

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

Sent by Email
(LondonPlan@london.gov.uk)

2nd March 2018

Dear Sir,

**NEW DRAFT LONDON PLAN CONSULTATION: DECEMBER 2017 - CANARY WHARF
GROUP REPRESENTATIONS**

INTRODUCTION

1. We hereby write in response to your consultation on 'The London Plan – The Spatial Development Strategy for Greater London: Draft for public consultation December 2017' (hereafter referred to as the "Draft London Plan"). This letter comprises our formal comments to the consultation and we have considered the 'soundness' of the Draft London Plan having regard to the guidance set out in para. 182 of the National Planning Policy Framework, 2012 ("NPPF") which states that a "*sound*" plan should be "*Positively prepared*"; "*Justified*"; "*Effective*"; and "*Consistent with national policy*".
2. We respectfully request to participate in the Examination in Public process and that we are kept informed of the next stages in the production of the Draft London Plan.

BACKGROUND

3. Canary Wharf Group ("CWG") is a well-established London real estate business which has overseen the iconic and largest urban regeneration project ever undertaken in Europe at Canary Wharf, as well as new developments across London. We design, build and manage a unique set of assets to serve local and international companies, renowned retailers and some of the UK's most exciting technology start-ups.
4. Our vision is to create truly great places where people want to work, live and relax. Over the past 30 years, we have developed 16 million square feet of London's disused docklands into one of the world's foremost business districts, with more than 11 million square feet of development still to come, including offices, retail, leisure, community and residential. Canary Wharf is home to some of the world's greatest companies and is the global and regional headquarters of leading names in law, banking, financial and professional services, media and technology.

5. The Canary Wharf Estate is one of London's most exciting places to be. Alongside high quality offices, we have Level39 - Europe's most influential financial technology accelerator and the most connected community for finance, cybersecurity, retail and smart city technology business. Canary Wharf is also a metropolitan retail and leisure destination comprising over 1 million square feet of retail, leisure and community floorspace together with a diverse range of bars, cafes and restaurants. It also has a world class, year round arts and events programme offering over 200 diverse and culturally inspiring events performed throughout the year and more than 70 works of art by 45 artists and designers on public display.
6. We are in the process of delivering a major residential building programme, providing thousands of new homes (both for sale and for rent) for Londoners and significantly enhancing the vibrancy and richness of Canary Wharf which has become a vital ingredient to attracting new businesses here, in an ever more challenging climate. At the centre of our placemaking strategy is the desire to create places where people want to live, work, enjoy and visit.
7. Buildings however, are only part of this community – a fifth of Canary Wharf's 97 acres comprise as landscaped parks, fountains, tree-lined plazas and walkways alongside the docks. With more than 1,000 oaks, silver limes, horse chestnuts and London planes, plus 70,000 seasonal plantings every year, Canary Wharf is one of the capital's greenest places where buildings and nature share this huge space on a human scale.
8. We employ over 1,000 people and there is a working population at Canary Wharf of circa 120,000 people. The arrival of Crossrail trains in 2018 will strengthen the resilience of the existing public transport infrastructure enhancing Canary Wharf's highly sustainable location.
9. Outside of Canary Wharf, we are bringing forward the redevelopment of the Shell Centre at Waterloo which will deliver 2 million square feet of office, residential, retail and leisure uses in the heart of London. We have also developed office buildings such as 20 Fenchurch Street in the City and are constantly seeking out new opportunities, which includes being party to Transport for London's Property Partnership Framework.
10. Our ongoing success is vital for the economy of Tower Hamlets, London and the UK and therefore it is essential that the Draft London Plan is suitably flexible and positively facilitates, rather than restricts, opportunities going forward. As identified in the Draft London Plan, Canary Wharf forms part of the Isle of Dogs and South Poplar Opportunity Area, lies within the Northern Isle of Dogs (NIOD) Central Activities Zone ("CAZ") 'satellite' and is a Metropolitan Town Centre.
11. These representations on the Draft London Plan are set out on a Chapter by Chapter basis starting with some general comments immediately below.

GENERAL COMMENTS

12. We are concerned that the Draft London Plan as drafted is not going to be able to fulfil its objectives of delivering the amount of growth proposed given the number of rigorous policy requirements and insufficient flexibility which will ultimately impact development viability.
13. With specific reference to Canary Wharf, we support the identification in the Draft London Plan of Canary Wharf as a Metropolitan Town Centre. Canary Wharf has been

fulfilling a Metropolitan role for some time (it contains over 100,000sqm of retail, 47,931sqm of leisure (above the metropolitan requirement of 25,000sqm) and 116,072sqm of service floorspace as of November 2016); has a significant proportion of high-order comparison goods relative to convenience goods (89% as of November 2016); excellent accessibility (PTAL 6); and significant employment, service and leisure functions) and this change in classification is identified in the current London Plan.

