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New London Plan
GLA City Hall
London Plan Team
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London
SE1 2AA

02.03.2018

Dear Sir,

**DRAFT NEW LONDON PLAN (NOVEMBER 2017) REPRESENTATIONS ON
BEHALF OF GET LIVING LONDON**

Please find enclosed representations by Get Living London (GLL) in response to the consultation on the draft London Plan.

GLL welcomes the opportunity to comment on the draft London Plan. As our representations explain, GLL support the vision set out in the draft London plan, but set out concerns about how the Plan, if adopted in its current form, will be used in practice. Our representations are set out in the accompanying table.

Our representations have been prepared having regard to the requirements of paragraph 182 of the National Planning Policy Framework (NPPF) which requires that a “sound” plan should be positively prepared, justified, effective and consistent with national policy.

GLL has interests a number of London’s biggest developments sites. The most notable example is **East Village** (the former Athletes’ Village during the London 2012 Olympic and Paralympic Games) in Stratford - a revolutionary new build to rent (BtR) scheme. Operated by Get Living London (GLL), it was established out of the joint partnership between Qatari Diar and Delancey (QDD).

QDD committed to rent the 1,439 private homes, rather than offer them for private sale, to challenge the way renting was experienced in the UK and introduce a better way of renting. From there, GLL announced its new model for renting in London and its first location at East Village, offering more than 1,400 homes for rent with a further 2,000 homes planned.

Since then, GLL has continued to grow and in August 2016 announced its second city location at Elephant and Castle, offering a further 400 homes for rent.

The large scale BtR letting approach is a relatively new concept to the UK, and whilst the current East Village is based on a revolutionary management regime, the challenge of ensuring that such developments can succeed (and continue to succeed) should not be underestimated.

GLL also continues to pursue various development opportunities in and around London, particularly where BtR can make a significant contribution to housing supply and where we can draw on our experience and success at East Village. Indeed, our success has contributed significantly to the boroughs for which we are active, and the new London Plan must therefore be suitably flexible to positively facilitate, rather than restrict, development opportunities going forward.

I should be grateful if you would confirm receipt of the representations hereby enclosed and keep me informed of the next stages in the preparation of the new London Plan.

Yours faithfully,

Rick de Blaby

Executive Vice Chairman, Get Living London

c. C	Neil Young	-	CEO, Get Living London
	Mark Enderby	-	Delancey
	Steffan Rees	-	Quod

