



GL Hearn

Part of Capita Real Estate

Representations to Draft New London Plan

Bovis Homes

Land to the south of Mitchley Avenue and to the north of Mitchley Hill
Croydon

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Contents

Section	Page
1 INTRODUCTION	4
2 POLICY REVIEW	5
3 CONCLUSIONS	11

Appendices

APPENDIX A: SITE LOCATION PLAN	12
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This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Business or Associate Director.

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Limitations

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1 INTRODUCTION

- 1.1 This Representations Statement is submitted in response to the Draft New London Plan. It is made by GL Hearn Ltd on behalf of Bovis Homes Limited ('Bovis Homes') which has land interests at Land South of Mitchley Avenue and Land to the North of Mitchley Hill, 'the site'. An aerial view of the site is located at **Appendix A**.
- 1.2 Bovis Homes has been promoting the site for residential development for a period of time and has participated in the recent Croydon Examination in Public as well as submitting the site for the London Plan call for sites.
- 1.3 In summary, Bovis Homes' representations support the increase in the number of new homes to be delivered in London and considers that the number of units to be provided is a minimum number.
- 1.4 However, Bovis Homes has concerns about the deliverability of the number of new homes, and, whilst recognising that sustainable brownfield land has an important role to play, considers that greater flexibility should be afforded in planning policy terms. To that effect, Bovis Homes considers that the housing crisis in London constitutes 'exceptional circumstances' and that, as such, consideration should be afforded to releasing sustainable Green Belt land to meet identified needs.
- 1.5 In setting this out, Bovis Homes point out the significant need for new family housing which does not accord with the likely type of housing that will be delivered from brownfield land. In addition, Bovis Homes note that all authorities around London recognise that housing needs cannot be met on brownfield alone and that some Green Belt land is required in order to meet needs.
- 1.6 As such, it is Bovis Homes' position that the London Plan is unsound and does not meet national planning policy requirements.

2 POLICY REVIEW

Housing

- 2.1 This section considers housing provision in Croydon set against targets published within the Draft New London Plan.
- 2.2 Croydon has consistently struggled with a significant shortfall in housing delivery. It is unlikely that the increased housing can be delivered within the existing development boundaries and therefore the next logical step is to release Green Belt land to enable the delivery of these additional homes.
- 2.3 The SHMA (2015) identifies that, as housing targets for LBC have consistently increased in recent years, the levels of delivery have dropped. The SHMA identified that there is a requirement to provide 44,149 new homes in the period up to 2036 (it covers a 23 year period, which equates to circa 1,920 new homes per annum).
- 2.4 The Croydon Local Plan was adopted on 27 February 2018, however, it recognised that even the SHMA figures cannot be met in Croydon as *“There is limited developable land available for residential development within the built up area meaning that it is only possible to plan for 32,890 new homes in the plan period”* (para 4.1 of the 2018 Local Plan). As such, the Local Plan is only planning to meet the previous London Plan figure of 1,430 new homes per annum.
- 2.5 Indeed, it is clear from the Local Plan that Croydon has considered all developable land within the built up area and there is very limited capacity. If the 2018 London Plan seeks to increase the amount of housing in Croydon, alternatives to developing within the built up area will need to be considered.

Policy H1

- 2.6 Policy H1 of the Draft New London Plan sets the ten-year targets for net housing completions which each local authority should plan for. The overall housing requirement for Croydon has increased by over 100% to 29,490 (2,949 per annum) new homes over the next ten years (up from 14,348 new homes in the current London Plan equating to 1,429 dwellings per annum).
- 2.7 The Croydon Local Plan recognises that there is limited suitable land available for residential development within the built up area. It is our opinion that there are many other sites that can deliver new homes in a sustainable manner across the Borough. Conversely, there are sites included within the Plan that cannot be delivered and their inclusion does not meet the NPPF requirements.
- 2.8 Of course, Croydon can carry out an early review of the Local Plan in order to seek to meet the increased housing needs, however, as recognised in the Local Plan, there are severe limitations in

terms of land within the built-up area. As such, it would appear from the evidence that the only potential sites that can lead to a doubling of housing delivery in Croydon are sites outside the built-up area. Of course, in Croydon, this would most likely mean considering suitable Green Belt sites. However, as we set out below, the current draft London Plan policy does not allow this.

