that any broad assessments undertaken by LPAs are indicative and that the design of schemes should be 'design-led' (as set out in Policy D6). Development should not be artificially constrained by onerous height or density restrictions where a clear design rationale can be demonstrated.
Policy D2	Design reviews	<p>The draft London Plan does not provide guidance on the circumstances when schemes should go before Design Review Panels.</p> <p>The draft London Plan presumes that design review will always be a positive process. However, development proposals emerge from extensive work by the applicant's team and interaction with the</p>	The draft London Plan should be redrafted to provide clarity on the circumstances when schemes should go before Design Review Panels. There is a risk otherwise that schemes encounter unnecessary delay and additional cost through disproportionate use of the Design Review process. Local Boroughs are well-equipped to exercise discretion on this point.

Ref	Topic	Commentary	Recommendation
		<p>local planning authority, Greater London Authority (where referable) and other stakeholders.</p> <p>By comparison, design reviews will typically spend only hours appraising a scheme. Panellists may not be as well informed as they might about the relevant opportunities and constraints. Experience indicates that the views of panels can be afforded too much weight. Moreover, the panel's view will not always be correct. All planning consultants will have worked on schemes where both Planning Officers and the applicant have firmly disagreed with a panel.</p>	<p>It is essential that Part G of Policy D2 revisits the statement '<i>schemes show how they have considered and addressed the design review recommendations</i>' to read: '<i>schemes show how they have considered the design review recommendations and where an applicant disagrees with advice provided they should provide justification for their own response</i>'.</p> <p>The supporting text to Policy D2 should emphasise that design review is a process of critically appraising a scheme and the design justification for it. It should make clear that the purpose of the design review process is to help better outcomes emerge but that it is not intended to dictate the design of a scheme.</p>
Policy D2	Maintaining design quality	<p>The policy seeks <i>inter alia</i>:</p> <p><i>'3) avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter</i></p> <p><i>4) local planning authorities using architect retention clauses in legal agreements where appropriate'</i></p>	<p>Point 3 should be removed. The London Plan should recognise that such an approach will not be appropriate for phased developments and outline planning permissions. This can be adequately addressed via Reserved Matters and planning conditions.</p> <p>Point 4 should be clarified so it is clear there are circumstances where the retention of an architect would not be appropriate. For example, some architects specialise more in the planning and less in the construction phases of projects.</p> <p>The alternative approach would create a ransom situation for a developer as an architect is not competing in the open market for work. There are equally no grounds to believe that standards will be higher, given an architect will be under no particular pressure to perform to the very highest of their abilities. More detailed design matters should continue to undergo assessment by decision-makers.</p>
Policy D2	Design analysis and visualisation	<p>Part C of this policy states that '<i>where appropriate, visual, environmental and movement modelling/assessments should be undertaken to analyse potential design options for an area, site or development proposal</i>'.</p> <p>Situations where this will be '<i>appropriate</i>' are not defined.</p>	<p>If this approach forms is advocated by the Plan it is essential that it applies to only larger strategic schemes and that the draft London Plan provides explicit guidance on a suitable threshold.</p> <p>Otherwise producing such models may involve considerable and disproportionate expense for applicants. This could be a further barrier to the delivery of development.</p>
Policy D4	Space standards	<p>Policy D4 effectively imposes minimum home standards for Class C3 homes under Table 3.1. This maintains the Mayor's current approach.</p>	<p>We recognise the extent of work invested in the Mayor of London's evidence base on space standards.</p>