14. We also support the references in Annex 1 of the Draft London Plan to Canary Wharf accommodating a high commercial growth potential and high residential growth potential. However, given the high residential growth potential classification, we question the identification in Figure 2.11 – ‘Central London’ of the 29,000 homes target in the Isle of Dogs and South Poplar Opportunity Area. We understand, for instance, that the emerging draft Isle of Dogs & South Poplar Opportunity Area Planning Framework (“IODSP OAPF”) envisages significantly more homes across its different growth scenarios. Given the housing delivery challenges identified throughout the Draft London Plan, our view is that to be positively prepared, Figure 2.11 should set a more ambitious target for housing growth, in line with the work the GLA has undertaken in preparing the draft IODSP OAPF.
15. The role of the NIOD as part of the CAZ is to support London’s position as a global city. As set out in the CAZ SPG, the agglomeration benefits of the CAZ is based on a rich mix of strategic uses as well as local uses. This includes a wide range of uses beyond office and commercial uses such as retail, cultural uses, tourism facilities, leisure and entertainment etc. Alongside these strategic CAZ uses there is a need for housing, social infrastructure and community uses to support residents, visitors and workers. These uses are also critical for placemaking and for attracting new businesses which is becoming harder and more competitive nationally and internationally particular in a post Brexit environment. Prospective tenants have increasingly higher expectations in where they want to base themselves which is in part driven by the demands of existing and future employees. They want to be based in vibrant and animated areas with a clear sense of identity, where they can enjoy local attractions and have the opportunity to live nearby.
16. The 110,000 employment target for the Isle of Dogs Opportunity Area set out in Figure 2.11 should be revised. The employment target for the Isle of Dogs hasn’t changed from the 110,000 target first set out in the 2008 London Plan. Rolling over of this target does not recognise the significant increase in employment within the Isle of Dogs Opportunity Area of 44,700 jobs since the 2008 London Plan. By contrast, employment targets for other Opportunity Area’s, such as London Bridge, Waterloo, VNEB and the City Fringe where ambitious growth is planned and being delivered, have been updated.
17. We note that Table 6.1 of the Draft London Plan sets out the office employment projections for the Plan period based on the London Office Policy Review 2017 (LOPR). On reviewing the LOPR, the employment projection for the NIOD CAZ (2016-41) is 78,600 jobs (LOPR Figure 9.28). As the NIOD will deliver most of the employment projected for the Isle of Dogs and South Poplar Opportunity Area, the employment target should be revised in line with the supporting evidence base and that consistent methodologies are using throughout the Plan. Setting unrealistic targets, which aren’t robustly backed up by evidence would find the Plan unsound and these must be carefully reviewed and policy revised accordingly.

CHAPTER 1 – PLANNING LONDON’S FUTURE (GOOD GROWTH POLICIES)

Draft policy GG2: ‘Making the best use of land’

18. We support the objectives of draft policy GG2 and its supporting text to make more efficient uses of land, creating places of higher density in appropriate locations to get more out of limited land, proactively exploring the potential to intensify the use of land and using London’s land more effectively. Development at Canary Wharf has embodied these principles and it is how all Opportunity Areas should come forward to enable the delivery of the Draft London Plan’s housing and employment targets. However, this must not be at expense at providing the necessary infrastructure to support higher density development such open space, transport, social facilities, retail, employment, etc. At Canary Wharf we have worked hard over many years to ensure that such infrastructure is provided to support our developments which has included substantial investment in the strategic transport system including the DLR, Jubilee line and Crossrail. This has had the effect of attracting high density development in the wider area, but on a piecemeal basis without providing the right type and/or quantum of infrastructure such as large areas of good quality open space. This in turn puts pressure on the quality of life for the existing local community.

Draft policy GG6: ‘Increasing Efficiency and Resilience’

19. Section 1.5.3 states *“These environmental threats are real and present, and London must be prepared for them.....while protecting against flood risk.”* This feels inadequate. If there is a robust plan within the Thames Estuary 2100 Plan, that message does not come across in the Draft London Plan. Section 1.5.4 talks of other risks with equal weight (terrorism, large scale fire), however these dwarf in comparison to the threat to London’s homes and businesses from a rise sea level. In general, the concept of resilience particularly to flood and clean water seems is under-represented.

CHAPTER 2 – SPATIAL DEVELOPMENT PATTERNS

Draft policy SD1: ‘Opportunity Areas’

20. The Draft London Plan refers to the Isle of Dogs Opportunity Area (OA), but should ensure this is updated to reflect the Isle of Dogs and South Poplar. *[our underlining]*
21. Similarly, we support the objective of draft policy SD1 that Opportunity Areas fully realise their growth and regeneration potential. Paragraph 0.0.18 of the Draft London Plan introduces a key aim of the plan to be more ambitious and focused than previous plans; it is therefore our view that in order to be positively prepared Draft Policy SD1 should be more ambitious. Whilst part A 5) of the draft policy makes reference to maximising the delivery of affordable housing, this ambition should extend to all development within Opportunity Areas. For instance, instead of part B 1) of the policy referring to Borough’s setting out how they will *“encourage and deliver”* the growth potential of Opportunity Areas, they should set out how they will *“maximise and deliver”* the growth potential of Opportunity Areas.
22. We question why only some of the Opportunity Areas are supported by descriptive text and others (including the Isle of Dogs & South Poplar Opportunity Area) have no supporting text setting out the priorities for these areas. The Draft London Plan should be amended accordingly.