Rep No.	Draft London Plan Policy	Paragraph Ref	Consultation Response	Specific Amendment Sought
General Comments				
1	SD1 'Opportunity Areas'	2.1.1	<p>GLL welcomes the acknowledgement that Opportunity Areas are the capital's most significant locations with development capacity to accommodate, amongst other things, new housing and commercial development.</p> <p>A number of Get Living London's interests have made a substantial contribution to both housing and commercial delivery that support a number of draft London Plan policies e.g. East Village and Here East in Stratford.</p> <p>In particular, GLL welcomes the retention of the Olympic Legacy Opportunity Area (OLOA) (which includes East Village) and the strategic potential for 39,000 homes and 65,000 jobs.</p>	No amendment sought. General support.
2	Annex 1		<p>GLL supports the Town Centre Network and Future Potential Network Classification set out in Annex 1 of the London Plan. In particular, GLL welcomes reference to Stratford accommodating high commercial growth potential (albeit cautious about the office guidelines – see Rep No. 4 and 5 below) and high residential growth potential.</p> <p>GLL also welcomes the Metropolitan Centre network classification of Stratford with a future potential network classification to International. This recognises the transformational change that has occurred in East London and strategic direction and support that this will and should continue.</p>	No amendment sought. General support.
Chapter 1 'Planning London's Future (Good Growth Policies)'				
3	GG2 'Making the best use of land'		GLL welcome and support Policy GG2 'Making the best use of land' and the overarching strategic direction that high density mixed use places should be prioritised to Opportunity Areas, brownfield land, site that are well connect by public transport and sites within and on the edge of town centres.	No amendment sought. General support.
Chapter 2 'Spatial Development Patterns'				
4	SD4 'The Central Activities Zone (CAZ)' and Annex 1		<p>Paragraph 2.4.3 states that:</p> <p><i>"For the purposes of CAZ policies, the Northern Isle of Dogs (NIOD) is recognised as a CAZ 'satellite' location for world city office functions. Future potential reserve locations for CAZ office functions are Stratford and Old Oak Common".</i></p> <p>Footnote 11 to paragraph 2.4.3 confirms that <i>"These locations are identified as future strategic reserves for nationally significant office functions in the event that future demand for office space exceeds development capacity in the CAZ"</i>.</p> <p>Annex 1 'Office Guidelines', Figure A1.4 – 'Town Centre Office Guidelines' and Table A1.1 – 'Town Centre Network' goes on to indicate Stratford as a "A / CAZ Satellite" location. It explains at page 469 that <i>"...Stratford and Old Oak Common will share the hyper-connectivity of the CAZ and could have the potential to function as future CAZ satellites, should the demand for office floorspace exceed the capacity of the CAZ and NIOD."</i> It also states the "A" office guideline category as:</p> <p><i>"a. Speculative office potential – These centres have the capacity, demand and viability to accommodate new speculative office development"</i>.</p> <p>Part N (3) of draft Policy SD4 'The Central Activities Zone (CAZ)' then seeks to enshrine in the Development Plan:</p> <p><i>"In Development Plans, boroughs should:</i> <i>...</i> <i>3) define the detailed boundaries of the CAS satellite and reserve locations"</i>.</p> <p>Whilst GLL is very positive about the change in Stratford and welcomes in principle the recognition that Stratford has the potential to provide resilience to the London's CAZ, it questions whether the requirement for Development Plans to define the detailed boundaries of the CAZ satellite and reserve locations, Stratford in particular, is premature.</p>	<p>GLL considers that Policy SD4 (N) (3) is unjustified and premature and if adopted would be unnecessary and could have a negative effect on areas of London that continue to establish themselves in challenging economic conditions.</p> <p>GLL considers that Policy SD4 (N) (3) should be deleted and that a much more appropriate and proportionate approach would be to monitor and develop a more refined understanding of the situation, both as Stratford establishes itself as an office location and demand for office space and development capacity in the CAZ.</p> <p>In the event that draft Policy SD4 (N) (3) is to be adopted, GLL considers that the following amendments are necessary (suggested amendments shown in red):</p> <p><i>"3) in the event that it can be demonstrated that future demand for office space exceeds development capacity in the CAZ, define the detailed boundaries of the CAZ satellite and reserve locations"</i></p> <p>Further clarity should be provided on the timing for which the policy would be applied on the basis that future <u>potential</u> reserve locations for CAZ office functions <u>will only be required in the event that</u> future demand for office space exceeds development capacity in the CAZ. Further text should also be introduced to confirm that Policy SD5 will not be applicable to development proposals in any defined boundary of the CAZ satellite and reserve locations until such time that it can be demonstrated that demand for office space exceeds development capacity in the CAZ.</p> <p>Without such clarity, GLL is concerned how the policy could be applied in practice and when the evidence base, by its own admission, recognises that significant uncertainty</p>

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			<p>The London Office Policy Review (paragraph 3.3.31) explains that there are strong reasons to believe that the Stratford's full potential as a CAZ satellite, given its very high level of accessibility to Central London and the continuing rising real estate costs therein, could now be realised. However, it also provides a strong caveat in that this will be the on-going scale of delivery in and around Canary Wharf, as this sub-markets' established nature is likely to ensure its 'first choice' status over Stratford. It also stresses that there remains some question marks over Stratford's success as an office location (paragraph 3.3.30 of the London Office Policy Review) and is yet to establish recognition as a major commercial office centre.</p> <p>GLL would suggest a more cautious approach to defining a CAZ satellite and reserve location, in Stratford in particular. The draft London Plan confirms that such areas will only be required "in the event that future demand for office space exceeds development capacity in the CAZ" (footnote 11 to paragraph 2.4.3) whilst the London Office Policy Review (2017) (paragraph 3.1.58) suggests that the message for the draft London Plan is that London needs to continue to plan new capacity to cope with growth "...(<i>because we cannot plan for the unknown</i>)."</p> <p>GLL therefore considers that a much more appropriate and proportionate approach would be to monitor and develop a more refined understanding of the situation, both as Stratford establishes itself as an office location and demand for office space and development capacity in the CAZ. This is particularly the case given that large parts of the area in and around Stratford Metropolitan Centre benefit from major planning permissions (e.g. Stratford City) that continue to be built out. It is crucial therefore that any review of planning policies that relate to Stratford provide maximum flexibility and recognise that changing circumstances may mean that a review of proposals could take place on sites which already benefit from planning permission but have not yet been delivered.</p> <p>The Draft London Plan should therefore recognise the need for flexibility to allow current planning permissions to change as priorities and market conditions evolve.</p> <p>It is crucial that any review of planning policies that relate to Stratford and immediate surroundings therefore</p>	<p>exists, adopting such a requirement as planning policy could inadvertently introduce impediments to bring forward development when it may not be the intention to do so.</p> <p>Consequential updates to the remainder of the draft London Plan impacted by such changes will also need to be incorporated.</p>
5	SD5 'Offices, other strategic functions and residential development in the CAZ'		<p>The effect of applying draft Policy SD4 would trigger the application of draft Policy SD5 'Offices, other strategic functions and residential development in the CAZ'.</p> <p>GLL are concerned that the greater weight given to offices and other CAZ strategic functions relative to new residential development (draft Policy SD5 (C)) in CAZ satellite and reserve locations such as Stratford could have a negative effect on the development potential of the remaining sites within the LLDC area.</p> <p>This is particularly the case should the policy be applied prematurely. Until such time that Stratford is established as an office destination, the application of such a policy could have a negative impact on the development potential of some sites particularly if the promotion of those sites as office destinations do not progress as hoped. There should be a mechanism to allow for flexibility where it can be demonstrated that an office development on the site is not forthcoming.</p> <p>The GLA will also be aware that large parts of the area benefit from major planning permissions (e.g. Stratford City) that continue to be built out. The draft London Plan should therefore recognise the need for flexibility to allow current planning permissions to change as priorities and market conditions evolve.</p> <p>It is crucial that any review of planning policies that relate to Stratford and immediate surroundings therefore provide maximum flexibility and recognise that changing circumstances may mean that a review of proposals could take place on sites which already benefit from planning permission but have not yet been delivered. It is important however that</p>	<p>GLL considers that the application of draft Policy SD5 to future potential reserve locations for CAZ office functions such as Stratford is unjustified and premature. The necessary amendments are dealt with in our representations to draft Policy SD4.</p>