Ref	Topic	Commentary	Recommendation
		<p>Taken together with other standards, the purpose of the minimum space standards is to ensure new homes provide Londoners with adequate accommodation. We support this objective.</p> <p>The adopted London Plan however states at Part D of Policy 3.5 Housing Quality and Design of Housing Developments that <i>'development proposals which compromise the delivery of elements of this policy, may be permitted if they are demonstrably of exemplary design and contribute to achievement of other objectives of this Plan'</i>.</p> <p>The draft London Plan does not allow for this flexibility. In many instances there will though continue to be a case for homebuilders pursuing exemplary designs for homes which do not meet the minimum standards. In such circumstances exemplary design may help to reduce the cost of market housing for Londoners. It may also help to optimise the ability of such sites to provide <i>'genuinely affordable'</i> homes.</p> <p>Individual development sites also often pose design challenges. An optimised plan layout may result in space that does not for example meet the standard for a studio home. However, when averaged out as a whole the same building may achieve and exceed standards.</p>	<p>We do not suggest the standards themselves should be revisited. Instead we suggest that the flexibility currently allowed by Part D of Policy 3.5 should be maintained. This will not lead to a race-to-the-bottom but will allow exemplary schemes to come forwards, to the benefits of Londoners.</p>
Policy D4 and Paragraph 3.4.5	Single aspect units	<p>We strongly object to the suggestion at Part E in Policy D4 that single aspect units should normally be avoided. The preceding statement under Policy D4 more than adequately addresses this point: <i>'Residential development should maximise the provision of dual aspect dwellings'</i>.</p> <p>The first two sentences under Paragraph 3.4.5 are even more onerous and should be deleted.</p> <p>Experience confirms that single aspect units can be designed to be high-quality accommodation if they meet the standards set out in the Mayor's Housing SPG. Including a proportion of single aspect homes in a development ensures that the overall capacity of a site to accommodate new homes can be optimised.</p> <p>The profound potential consequences of the suggested policy approach are a reduction in the number of homes being delivered,</p>	<p>The Mayor should amend Policy D4 and Paragraph 3.4.5 as outlined.</p>

Ref	Topic	Commentary	Recommendation
		which is contrary to the general thrust of the objectives of the draft London Plan.	
Policy D4	Daylight and sunlight	Policy D4 states that <i>'The design of development should provide sufficient daylight and sunlight to new housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.'</i>	The draft London Plan does not cite BRE guidance. This is welcomed, given the extent to which that document is arbitrarily applied. The draft London Plan should however be explicit on this point.
Policy D5	Accessible housing	Policy D5 does not advise on unit mix across tenures or on the location of accessible homes.	The London Plan should be clear that the decision-maker enjoys flexibility to tailor the mix of accessible units to the circumstances.
Policy D6	Density matrix	Table 3.2 of the adopted London Plan provides a matrix which indicates density ranges. In practice roughly half of schemes have exceeded these ranges. This though is consistent with England's discretionary planning system which does not produce code-based decisions but pursues planning objectives on a case-by-case basis. The adopted London Plan is clear on this when it states as follows: <i>'It is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important, as well as social infrastructure (Policy 3.16), open space (Policy 7.17) and play (Policy 3.6).'</i> (paragraph 3.28) In contrast, Policy D6 provides no numerical guidance on appropriate density ranges. Without a minimum to refer to it will become more difficult to explain to Londoners the site-specific factors leading to proposed densities.	The 'density matrix' has provided a useful baseline. It should be retained but revised to reflect the density levels required in order to meet housing need, especially at more suburban locations. This exercise should recognise that roughly half of referable schemes have typically exceeded the current matrix. It should draw from case studies in situ. The supporting text should again make clear that the matrix provides guidance only and that appropriate decisions regarding density should be made on a case-by-case basis. Failure to provide guidance on this matter seems likely to lead to sub-optimal outcomes and/or delayed decision-making.
Paragraph 3.6.6	Use of masterplans and strategic frameworks in relation to density	This paragraph does not directly refer to this but is set out in the supporting text to Policy D6.	The London Plan must be clear that planning documents and especially supplementary planning guidance must not prescribe densities. Any such approach would be inconsistent with England's discretionary planning system and seems likely to deliver sub-optimal outcomes.
Policy D7	Public realm and street furniture	Policy D7 refers to the <i>'highest quality'</i> . This is a subjective statement and is not defined.	The London Plan must provide more clarity on what is sought from the public realm and avoid subjective terms such as <i>'highest quality'</i> . It must be explicitly acknowledged that the cost of public