Draft policy SD5: ‘Offices, other strategic functions and residential development in the CAZ’

23. We seek a clarification on draft policy SD5. Part B makes reference to the detailed boundary of the commercial core of the City of London and NIOD being defined by boroughs in Development Plans. Part C is not however clear how “*other core commercial areas of the CAZ*” are defined. It is our view that these would also be best defined by boroughs in Development Plans and that text be inserted to make this clear. There may for instance be circumstances where the ‘greater weight’ requirement for CAZ Opportunity Areas has a negative impact on the delivery of housing in certain parts of these areas. As such, there should be a mechanism, during Development Plan preparation (either through defining CAZ boundaries or specific Site Allocations) to exclude parts of Opportunity Areas from core commercial areas so that the ‘equal weight’ requirement applies.
24. We are also unclear with regard to part H of draft policy SD5. Part H sets out two provisions where the loss of office floorspace in the CAZ could be acceptable. However, currently these provisions are referred to as “*and/or*”, should they not just be an either “*or*”. Secondly, given that older office buildings can be very inefficient with large ancillary spaces, the first part of part H should refer to “*a loss of net office floorspace*” [*our underlining*].
25. Figure 2.18 identifies the town centre classifications and the range of uses for each. Residential uses should be included under ‘Metropolitan’ town centres.

CHAPTER 3 – DESIGN

26. As a general comment, with the removal of the density matrix and a design-led approach to site optimisation, the plan places significant responsibility on boroughs to prepare evidence and new planning policies on densities and tall buildings and is heavily reliant upon design reviews. We are concerned that boroughs will lack the skills and resource for this additional work and moreover that the plan does not contain sufficient guidance for boroughs on the likely scale of development that will be expected.

Draft policy D1: ‘London’s form and characteristics’

27. Part B 1) of the draft policy which refers to responding to local context contradicts part A 1) of the policy (using land efficiently by optimising density) and other policies within the Draft London Plan, including draft policy SD1 part B 4), which recognises that areas can characterise their own character and density. We consider that in order to be effective the text should be amended as follows:

*“~~respond to~~ **consider the local and emerging** 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, **the development objectives for the area as well as** ~~including to~~ existing and emerging street hierarchy, building types, forms and proportion”*

Draft policy D2: 'Delivering good design'

28. It is our view that draft policy D2 subtopics 'Design Scrutiny' and 'Maintaining design quality' are not justified in a strategic planning document and should be removed. Whilst we are strong advocates of good design, the decision on whether a scheme undergoes design review and the nature of that review should be agreed between the borough and applicant at pre-application stage having regard to the specific circumstances of the scheme. Likewise, the contents of a planning submission and what elements of a scheme are to be conditioned is a matter for discussion between the boroughs and applicants, having regard to published 'Planning Application Requirements' documents which all boroughs produce and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). Attempting to include too much detail at planning application stage (some of which may not be available at that stage) will significantly slow down the planning determination process and undermine the delivery of development.
29. It is also recommended part D of Policy D2 revises "*Design Codes*" to "*Design Guidelines*"; design codes can imply and unhelp level of rigid prescriptiveness whilst guidelines allow for a degree of flexibility in the interest of bringing forward 'good growth'. Furthermore, under part H4 of this policy, it is unreasonable for local planning authorities to insist on the retention of architects in legal agreements; this should be deleted from the draft policy.
30. Clarification is sought on the role of the Mayor's Design advocates which are referred to in paragraph 3.2.6. It is unclear how they are intended to interact with planning application proposals, particularly given that boroughs commonly seek their own independent advice on the design through the design review panels and it is important that this role is not duplicated unnecessarily by the GLA.

Draft policy D4: 'Housing quality and standards'

31. Draft policy D4 part A states that housing developments should not differentiate between housing tenures. Whilst we are supportive of this in principle, the viability constraints of this need to be considered given that integrating market and affordable housing can impact on scheme deliverability/viability. Flexibility should also be introduced to the space standards to meet affordable housing need, for example where sharer units are promoted.
32. Part D8 of policy D4 specifies ceiling heights of 2.5m for at least 75% of the GIA for each dwelling. This should be updated to be in accordance with the National Described Space Standards (March 2015) which states a height of 2.3m for at least 75% of GIA.
33. Draft policy D4 includes a sub-section on private open space. This draws on Standards 26 and 27 of the current Mayor's Housing SPG (2016), however the draft policy doesn't make any provision for those circumstances where it is not possible or suitable to provide a private outdoor space. This may be due to impacts from a neighbouring land use or transport infrastructure which are more likely to be factors in town centres or Opportunity Areas where the majority of new housing is directed. The Mayor's Housing SPG currently makes provision for measures such as oversized units instead of private outdoor space to provide flexibility. It is our position that this part of the policy is not effective and that given the current Housing SPG and design standards therein, further policy on standards such as private outside space is an unnecessary duplication.