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			emerging Policy does not diminish or dilute principles which have already been established within existing planning permissions.	
Chapter 3 'Design'				
6	D2 'Delivering Good Design'		<p>Whilst GLL are advocates of delivering good design, parts of Policy D2 would add an unnecessary burden on applicants and would require information to be included with planning applications prematurely.</p> <p>For example, Part D of draft Policy D2 requires that masterplans and design codes should be used to help bring forward development to ensure it delivers high quality design and place making based on the characteristics set out in Policy D2. GLL note that the use of masterplans and design codes are usually used to support large scale outline planning applications. As currently drafted, the requirements of part D would apply to all development proposals and it should be clarified which type of proposals it is intended that this part of the policy would apply.</p> <p>Furthermore, Part H (1) of Policy D2 requires that the design quality of a development should be retained through to completion by having a sufficient level of design information, including key construction details provided as part of the application to ensure the quality of design can be maintained if the permitted scheme is subject to subsequent minor amendment.</p> <p>The scope and content of a planning application are normally agreed with the respective Borough prior to the submission of an application having regard to published 'Planning Application Requirements' produced by the respective borough. Providing key construction details as part of the application stage may not be possible and will reflect the respective stage of design. The National Planning Policy Guidance (NPPG) also recognises that "...The design process often continues after the granting of permission" (Paragraph: 038 Reference ID: 26-038-20140306 Revision date: 06 03 2014) and that "...materials and building techniques may not be specified before planning permission is granted....." (Paragraph: 028 Reference ID: 26-028-20140306 Revision date: 06 03 2014).</p> <p>GLL are concerned that this would introduce an unnecessary burden on developers and could require such information is included at the planning stage before the development itself has developed that level of detail, thereby frustrating the planning process. GLL considers that it is inappropriate to include such requirements within a strategic planning document and should be deleted.</p>	GLL considers that these requirements are too prescriptive and that matters of design detail should continue to be dealt with in each respective borough's Local Plans and supplementary planning documents. As currently drafted, GLL considers that the policy is unnecessary, unjustified and could frustrate the planning process.
7		3.2.6	<p>Paragraph 3.2.6 refers to the Mayor's Design Advocates and will play a key role in helping to deliver good design. It goes on to state that they will help champion design across the GLA Group and beyond, through research, design review, capacity building, commissioning and advocacy.</p> <p>Design reviews are now common practice in many London boroughs, particularly on large scale schemes. Introducing a further design review process is unnecessary and would duplicate the role of borough Design Review Panels (DRP). Whilst some indication is set out in the Mayor's 'Good Growth by Design' initiative, GLL requests further clarity be provided on the extent and the process in which it is intended that the Mayor's Design Advocates undertake design reviews, particular where a particular borough has an established DRP.</p>	Further clarity required to explain the role in which the Mayor's Design Advocates will play in delivering good design, particularly where there is an established borough DRP in place.
8	D4 'Housing Quality and Standards'		<p>GLL notes that parts (9) and (10) of draft Policy D4 sets minimum requirements for private outside space which draws on Standards 26 and 27 of the current Mayor's Housing SPG (2016).</p> <p>The draft policy does not however make provision where there may be instances however where it is entirely appropriate not to provide private outside space e.g. within taller buildings that experience adverse microclimate conditions that make such outside space unusable; impacts from a neighbouring land use or transport infrastructure which are more likely to be factors in town centres and Opportunity Areas where the majority of housing is directed.</p> <p>This is particularly the case where private communal amenity space may also be provided in modern residential developments, the build to rent sector in particular.</p>	GLL considers that draft Policy D4 is not effective or justified because the current Housing SPG and design standards provide the necessary guidance on these matters and there is unnecessary prescription and duplication.