Ref	Topic	Commentary	Recommendation
		Part I of Policy D7 states that ' <i>Applications which seek to introduce unnecessary street furniture should normally be refused.</i> '	<p>realm works must be borne by the development as a whole and will impact upon the delivery of wider benefits, including affordable housing.</p> <p>The statement on street furniture is disproportionately detailed and should be removed.</p>
Policy D8, Part B	Height restrictions	We object to the indication that LPAs should provide indicative height restrictions across their Boroughs. This should be a 'design-led' process based on individual site circumstances (as indicated in Policy D6), not artificially constrained by onerous height or density restrictions if a clear design rationale can be produced.	This part of the policy should be deleted.
Policy D8	Tall buildings and heritage	Policy D8 includes the statement that ' <i>Proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.</i> '	<p>This statement is superfluous as planning policy on heritage matters is provided elsewhere. It should be cross-referenced.</p> <p>Moreover, that heritage policy should be consistent with the NPPF. There is no requirement for development to '<i>positively contribute</i>'. This statement is inconsistent with the NPPF and should be removed.</p>
Policy D8	Tall buildings and public access	Policy D8 states that ' <i>Publicly-accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings.</i> '	<p>This statement should be removed. Publicly-accessible areas will not be appropriate for the majority of tall buildings given their use, their dimensions or scheme viability. This would include for example inflated or separated lobbies, expanded cores and an overall reduction in floorspace.</p> <p>In practice, the provision of publicly-accessible areas may only be desirable for the very tallest buildings.</p>
Policy D11	Fire safety	<p>Fire safety matters are addressed via Building Regulations. Building Regulations are reviewed and updated separately from the planning process.</p> <p>Policy D11 is counterproductive on this basis. The detailed information sought at the planning application stage will often evolve through the detailed design and construction process. Moreover, Building Regulations may change during this period making an originally submitted and agreed Fire Statement redundant.</p>	<p>Fire safety matters should continue to be addressed by Building Regulations and not at the planning application stage. Policy D11 should be deleted.</p> <p>Policy D3 will continue to refer to fire evacuation lifts.</p>

Ref	Topic	Commentary	Recommendation
		Any applicant pursuing a scheme that it turns out not to be able to satisfy Building Regulations in this respect has done so at their own risk.	
Chapter 4: Housing			
Policy H1	Presumption in favour of all residential development	Policy H2 Small sites states that <i>'To deliver the small sites targets in Table 4.2, boroughs should apply a presumption in favour...'</i>	For reasons set out by Barton Willmore elsewhere, policy H1 should state that: <i>'To deliver the 10 year targets for net housing completions in Table 4.1, boroughs should apply a presumption in favour...'</i>
Policy H1	Mixed-use redevelopment at low-density sites	The draft Plan supports redevelopment at low-density sites including car parks and retail parks.	This is welcomed given the self-evident capacity of such sites to support housing delivery.
Policy H2	Presumption in favour of small sites	The current draft London Plan presumption in favour applies in some but not all instances.	The presumption in favour should all apply to all 'small site' schemes. No rationale for differentiating between locations is provided in the support text. The presumption in favour does not in any case specify details such as scheme massing or density.
Policy H5	Expectation for grant	Policy H5 currently identifies a specific measure to achieve the strategic target for the delivery of 50% affordable housing as: <i>'2) using grant to increase affordable housing delivery beyond the level that would otherwise be provided'</i>	This clause should be removed. Applications for planning permission should be determined based on their ability to provide affordable housing, without reference to grant funding. Firstly, introducing this into the decision-making process is in conflict with planning law and policy and secondly it introduces unnecessary delays to decisions being made. There is no reason why additional funding cannot be introduced into a scheme post-permission and so raise the level of affordable housing provided on site beyond what was stipulated in the decision itself. In practice, the London Plan monitors actual delivery of affordable housing rather than planning permissions granted. As such, the emphasis should be on expediting delivery and not on the availability or otherwise of grant funding.
Policy H5	Differentiating between applicants	Policy H5 currently identifies the following specific measures to achieve the strategic target for the delivery of 50% affordable housing as: <i>'3) affordable housing providers with agreements with the Mayor delivering at least 50 per cent affordable housing across their</i>	Planning law does not support any approach in which different standards are applied for different applicants. Development plan policy must be revisited so that Registered Providers compete on a level playing field with other homebuilders.