- 2.9 As such, we consider the current housing land supply of Croydon should incorporate a wider array of sites, including sites within the Green Belt which are suitable and sustainable in order to meet the growing housing need.
- 2.10 The London Plan should reflect this position and accept that, in locations such as Croydon, where all non-Green Belt developable land has been identified, greater flexibility is required to meet housing needs. Preventing a Green Belt review will only lead to a local failure to meet housing needs and also a wider failure within London to meet the needs identified.
- 2.11 To continue with this approach is clearly unsound.
- 2.12 Policy H1 of the draft London Plan also considers the types of sites through which housing targets should be delivered. The Policy outlines development should be focused on the following:
- *sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a Tube station, rail station or town centre boundary[35]*
 - *mixed-use redevelopment of car parks and low-density retail parks*
 - *housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses*
 - *the redevelopment of surplus utilities and public sector owned sites*
 - *small housing sites (see Policy H2 Small sites)*
 - *industrial sites that have been identified through the processes set out in Policy E4 Land for industry, logistics and services to support London's economic function, Policy E5 Strategic Industrial Locations (SIL), Policy E6 Locally Significant Industrial Sites and Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function.*
- 2.13 In the context of Croydon, this would set a challenge to the ability of the Council to meet the requirement of Policy SP2.7 of the Local Plan. This element of the Policy seeks to ensure that a wide mix of new homes is delivered across the Borough. One of the main challenges for Croydon is to provide family housing, particularly when there has been concentration on high density town centre development. In Croydon, there is a set target of 50% of all units being three bedrooms or more.
- 2.14 A large percentage of developments in town centres as well as windfalls lead to smaller units being developed. The types of brownfield sites listed above are most likely to be found in central urban areas, where various considerations such as size and density, and policy directions are at hand. The majority of such sites would not be able to accommodate a large proportion of family housing

as part of their offer. Therefore, Policy H1 would limit the options through which family housing can be built and would significantly constrain Croydon – and London – in meeting its housing needs, adversely affecting local residents.

- 2.15 As such, we consider that the strategic approach in the London Plan needs to be amended to reflect the ‘exceptional circumstances’ that exist in Croydon. Such circumstances may also exist in other boroughs where insufficient brownfield land, or non Green Belt land, exists to meet development needs.
- 2.16 The London Plan must recognise that a review of the Green Belt is inevitable if the boroughs are going to meet the housing needs. Failure to include this land (which consists of 22% of land within London) is wholly unsound and does not afford the flexibility required.
- 2.17 The mechanism for such a Green Belt review and potential Green Belt release is set out in national policy. However, the London Plan fails to set out the strategic context against which such a release should be considered.
- 2.18 The circumstances here are unique across England as this is the only current location where a strategic plan is promoted by a separate body to that preparing the local plan¹. Of course, the local plans have to be ‘general conformity’ with the London Plan.
- 2.19 As such, we would recommend that a new bullet point is included in draft Policy H1:

G. Where a local planning authority cannot identify sufficient brownfield sites to meet its five year housing requirement, Exceptional Circumstances may exist to allow for sustainable Green Belt locations to be identified as suitable sites for housing development.

- 2.20 The inclusion of the above point within the Policy will allow greater flexibility in the delivery of the London Plan housing figures and would also conform to national policy.

Green Belt

- 2.21 Policy G2 of the Draft New London Plan states

“A. The Green Belt should be protected from inappropriate development:

- 1. development proposals that would harm the Green Belt should be refused*
- 2. the enhancement of the Green Belt to provide appropriate multi-functional uses for Londoners should be supported.*

B. The extension of the Green Belt will be supported, where appropriate. Its de-designation will not.”

¹ There are, of course, examples of joint working by authorities to produce a joint strategic plan, but this is different to the situation in London where the Boroughs are not involved in the policy formulation of the London Plan