34. For the same reason, we also disagree with the statement in draft policy D4 part E that single aspect units should be avoided. East, west and south facing units, especially in tall buildings, can work very well and it is a very narrow measure of a unit's residential quality to just judge it on aspect. We are unclear how all one bedroom units especially could avoid being single aspect within a development. Again, the current Housing SPG adequately addresses the application of dwelling orientation (Standard 29) and the suggested draft policy text will unnecessarily burden the design of schemes.
35. Supporting para. 3.4.2 makes reference to borough's resisting dwellings with floor area significantly above those in Table 3.1 as they do not constitute an efficient use of land. We are uncertain of the need for this statement given the density measures set out in draft policy D6: 'Optimising Housing Density'. This policy should be the test of whether land is being developed efficiently and it is still possible to optimise density whilst incorporating larger units.

Draft policy D6: 'Optimising Housing Density'

36. Supporting para. 3.6.2 states that it will not normally be necessary for minor developments to undertake infrastructure assessments, with the implication that major developments should undertake infrastructure assessments. We are unclear as to why infrastructure assessments (beyond what is currently undertaken in documents such as a Transport Assessment) are required to accompany planning applications and what is envisaged needs to be clearly set out. Nevertheless, it is for each local planning authority when preparing their Local Plan to establish what infrastructure is required to deliver the plan's growth targets which in turn links to the setting of Community Infrastructure Levy (CIL) rates. Applicants should not be subject to any further burdens in this respect.

Draft Policy D8: 'Tall Buildings'

37. With regard to tall buildings, the current London Plan (policy 7.7) provides guidance as to the most appropriate locations for tall buildings – the CAZ, opportunity areas, areas of intensification and town centres that have good access to public transport. Given the expected level of development set out in the Draft London Plan for these areas and in order to be positively prepared, we consider that this important strategic direction for the location of tall buildings should be carried across to the new London Plan to ensure that locations for tall buildings are not unnecessarily restricted.
38. With regard to part C 1) (a) iii of draft policy D8, it is not always necessary to have a transition in height with adjacent buildings or open spaces. Those adjacent buildings may be for instance commercial buildings which have little design or amenity qualities to protect (and potentially a redevelopment site themselves). Similarly, a tall building could provide an important reference point for or help frame an adjacent open space. Ultimately the appropriateness of the transition should be determined on a case by case basis during the determination of the application which other policies within the plan already address (i.e. policies D1 and D6 which acknowledges that making the most efficient use of land will mean developing at densities above those of the surrounding area on most sites). We would therefore suggest that the final sentence of C 1) (a) iii is removed.

CHAPTER 4 – HOUSING

39. With regard to Table 4.1 – '10 year targets for net housing completions (2019/20 – 2028/29)' we would like to clarify if these are minimum targets as in the current London Plan. Central Government's September 2017 consultation – 'Planning for the right homes in the right places' sets a figure of 4,873 dwellings per annum for Tower Hamlets as an 'Indicative assessment of housing need (2016 – 2026)' which is over 1,300 dwellings per annum above the Draft London Plan target for Tower Hamlets. This suggests that the London Plan figure should be seen as a minimum in order to deliver a "step change" in housing supply.

Draft Policy H4 'Meanwhile Uses'

40. We support the principle of meanwhile uses where sites are genuinely not being used for alternative purposes and developers are not actively working to bring forward the site for redevelopment. However, it is crucial that certainty is established on achieving vacant possession post meanwhile uses to prevent delay of implementing longer term development. Guidance on residential uses in such instances and the types or tenants/tenancies envisaged where affordable housing is proposed to be applied should be given particular consideration to ensure meanwhile uses are workable and deliverable.

Draft Policy H6: 'Threshold approach to applications'

41. Draft policy H6 sets out the threshold approach to applications. We note that part B states the approach will be reviewed in 2021 and if appropriate through Supplementary Planning Guidance (SPG). However, it is not clear how this will be reviewed and we do not consider it appropriate to revise the approach through an SPG given this could then be contradictory to London Plan policy. Furthermore, there is no consideration to the Local Plan approach and how this should be considered if this differs from policy H6. For example, where a Local Authority approach requires viability information for schemes proposing in excess of the 35% threshold approach, this could contradict with the London Plan. Further clarification should be provided as to how Local Authorities should consider this as part of their Local Plan policies.
42. Whilst in some instances the threshold approach provide certainty for developers in other cases such threshold will discourage residential schemes to come forward where planning policy allows for an alternative use to come forward. Furthermore, there may be circumstances where 'Fast Track' permissions are secured, but aren't able to be implemented given current uncertainty over construction costs, market conditions etc. In such circumstances the approach would simply frustrate delivery given under the 'Fast Track' approach schemes that aren't implemented would then trigger a full viability review mechanism causing further delays and uncertainty of delivery.
43. Where it can clearly be demonstrated that the 'Fast Track' approach is more difficult to achieve in some boroughs than others this should be recognised by the Mayor and this should be amended to support more schemes using the 'Fast Track' route. Furthermore we consider that both the GLA and boroughs should be allowed discretion in regards to the required tenure split, if variation from this will enable 35% affordable housing to be delivered on site.
44. We consider that in some instances off site affordable housing can deliver better outcomes such as a significant uplift in affordable housing numbers when compared to on site delivery and should be considered on a site by site basis. We consider that as

currently worded policy H6 discourages this delivery approach whereas it has the opportunity to provide much needed affordable housing in London.