Ref	Topic	Commentary	Recommendation
		<i>portfolio... 5) strategic partners with agreements with the Mayor aiming to deliver at least 60 per cent affordable housing across their portfolio'</i>	
Policy H5	Delivery at public sector land	<i>'4) public sector land delivering at least 50 per cent affordable housing across its portfolio'</i>	<p>It is unclear what <i>'its portfolio'</i> refers to. Again, planning law does not support any approach in which different standards are applied for different applicants.</p> <p>This approach must also be considered in terms of the legal requirement of public bodies to achieve <i>'best value'</i>.</p>
Policy H6	Seeking grant	Part C 4) of this policy states that to <i>'follow the Fast Track Route of the threshold approach, applications must meet all the following criteria... demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and have sought grant where required to increase the level of affordable housing beyond 35 per cent'</i> .	For the same reasons set out above, this clause should be removed. Applications for planning permission should be determined based on their ability to provide affordable housing, without reference to grant funding.
Policy H6	Delivery of affordable homes at industrial sites	<p>The draft policy currently seeks 50% affordable housing at (most) industrial sites.</p> <p>However other policies in the plan present other challenges to delivering viable schemes at such sites (including a methodology which will nearly always or always seek an uplift in Class B2 and/or B8 floorspace.</p> <p>In practice such developments will generally be subsidised by the market housing provided. As such seeking 50% affordable housing from such developments will disincentivise if not preclude such development being brought forward.</p>	In view of the overall objectives set out across the draft London Plan the threshold land of affordable housing should be the standard threshold applied (currently 35%).
Paragraph 4.6.11	Alternatives to Existing Use Value Plus (EUV+)	<i>'The EUV+ approach is usually the most appropriate approach for planning purposes... and in most circumstances the Mayor will expect this approach to be used. An alternative approach should only be considered in exceptional circumstances which must be robustly justified by the applicant and/or the borough in line with the Mayor's SPG.'</i>	<p>This statement is unrealistic. It is very often the case that development for an alternative land use to housing (for example offices) would also be supported in principle. In such instances an applicant will simply not pursue a residential scheme if it does not achieve an equivalent financial outcome. Such an instance would not be 'exceptional'.</p> <p>The draft London Plan must be revisited to recognise that reference to an alternative use value is entirely appropriate. Not recognising this could mean protracted discussions and a delay to the delivery of new homes.</p>

Ref	Topic	Commentary	Recommendation
Policy H12	Reducing housing pressure and freeing up family housing	The recognition that new development and the delivery in particular of one and two bed homes assists with this is welcomed.	The Plan should cross-refer to these principles in Policy H13 Build to Rent and Policy H18 Large-scale purpose-built shared living. These are fundamental aspects of the wider public benefits that such developments will provide.
Policy H12	Homes at more central or urban locations	<i>'applicants and decision-makers should have regard to... the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in more central or urban locations'</i>	This is welcomed but it is crucial that the London Plan provides a definition of 'central' and 'urban'.
Policy H12	Mix of market and affordable homes	<i>'Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes.'</i>	This is welcomed.
Paragraph 4.12.5	Smaller unit sizes	It is encouraging to see that the Mayor recognises that one-bedroom units play a very important role in meeting housing need. However, this paragraph appears to omit any recognition of the demand for "smaller" or "shared Living" units which are smaller than the minimum space standards contained with Table 3.1. These units are attractive to professionals and key workers that want to be independent but cannot afford to rent a larger one-bed flat (37 to 50 sqm). Whilst these self-contained units are smaller than the normal rental market unit, they also tend to benefit from a reduced rental level (because of the size of the units) and benefit from shared facilities such as workspace, gym, community space and amenity space.	We respectfully request that this type of product (and the demand for it) is acknowledged in this section of the New Draft London Plan.

Chapter 5: Social Infrastructure

Policy S4	Playspace provision	<p>Policy S4 Play and Informal Recreation states that <i>'development proposals for schemes that are likely to be used by children and young people should... 2) for residential developments, incorporate good-quality, accessible play provision for all ages, of at least 10 square metres per child'</i>.</p> <p>We support the aspiration to integrate play and informal recreation into the wider network of public open spaces and to follow the Healthy Street Approach. Play and recreation does not need to necessarily be prescriptive in designated zones. It can also form part of an integrated public realm that is safe and welcoming to people who play, walk and cycle.</p> <p>We support the review of the Supplementary Planning Guidance. The current guidance is out of date and prescriptive.</p>	<p>Policy S4 should be rephrased to emphasise that 10 square metres is a target and not a requirement. Supporting paragraph 5.4.5 recognises this through the use of the word <i>'normally'</i>.</p> <p>Experience demonstrates that, for a variety of reasons, this ratio of play provision is often not feasible and/or appropriate. This is especially the case at brownfield infill sites. The overall objective must be to optimise development.</p>
-----------	---------------------	--	---