- 2.22 National Planning Policy relating to Green Belt can be found in Section 9 of the NPPF. The five purposes of including land in the Green Belt are set out there and are long-standing purposes.
- 2.23 There are three methods of allowing development in the Green Belt. Firstly, paragraph 89 sets out cases where development is not inappropriate development. The London Plan draft policy sets out that the Green Belt should be protected from inappropriate development and, by extension of this, we assume that appropriate development is supported. It may be useful for the London Plan to specifically refer to the definition in paragraph 89 of the NPPF.
- 2.24 However, the NPPF is more nuanced than Policy GB2 of the London Plan. It allows for 'very special circumstances' to be demonstrated that these may outweigh the harm to the Green Belt. The draft London Plan policy does not allow such an assessment, and as such, this element of the Policy is unsound and inconsistent with national policy.
- 2.25 The London Plan does set out the strategic context for the Borough Local Plans. It does not provide a detailed proposals map as this is identified at the more local level. Green Belt boundaries are to be identified at the Local Plan level.
- 2.26 National policy does allow for changes to Green Belt boundaries in 'exceptional circumstances'. Such changes could be either a decrease in Green Belt land or an increase (i.e. adding to the Green Belt). However, in both such circumstances, exceptional circumstances must be identified.
- 2.27 The draft London Plan Policy does not provide such differentiation, nor does it align itself with national planning policy. What it seeks to do is support the extension of the Green Belt (without reference to the national planning test) whilst it does not allow any release of Green Belt land.
- 2.28 In itself, this Policy is therefore clearly contrary to national planning policy (and this is without the recognition that some Green Belt land will need to be released to meet housing needs). What it does, is set the boroughs a different test for Green Belt land to that set out in the NPPF.
- 2.29 Given that national planning policy applies across England, this approach cannot be correct. Local councils must have the ability to either increase or decrease Green Belt land as circumstances change.
- 2.30 As such, we contend that this Policy as currently drafted is unsound as it is inconsistent with national policy, and unjustified.
- 2.31 As such, we propose the following wording change to the Policy:

"A. The Green Belt should be protected from inappropriate development:

1. *development proposals that would harm the Green Belt should be refused unless very special circumstances can be identified*
2. *the enhancement of the Green Belt to provide appropriate multi-functional uses for Londoners should be supported.*

~~B. The extension of the Green Belt will be supported, where appropriate. Its de-designation will not.~~ *Any alterations to Green Belt boundaries should be undertaken through the Local Plan process”.*

- 2.32 The changes above will ensure that the Green Belt designation is protected in accordance with national policy. In addition, this would reflect the same test that the Mayor is setting out for Metropolitan Open Land (MOL) in draft Policy G3. The tests for both Green Belt and MOL are the same, and there is no reason why they should be treated any differently.
- 2.33 Indeed, to Bovis Homes’ mind, the role that MOL plays in London is more important, particularly as densities increase in sustainable locations. Having a more stringent policy for Green Belt to MOL appears to be counterproductive.
- 2.34 The supporting text to Policy G2 sets out that even sites which do not provide significant benefits in terms of openness should be protected and are considered to contribute to biodiversity, flood prevention and reducing urban island effect.
- 2.35 The site in consideration has already been significantly surrounded by built development. Therefore, Bovis Homes consider that the contribution this site has to biodiversity, flood prevention and urban island effect has been substantially reduced by the existing surrounding built up areas. In the face of severe shortage of housing in Croydon and London as a whole, we struggle to understand why the GLA does not consider that suitable and sustainable sites within the Green Belt should be considered for release.