45. Part H of draft policy H6 refers to scheme amendments. The application of revisiting viability should be undertaken in a pragmatic approach and should only apply to the changes proposed not the whole scheme. Ongoing design development and scheme rationalisation is a normal approach for all developments and therefore developers should not be further delayed where there is no viability case for the changes proposed. Further clarification is required in respect of approvals prior to the introduction of the threshold approach and how these should be considered. Clarity should also be provided as to which section 73 applications this policy would apply to. For instance, it should not be applicable to scheme changes that have no impact on the quantum, mix or tenure of housing provided.
46. We welcome the focus on releasing public land for redevelopment, however a balance is required between maximising affordable housing and ensuring the best value can be achieved for the land sale. The 50% policy requirement makes this difficult to achieve and as such there is a serious risk that sites could sit empty and not redeveloped.
47. Supporting paragraph 4.6.13 sets out the approach that boroughs may want to consider for Opportunity Areas including applying a localised affordable housing threshold for the fast track route or fixed affordable housing requirements. Sites within Opportunity Areas are often the most challenging and costly to bring forward and we believe that a localised affordable housing threshold, or fixed affordable housing requirement beyond 35% will only serve to deter or frustrate development. Any requirement would have to be in accordance with para. 173 of the NPPF.

Draft Policy H7: 'Affordable Housing Tenure'

48. Whilst we are supportive of the different affordable housing products ensuring genuinely affordable housing is provided we have concern over the acceptability of London Living Rent in high value areas. London Living Rent is classified as an 'intermediate rent' product however in some areas this rents achievable are significantly discounted to market value and therefore equivalent to affordable rent, which has an impact on scheme viability. We are concerned with the lack of supporting evidence for this product and how tenants are able to be improve their financial standing sufficiently to acquire the units (as shared ownership) in high value locations given the known affordability constraints.
49. Part A 3) and part B should be given flexibility in regards to the tenure split to ensure that it meets a localised approach in accordance with local need as currently drafted it is too restrictive and not considered sites on an individual basis.

Draft Policy H12: 'Housing size mix'

50. We are supportive of the approach taken in draft policy H12 setting out that there should not be a prescriptive dwelling size mix for market and intermediate homes. As acknowledged in supporting para. 4.12.2, prescriptive mixes are inflexible, are often not followed and also do not take into account market demand factors.

Draft Policy H13 'Build to Rent'

51. Draft policy H13 Part B2 states that homes are held as Build to Rent for at least 15 years. We consider that this should be amended as follows "*homes should be held as*

Build to Rent for a minimum of 15 years unless agreed otherwise with the Local Planning Authority and the GLA.” This requires flexibility on the terms if acceptable by the local planning authority following the minimum 15 year period.

CHAPTER 6 – ECONOMY

Draft Policy E2: ‘Low cost business space’

52. We support the objectives outlined to ensure that office development reflects the changing nature of the office market. We also support the need to deliver a range of types of office space, including space suitable for SME’s and as set out above, Level39 is a successful example of SME space that we have delivered at Canary Wharf. However, the requirements set out in draft policy E2 part C for all developments over 2,500 sqm of B1 floorspace to consider the provision of flexible workspace for SMEs could have a significant impact on the delivery of office development. In order to be justified the wording of this policy should be revised to allow for the consideration of specific circumstances for individual developments. Large scale office developments such as those within Canary Wharf are generally delivered for specific occupiers - we work with occupiers to design buildings tailored to their needs. This type of restriction on office schemes over 2,500 sqm will impact our ability to attract occupiers into key office locations such as Canary Wharf.

Draft Policy E3: ‘Affordable Workspace’

53. Part F of draft policy E3 ties the occupation of residential elements of mixed use schemes which include affordable workspace to the delivery and operation of the affordable workspace. This is neither positively prepared or justified and could stall housing delivery where an occupier for the affordable workspace element could not be found. Part F should therefore be deleted.

Draft Policy E9: ‘Retail, Markets and Hot Food Takeaways’

54. Part E of draft policy E9 makes reference to the provision of affordable units where there is evidence of local need. There is no formal definition of ‘affordable retail’, and introducing such a phrase would be inconsistent with national policy and industry standards as there there would be many differing viewpoints on this. Accordingly in our view this should be deleted from the Draft London Plan.