Chapter 6: Economy

Policy E2, Policy E3 and Policy E4	Providing low-cost space, affordable business space and smaller industrial space	<p>The draft London Plan is vague. Applicants should 'consider' providing low cost space, 'may' seek affordable workspace and should 'consider' the scope to provide smaller (sub-2,500 sq m) industrial space.</p> <p>No clear detail is provided on appropriate ratios for the above and with low-cost or affordable space on rents to be charged. This will not help good decision-making.</p>	If the draft London Plan is to address these matters then its policies must either provide clear guidance or explicitly leave this matter to be addressed by Boroughs individually.
Policy E7	Mixed LSIS and intensification masterplans	<p>We support the suggestion that Development Plans and planning frameworks are proactively used to identify LSIS that could be intensified and co-located with residential and other uses. However, we consider that the second half of Part C should be deleted to allow for greater flexibility.</p> <p>With respect to Part F, in view of London's 'housing crisis' we consider that this policy should be revised to support planning applications for intensified and co-located floorspace with residential and other uses coming forward where these are supported by a comprehensive masterplan and where they benefit from support by the Borough and the GLA's planning decisions unit.</p>	Delete and amend policy in line with comments.
Policy E7	Measuring no net loss of industrial, storage	Part E of Policy E7 seeks that where other uses (including residential) are introduced into industrial sites then there should be <i>'an increase (or at least no overall net loss) of capacity in terms of</i>	If this policy approach is to be retained (and it may not be appropriate to do so, given the need to identify sufficient land

	and warehousing capacity	<p><i>industrial, storage and warehousing floorspace</i>'. Paragraph 6.4.5 states that <i>'floorspace capacity is defined here as either the existing industrial and warehousing floorspace on site or the potential industrial and warehousing floorspace that could be accommodated on site at a 65 per cent plot ratio (whichever is the greater)'</i>.</p> <p>We are aware that others making representations to the London Plan will provide numerical evidence on this point but all are in agreement that a 65 per cent will almost always if not always exceed the actual plot ratio of any given site. The effect of the approach outlined above is that this policy approach will nearly always (if not always) require an uplift in the provision of Class B2 or Class B8 floorspace, at the same time as the site is to be developed to accommodate other uses.</p>	<p>to accommodate new homes) then it must be revisited to revisit or remove the reference to plot ratio.</p> <p>The effect of the draft approach will be that it will make development less likely to proceed and where it does proceed will mean less alternative (i.e. not B2 or B8) floorspace being provided (including fewer homes).</p>
--	--------------------------	---	---

Chapter 8: Green Infrastructure and Natural Environment

Policy G2	Green Belt	Addressing London's <i>'housing crisis'</i> may necessitate the release of land from London's Green Belt. The policy should not therefore preclude this.	The words <i>'it's [sic] de-designation will not'</i> should be deleted from the Plan.
Policy G5	Urban Greening Factor	<p>Planning policy already addresses the relevant matters.</p> <p>Expecting applicants and decision-makers to apply a numerical assessment is onerous and inconsistent with England's discretionary planning-system in which different considerations must be weighed up in order to arrive at the optimum planning solution.</p> <p>Such an assessment would be another burden on applicants and through requiring professional advice and the production of reports will present another deterrent to pursuing development. This is especially relevant because the 'major development' threshold means it will affect many of the 'small sites' that the delivery of the London Plan relies upon.</p>	Part B of Policy G5 which refers to an 'Urban Greening Factor' should be deleted.
Policy G7	Trees and woodlands	Draft London Plan Policy G7 suggests that the benefits provided by existing trees being removed by development should be <i>'determined by, for example, i-tree or CAVAT'</i> . This approach is too prescriptive.	<p>The relevant Borough will be capable of identifying adequate replacement planting with applicants as part of its overall consideration of the planning balance.</p> <p>The statement alongside and the subsequent prescriptive parts of Policy G7 should be removed.</p>