Duty to co-operate

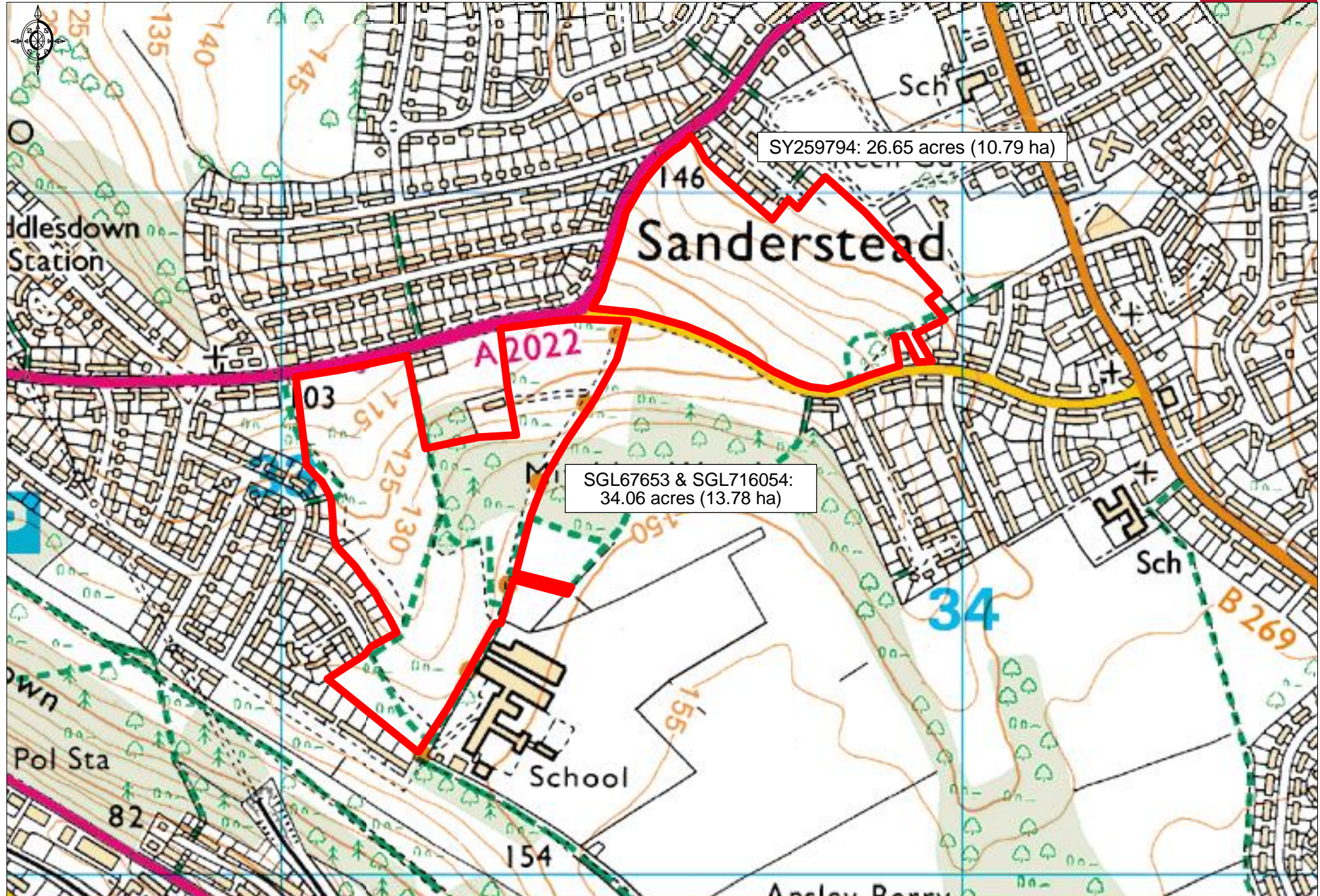
- 2.36 The Inspector appointed to conduct the FALP considered that the London Plan did not have to comply with the formal duty to co-operate introduced under the Localism Act. However, the local boroughs do have to comply with this duty, and particularly when considering unmet need.
- 2.37 It is of course, a requirement that an authority seeks to accommodate its own needs first and only after being unable to meet the needs within its boundaries, seek to co-operate with neighbouring authorities.
- 2.38 The Mayor of London has stated that all of London’s housing needs will be accommodated in London and that there is will be no overflow from London into neighbouring authorities. When considering the position in Croydon, this does appear to be far fetched.

- 2.39 Croydon has boundaries with four other London Boroughs: Sutton; Merton; Lambeth; and Bromley.
- 2.40 All of these authorities are facing an increase in housing delivery requirements and are highly unlikely to be able to accommodate any additional housing from Croydon. Croydon also has boundaries with authorities in Surrey, however, all of these are already contemplating significant Green Belt release. The Mayor does not envisage any of Croydon's needs to be met in Surrey.
- 2.41 As such, authorities such as Croydon find themselves in a position where there do not have opportunities to increase housing supply within their areas and are unable to utilise the duty to co-operate with neighbouring authorities.
- 2.42 All this will do is lead to an immediate failure of the London Plan to deliver the much-needed housing.

3 CONCLUSIONS

- 3.1 It is plainly clear that London faces a housing crisis. The number of new homes that need to be delivered in London on an annual basis is 66,000. However, whilst supply has increased over the past few years (in 2016/17 nearly 40,000 new homes were delivered) there needs to be a step change in the policies of the London Plan in order to make good the promise to Londoners that homes will be delivered.
- 3.2 This step change cannot occur by continuing to concentrating solely on brownfield land, a policy that has been in place since the First London Plan. Whilst this policy had led to more land being recycled, it does have a limitation on both the numbers and type of housing to be delivered, and ultimately will not meet the identified need.
- 3.3 In order to provide a greater range of housing and to boost the supply of such housing, the only realistic option is to not only allow but to **encourage** local councils to consider whether circumstances within their areas are such that Green Belt land should be considered for residential development.
- 3.4 The level of the crisis is exceptional and the response needs to be the same. The only way of doing that is accepting the role that the Green Belt has to play in meeting development needs, as authorities outside London have done.
- 3.5 The changes to the policies that we have outlined in this representation will allow local boroughs the flexibility to provide new homes on suitable land and meet the housing requirement in accordance with national policy.

APPENDIX A: Site Location Plan



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