CHAPTER 7 – HERITAGE AND CULTURE

Draft policy HC3: ‘Strategic and Local Views’

55. We note that part E of draft policy HC3 makes reference to a review of the London View Management Framework (LVMF). There are a number of references elsewhere in the draft London Plan to using digital technology and 3D models (draft policies D2 and D8) to support design analysis. We believe that given the pace of change in London, these technologies are also important to inform an LVMF review and draft policy HC3 should make specific reference to their use in the review of the LVMF.

CHAPTER 8 – GREEN INFRASTRUCTURE AND NATURAL ENVIRONMENT

56. A general comment these policies are inconsistent with the Mayor's 'Sustainable Design and Construction SPG' and their feasibility and practicality are untested.
57. The only additional costs accounted for in the evidence base relate to the requirements of policy SI2. Appendix H of the Technical Report states that, for example, the costs of additional urban greening measures for policy G5 have been included in the external works costs. However, as the external works costs are based on benchmarks, it is unlikely that the increased requirements of these policies have been properly costed. This also applies to the additional measures required to improve air quality (policy SI1) where it is stated that costs have been tested but no evidence has been provided on these costs.

Draft policy G5: 'Urban Greening'

58. Draft policy G5 sets out a suggested approach for boroughs to develop an Urban Greening Factor (UGF). While we note that the guidance set out in Table 8.2 and the UGF of 0.4 for residential developments and 0.3 for commercial developments are set out as suggested starting points for boroughs based on three case studies (two domestic and one commercial), this is not representative of the range of development types in London. Furthermore, hotels, industrial and mixed use schemes have not been tested and therefore the target UGF figures have not been robustly assessed.
59. In addition, the boundaries used to determine the example figures are not representative of the plot/site boundary and seem to be arbitrary depending on the building, with no surrounding public realm included. By its very nature, surrounding public realm tends to incorporate more hardstanding which will reduce the deliverable UGF figures. Existing central London projects with terraces, green roofs and extensive landscaping have been found to deliver UGF values of between 0.11 and 0.17, meaning that it would be highly impractical to achieve the target values quoted in the policy. Clearly if surrounding landscaping in suburban locations is taken into account then the figure becomes much more achievable.
60. The calculation methodology also fails to take account of areas of a building where green infrastructure is impractical e.g. sloped or mansard roofs / areas that are restricted due to a listing or conservation area restriction / areas that are designated as amenity space e.g. terraces. If implemented, guidance and allowances would need to be made for areas such as these. Would a separate factor also be provided for blue roofs, similar to that proposed for permeable paving, even though it serves no purpose to improve urban greening?
61. In addition, we have reservations regarding the type of greening that this policy will deliver. The Draft London Plan already contains policies relating to biodiversity, trees, access to open space and flood risk mitigation, covered elsewhere in the plan, so the additional benefit policy G5 will confer on London is questioned. There is a risk that the 'greening by numbers' approach will create a focus on the quantity of urban greening without due consideration of the quality, setting or purpose. Especially in city centre sites, the policy could lead to more sedum roofs being installed rather than having quality green space, such as an intensive green roof covering less of the site but of much higher quality.

62. Although the supporting text for the policy states that the values are only a recommendation and that each borough develops its own approach in response to its local circumstances, this is unlikely to occur in practice and there is a risk that boroughs will simply adopt the quoted targets with no regard for flexibility of use or density.
63. Such a policy is therefore over prescriptive, does not take into account site specific circumstances and it should be at the Development Management level that schemes are scrutinised to make sure that they are maximising the use of landscaping, green roofs etc. Part A of the policy provides an appropriate strategic basis for this. Part B of the policy is not however justified and should be deleted.

Draft policy G7: ‘Trees and Woodland’

64. Part C of the draft policy refers to valuing the quality of trees through i-tree of CAVAT, however there are numerous natural capital accounting tools, all of which are based on different methodologies and provide different answers. There is therefore a risk to part C that developers and local authorities may arrive at different answers regarding the ‘value’ of trees if they use different tools, which will create confusion. The policy should recommend a common tool/methodology for clarity.

CHAPTER 9 – SUSTAINABLE INFRASTRUCTURE

65. As a general point, the plan’s policy targets for air quality, urban greening and zero carbon development are technically difficult to achieve and place considerable requirements on development such that they unduly constrain viability and development delivery. These policies should include better definition and clarity on the overall environmental priority with regards to costs and environmental performance.

Draft policy SI1: ‘Improving air quality’

66. This draft policy is supported and we welcome measures that will improve London’s air quality. However, in relation to part A 3) of the draft policy and the associated supporting text in para. 9.1.3 which cites Opportunity Areas, we would seek further clarification on how an Air Quality Positive approach can be measured and as well as details of the likely costs associated with the measures to achieve Air Quality Positive.