Chapter 9: Sustainable Infrastructure

Policy SI2	Zero carbon	We welcome the recognition that shortfalls against zero-carbon targets can be addressed through ' <i>alternative proposals</i> ' as well as cash in lieu contributions.	Part D as drafted is too weak and needs to be made more robust. It is agreed that offset funds have potential to unlock carbon savings. However, they have to be used and used effectively. The Mayor should be firmer that LPAs must be clear regarding their energy strategies and set timescales on delivery. If not, this risks becoming a ring-fenced pot of money that is not spent and so zero carbon targets are not in fact achieved.
Policy SI2	Monitoring zero carbon	Major development is ' <i>expected to monitor and report on energy performance</i> '. The supporting text suggests that performance is reported to the Mayor for at least five years.	The London Plan must be clear on whose duty it will be to report performance. This responsibility should not lie with the applicant (who may not be the same as the developer or contractor) but with an appointed specialist.
Paragraph 9.2.5	Improvement in the Target Emission Rate (TER)	The draft London Plan states that ' <i>The minimum improvement over the Target Emission Rate (TER) will increase over a period of time in order to achieve the zero-carbon London ambition and reflect the costs of more efficient construction methods. This will be reflected in future updates to the London Plan.</i> '	It is essential that higher standards are not applied until these have been tested via the London Plan examination process.
Footnote 120	Zero carbon £/tonne	Footnote 120 states that ' <i>Boroughs should develop a price for offsetting carbon using either a nationally recognised carbon pricing mechanism or a price based on the cost of offsetting carbon across the borough. A nationally recognised non-traded price of £95/tonne has been tested as part of the viability assessment for the London Plan which boroughs may use to collect offset payments.</i> '	The London Plan must be clear to Boroughs that they must only refer to an evidenced price £/tonne based on the cost of offsetting carbon across the borough. They must not refer to a generic carbon pricing mechanism. The evidence must refer to costed carbon projects to be delivered in the Borough and for the specific benefit of the Borough (including its residents and businesses). The development industry's view is that a sum as high as £95/tonne will rarely if ever turn out to be justifiable once such an assessment is undertaken. The London Plan should also be explicit throughout that any contributions / obligations sought would detrimentally affects a scheme's ability to address other planning objectives, including the delivery of affordable housing.
Policy SI3	Energy masterplans	The policy states that ' <i>Energy masterplans should be developed for large-scale development locations</i> '. Large-scale is not defined.	This policy must both explicitly define ' <i>large-scale</i> ' and be clear about what material will be required in support of a planning application and what will be sought post-permission. Bearing in mind the extent of detailed design work which takes place post-permission, the emphasis should be on securing details by condition or obligation and not at the planning application stage.