Draft policy SI2: ‘Minimising Greenhouse Gas Emissions’

67. We are supportive of the 35% on-site emissions reduction targets included in Part C of Draft Policy SI2. However, we have concerns over the language and methodology used in the Mayor’s definition of ‘zero carbon’ buildings. We require confirmation that emissions related to embodied carbon, construction activities and unregulated consumption are not included in the zero carbon definition, as previously applied to domestic projects. We also have a broader issue with the use of the term ‘zero carbon’, as we feel this is misleading due to the fact that it does not deliver net zero carbon buildings in operation. A truly net zero carbon building would be carbon neutral in operation, meaning that all the energy consumed by the building, as recorded on electricity and gas meters, was either supplied by zero carbon sources (clean electricity or gas) or offset using a transparent and auditable methodology. The current policy does not reflect this and is therefore not comparable with other international or organisational definitions of ‘zero carbon’ or ‘carbon neutrality’. In order for the Mayor’s ‘zero carbon’ buildings target to be truly robust, it should be based on the following:

68. Whilst the energy efficiency targets of 10% and 15% for domestic and non-domestic buildings included as part C under Draft Policy SI2 are laudable, we have some concerns about whether the non-domestic target is deliverable for all non-domestic uses. The GLA Energy Efficiency Target November 2017 (prepared by Aecom) which forms part of the evidence base states on page 37 that, *'It is important to acknowledge that by adopting this single target, not all building types will be able to meet it and this needs to be allowed for in the review of planning applications.'* This caveat is not explicit in the text supporting policy SI2 and the blanket application of these figures by the GLA or London Boroughs will result in non-compliance for certain schemes, such as hotels as outlined in the Aecom report. Additionally, within the Aecom report, there are limited non-domestic uses tested, with only a single office, hotel and school analysed. There are no industrial or retail uses tested which again leads to risks in the application of the policy. We therefore ask that the deliverability of the energy efficiency targets be more robustly assessed, with suitable wording included to handle buildings that whilst not able to meet the 10%/15% energy efficiency targets, are still able to meet the overall 35% reduction target. As the 10%/15% energy efficiency target currently includes both building fabric and systems, we feel that a building fabric target only (similar to the Thermal Energy Demand Intensity used in Toronto's zero emissions buildings framework, Vancouver's Zero Emissions Building Plan and the Canadian Green building council's Zero carbon building standard (FEES) from the Zero Carbon Hub or DFEE/TFEE in SAP) would be more appropriate to ensure passive design is properly considered:
- Minimum level of on-site carbon dioxide emissions reduction targeted in operation, which includes unregulated consumption, reflecting metered energy data. The potential use of a kWh/m² target energy metric warrants further investigation, as per the London Energy Transformation Initiative recommendations.
 - Allowing building operators' procurement of clean electricity to reduce/eliminate carbon dioxide emissions associated with electricity consumption to be accounted for in the 'zero carbon' definition.
 - A clear and auditable offsetting policy that allows developers to directly establish how offset payments are being used to fund carbon savings elsewhere. This should include local authority off-site implementation and developers' own alternative off-site measures.
 - This process and methodology should be independently audited to ensure it conforms to internationally recognised definitions of carbon neutrality/zero carbon.
69. Whilst the viability assessment accompanying the consultation tests the application of the proposed zero carbon standard to the non-domestic sector, there is a concern that the number of case studies used to test the additional offset costs proposed is too few, with more detailed locational testing of the proposals required.
70. We note that carbon dioxide emissions due to construction activities are now addressed by this policy, including both embodied CO₂ in building materials and on-site construction activities. Further clarity is sought on how this is to be calculated and demonstrated in energy strategy documents. A consistent methodology is required to ensure projects are comparable with robust benchmarks established.
71. Whilst the requirement to monitor and report on energy performance is welcomed, further thought is required on how this policy will relate to data protection, especially for residential developments. Further detail is also required on how the online portal will work. The database of operational energy usage should, in time, be used to specify minimum energy use targets for different building types, to be reviewed regularly. It is recommended that the energy use targets become tighter every few years. This aspect should be considered a 4th tier of the energy hierarchy; 'Be Seen'.

72. Section 9.2.10.i (proposals on how sites are future proofed to achieve zero carbon by 2050) needs detailed and specific supplementary guidance. Who in councils will be qualified to assess these? On what data will the future proofing criteria be based on? Etc. Resilience and future proofing should be a much greater focus in the London Plan, requiring specific analysis and guidance for developers.

Draft policy SI3: 'Energy Infrastructure'

73. The intent of the policy in addressing London's reliance on the use of fossil fuels for heating is welcomed. We acknowledge that developing low carbon heat sources for both new and existing homes should be a priority for the Mayor. However, we have concerns that the intent of the policy as it currently stands may lead to a number of unintended consequences that require recognition in the implementation of this policy:
- Infrastructure delivery in London is extremely difficult due to legal and landownership issues.
 - The fact that CHP is given a lower priority is welcomed. We have concerns that CHP technology is very often only specified to get through planning, after which it is mothballed in favour of boilers. This is wasteful in terms of resources, capital cost and clearly won't deliver carbon savings in practice.
 - There is a wider issue regarding the Mayor's prioritisation of energy infrastructure in that homes built to high energy efficiency standards (as specified in policy SI2 C) will have very low heating demand, reducing the potential for carbon savings through energy infrastructure. If a new dwelling only has an annual heating and hot water bill of £350, the payback for the capital cost of energy infrastructure will be a lot longer than for older housing stock and the carbon savings much lower.
 - The policy also places reliance on an unregulated sector to deliver low carbon heat. Anecdotal evidence suggests that whilst the actual energy use in modern buildings is relatively low, the associated operation and maintenance of communal heating systems can lead to higher service charges for residents. The capital costs, other costs of maintenance and energy strike prices agreed through ESCo concessions are often passed on to residents, leading to higher energy/service costs than those resulting from individual gas boilers. Predicting these costs at the design stage is notoriously difficult and fraught with risk (numbers from SAP aren't reliable for predicting costs). There is currently no regulatory regime to monitor and sanction heat network operators, risking high service charges for residents.
 - There is also a risk that ESCos who will want ~40 year concessions to build and operate energy networks, will be reliant on gas fired technology which, whilst cleaner than grid electricity today, will become relatively more carbon intensive as the grid is decarbonised. Whilst we recognise the policy intent of utilising other heat sources instead of fossil fuels, there is a concern that this will be technically difficult to implement and result in a fall back to gas fired CHP, locking-in a fossil fuel that, whilst cleaner than grid electricity currently, may not be so in 10 years time.
74. We would therefore ask that policy SI3 D is reworded to *'Major development proposals within Heat Network Priority Areas should have a communal heating system, where it is deemed appropriate to the development'*. A tiered hierarchy to the implementation of heat networks and energy infrastructure, similar to that proposed by the London Energy Transformation Initiative, should be explored in more detail, using real case studies to determine potential benefits and limitations.

Draft policy SI5: 'Water Infrastructure'

75. We also seek clarification on draft policy SI5 which states development proposals should achieve at least BREEAM excellent. Does this just relate to the BREEAM Water Category or all BREEAM Categories and has the deliverability and cost implications of this been properly tested?

Draft policy SI7: 'Reducing Waste and Supporting the Circular Economy'

76. There is a concern that recycling becomes more difficult in high rise development, and therefore additional guidance is sought on how to improve recycling rates in high rise buildings. Furthermore, there may be a contradiction with policy SI2 in that a building could be designed to have a longer, more flexible life or to be easily deconstructed which could result in higher embodied carbon. We therefore request that a list of policy priorities be drafted that provide applicants with preferred policies to address in order.

CHAPTER 10 – TRANSPORT

Draft policy T3: 'Transport capacity, connectivity and safeguarding'

77. The draft policy aims to provide good transport connectivity within London and also with the wider South East. We are surprised that the indicative list of transport schemes in Table 10.1 does not include further rail connections between South East London, the Isle of Dogs and Central London, as the Mayor's Transport Strategy has highlighted that the Elizabeth Line and Jubilee Line through Canary Wharf will be operating above capacity before the end of the Plan period (2041). As a result, it is likely that the ability of Canary Wharf and the wider Isle of Dogs to accommodate significant growth will be constrained by a lack of public transport capacity. We would support inclusion of a new rail link between Isle of Dogs and Central London rail link within Table 10.1.

Draft policy T5: 'Cycling'

78. The proposed cycle parking standards impose a very significant space requirement on developments. A more flexible approach to cycle parking would be appropriate whereby lower levels could be provided initially with more spaces provided in accordance with demand as monitored through the Travel Plan.

Draft policy T6: 'Car Parking'

79. We support the generality of the parking policy and the associated parking standards but some requirements are unduly prescriptive and give little or no consideration to specific local circumstances. It should be possible for levels of provision to be varied within reasonable limits where this can be justified or be dependent on monitoring through a Travel Plan.

Draft policy T6.1: 'Residential Parking'

80. The stipulation for all residential developments to be car-free (other than accessible parking) in PTAL 5 and 6 areas is unnecessarily restrictive. Many people require access to a car for a variety of reasons, especially families and it should be possible for larger units to have access to some car parking in new developments regardless of PTAL. Car ownership does not necessarily equate to regular peak hour or daily car trips, in fact many residents prefer the convenience of public transport on a day to day basis but still

require access to a car at the weekend. The stipulation that blue badge parking should be provided at a minimum of 3% of units seems unreasonably prescriptive and is much higher than the levels provided in some recently consented developments within Canary Wharf. With the rapid uplift in electric vehicles and charging infrastructure the implementation of car parking at new developments should not pose a long-term negligible impact on air quality.

Draft policy T6.3: 'Retail Parking'

81. The exclusion of all non-disabled car parking for retail uses is considered impracticable, as some types of retail will always require some customer parking, such as for collection of large/bulky goods. The standards should be amended to allow for more flexibility in the allocation of car parking for retail uses.

We should be grateful if you would confirm receipt of these representations and keep us informed of the next stages in the production of the New Draft London Plan.

Yours faithfully,