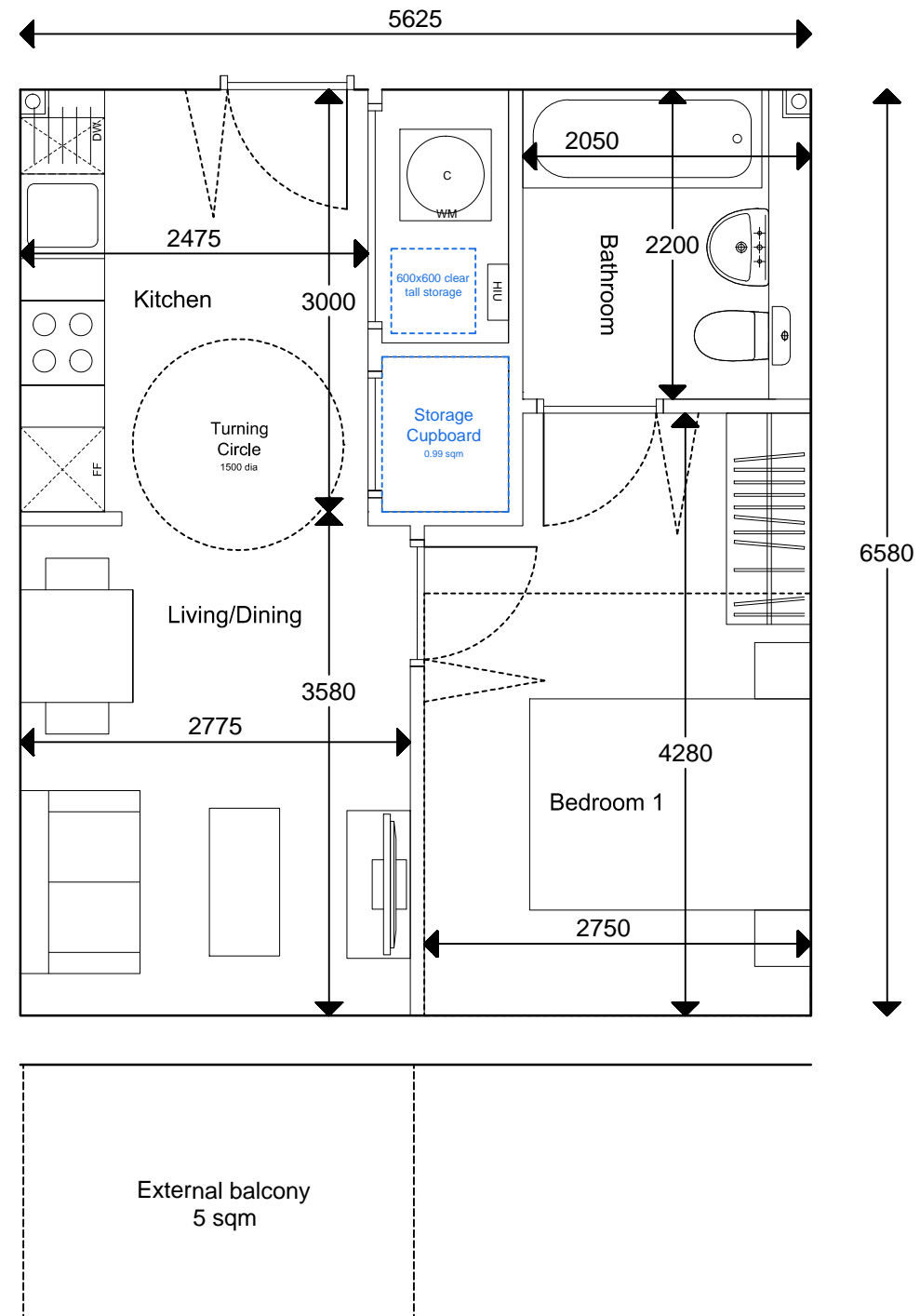
Policy SI4	Heat risk	It is agreed that London must manage heat risk, but this policy is too simplistic and idealistic. It must acknowledge the interrelationship of overheating with air quality, carbon consumption, daylight / sunlight and private amenity space.	This policy should be revisited to consider the relevant matters in a holistic manner and not topic-by-topic.
Paragraph 9.3.5	CIBSE standards	This paragraph states that <i>'To ensure heat networks operate efficiently, effectively and reliably, the Mayor supports standards such as the CIBSE CP1 Heat Networks: Code of Practice for the UK and the Heat Trust standard'</i> .	Adopting such standards will increase build costs. This must be acknowledged in the London Plan given that this has implications for overall scheme viability and the capacity of a development to deliver public benefits such as affordable housing.
Policy SI5	Water infrastructure	This policy relates to water infrastructure. As drafted it cross-refers to BREEAM. Whilst it is appreciated that BREEAM includes water requirements, it also includes a host of other requirements.	If the Mayor considers the London Plan should address BREEAM requirements then this should be via a specific policy which considers BREEAM as a whole, with the necessary supporting text.
Policy SII6	Digital connectivity	The policy seeks development proposals to <i>'achieve greater digital connectivity than set out in part R1 of the Building Regulations'</i> . As this policy acknowledges, digital connectivity is addressed via Building Regulations. The Regulations may change following the adoption of the London Plan and come to match or exceed what is sought in the supporting text.	Given these matters are addressed by Building Regulations then standards should not be set out in this policy or its supporting text. In any case, references to Building Regulations should be removed from Policy SI6 and its supporting text.
Policy SII7	Circular Economy Statements	Reducing waste arising from developments and encouraging the circular economy is an admirable and sustainable policy. These matters are or can be addressed through the current suite of application documents including Construction Management Plans, Logistics Plans, Site Waste Management Plans and / or Sustainable Design and Construction Statements.	It is not necessary to introduce another statement (a Circular Economy Statement) to the list alongside. This is onerous for all parties and does not necessarily provide any benefit. References to Circular Economy Statements should be removed from the draft London Plan.
Policy SI11	Fracking	Policy SI11 states <i>'development proposals for exploration, appraisal or production of shale gas via hydraulic fracturing should be refused'</i> .	This statement is inconsistent with national planning policy. The policy should be deleted.
Policy SI13	Impermeable paving and sustainable drainage	We object to the blanket ban on impermeable paving.	The merits or otherwise of the use of permeable paving should be considered on a site-specific basis and costs / benefits taken into account.
Chapter 10: Transport			
Policies T1, T2, T3, T4 and	Healthy Streets contributions	We understand the reasons why the Mayor is seeking to ensure that 80% of all trips in London is made by foot, cycling or public transport by 2041. As the Mayor is aware, developments can only	Policies T1, T2, T3, T4 and para 10.4.3 should all refer to the NPPF tests mentioned.

Paragraph 10.4.3		<p>support a certain amount of public benefits (such as affordable housing, open space improvements, etc) before a scheme becomes unviable. Moreover, any benefit must be directly related to the scheme and not used to rectify existing deficiencies (in the quality of surrounding public highway for example). It should be made clear in the supporting text to Policy T2 that:</p> <ul style="list-style-type: none"> any financial obligations secured in respect of Healthy Streets improvements must be necessary to make the development acceptable in planning terms; directly related to the development; and fair and reasonably related to the scale and kind of the development, in accordance with the NPPF tests; and contributions can be "pooled" from several developments. 	
Policy T5 and Table 10.2	Cycle parking	<p>We object to the increase in the long-stay cycle parking provision for C3 use for 1-bedroom units and the increase in short-stay to 1 space per 40 units. On large-scale developments in particular, this increase in cycle parking provision may:</p> <ul style="list-style-type: none"> occupy ground floor space (resulting in less commercial / active frontage); result in more cycle parking space that will not be used by the occupiers of the development because of a lack of demand; and result in additional cost that could be better spent elsewhere (e.g. Healthy Streets improvements). <p>Instead of incrementally increasing the number of cycle spaces within schemes, we consider that the GLA and TfL should review their entire approach to cycle parking, particularly where evidence suggests fewer people are inclined to privately maintain their own bicycles (given on-street shared cycles are increasingly being provided by both the public and private sector).</p>	Policy T5 should allow reduced cycle parking levels in developments if deliverable alternative 'shared cycle' approaches can be brought forward in conjunction with TfL.
Policy T6.1	Residential parking standards	<p>Table T6.1 does not recognise that it may be appropriate to provide flexibility in terms of car parking provision.</p> <p>In addition, unlike the approach set out in the adopted London Plan, Table 10.3 of the draft London Plan does not provide differentiated standards based on the number of beds provided. For example, homebuilders' experience is that households with children</p>	Policy T6.1 should be revisited to allow flexibility in circumstances where an applicant agrees with the local Borough and the local community that higher levels of provision are more appropriate.

		are much more likely to find they require a car. Experience demonstrates that young families are also disproportionately likely to be purchasers of family-sized homes in new developments.	Table 10.3 should be redrafted to recognise that higher levels of provision may be suitable where homes have 2 or more beds.
Policy T6 and subsequent policies	Disabled car parking	<p>The various relevant draft London Plan policies currently require applicants to attempt to identify spaces for disabled car parking, even where the development is 'car-free'.</p> <p>There are however accessible sites across London which can substantively deliver new homes and commercial floorspace where there is either no prospect whatsoever of accommodating parking or where doing so would make a scheme suboptimal. This might be either or both in terms of reducing what can be delivered or by detrimentally affecting how a development relates to its context (e.g. by reducing active frontages or through locating parking spaces in the public realm).</p>	The London Plan should explicitly recognise that in some instances good planning dictates that minimal or no parking can be provided for any users. This will avoid protracted discussions on this point and allow acceptable development to proceed more quickly.
Policy T6.1	Electrical vehicle charging points	<p>The draft London Plan states that <i>'at least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces'</i>.</p> <p>This proposed policy approach may see applicants asked to secure and reserve capacity from an already constrained electricity grid. This could see capacity on the grid ring-fenced for a change (a conversion from passive to active provision) that never happens. This would be an inefficient use of infrastructure.</p> <p>Alternatively, the proposed policy approach might see applicants asked to integrate substations within developments to deliver electricity that is never required. This would be an additional infrastructural cost. Designing in additional substations could have knock-on design effects that detract from a scheme and its wider contribution to the local area (for example upon active frontages and/or upon the public realm through allowing for access).</p>	The draft London Plan should set out a clear position on the points raised. It should be explicit that i) applicants are not expected to reserve capacity on the grid ii) contributions should not be sought and iii) substations should not be sought to provide future capacity that may never materialise. It should also be explicit that any contributions / obligations sought would detrimentally affect a scheme's ability to address other planning objectives, including the delivery of affordable housing.
Policy T9	Funding transport infrastructure	-	Part C of Policy T9 should explicitly acknowledge that any financial obligations secured must be necessary to make the development acceptable in planning terms; directly related to the development; and fair and reasonably related to the scale and kind of the development, in accordance with the NPPF tests.

APPENDIX 3 – CASE STUDY LAYOUTS FOR COMPACT HOMES

1 bed suite 37 sqm



2 bed
4 person (3 person for planning)
2 bathrooms
68 sqm