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			<p>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 if a policy is going to be introduced on private outside space then it should contain the same flexibility as the current Housing SPG. In fact, to avoid duplication, this part of the policy is not effective or justified because such guidance is already provided in the adopted Mayor's Housing SPG (2016) with unnecessary duplication.</p> <p>Similarly, Part E of draft Policy D4 states that single aspect units should be avoided. GLL considers that this is not justified and would add unnecessary burden on development proposals and could limit the ability to optimise density as required by draft Policy D6. GLL considers that this is a very narrow measure of a unit's residential quality because east, west and south facing units, in tall buildings in particular, can work very well. GLL would also welcome clarity how all one bedroom units in particular could avoid being single aspect within a development, taking into account all other design criteria and guidance published by both the Mayor and respective borough's.</p>	
9	D6 'Optimising Housing Density'		<p>GLL supports the overarching aim of this policy to make the most efficient use of land and a design led approach to site optimisation. However, GLL considers that this needs to go further to ensure that the objectives of the policy are realised.</p> <p>For example, draft Policy GG2 'Making the best use of land' states that:</p> <p><i>"to create high density, mixed-use places that make the best of use land, those involved in planning and development must:</i></p> <p>A <i>Prioritise the development of Opportunity Areas, brownfield land, surplus public sector land, sites which are well connected by existing or planned Tube and rail stations, sites within and on the edge of town centre, and small sites....."</i></p> <p>GLL considers that Policy D6 should be amended to reflect Policy GG2 i.e. to direct high density developments to, for example, Opportunity Areas and brownfield land etc.</p>	GLL considers that draft Policy D6 is not effective and needs to go further and be amended to reflect draft Policy GG2 that directs high density mixed use developments to, for example, Opportunity Areas and brownfield land etc.
10	D6 (part B) 'Optimising Housing Density'		<p>GLL are concerned that Part B of Policy D6, which requires that the capacity of existing and planned physical, environmental and social infrastructure to support new development should be assessed could frustrate and constrain the delivery of development.</p> <p>Paragraph 3.6.2 explains that infrastructure assessments should be proportionate to the scale of the development and that it will not normally be necessary for minor developments to undertake infrastructure assessments. It confirms that minor developments will typically have only incremental impacts on social infrastructure capacity, which should be addressed by boroughs' Infrastructure Delivery Plans (IDP). GLL supports this approach.</p> <p>Paragraph 162 of the National Planning Policy Framework (NPPF) requires local planning authorities to work with other authorities and providers to assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy, telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands. They should also take account of the need for strategic infrastructure.</p> <p>The infrastructure requirements set out in the respective borough IDP should therefore reflect the infrastructure needed to provide for the growth and site allocations set out in the development Plan, and in turn, inform Community Infrastructure Levy (CIL). It is therefore 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.</p>	Draft Policy (part B) should be deleted. GLL considers that the policy is not justified. It is for each borough, when preparing their Local Plan, to establish what infrastructure is required to deliver the plan's growth, which in turn informs the setting of CIL rates.

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			<p>Whilst it is common for planning applications to include assessments relating to some infrastructure e.g. Transport Assessments, the definition of “Infrastructure” within the draft London Plan includes transport, energy, water, waste, digital/smart, social and green infrastructure.</p> <p>GLL is unclear why infrastructure assessments, beyond what is currently undertaken in documents such as Transport Assessments are required to accompany planning applications for larger developments and are concerned that applicant’s should not be subject to any further burdens and it should therefore be deleted.</p>	
11	D8 ‘Tall Buildings’		<p>Policy 7.7 of the adopted London Plan provides guidance as to the most appropriate locations for tall buildings with a focus on the Central Activity Zones (CAZ), Opportunity Areas, areas of intensification and town centres that have good access to town centres.</p> <p>There is an expectation in the draft London Plan, through Good Growth policy GG2, that to create high density, mixed use places that make the best use of land, those involved in planning and development must “<i>Prioritise the development of Opportunity Areas, brownfield land, surplus public sector land, sites which are well-connected by existing or planned Tube and rail stations, sites within and on the edge of town centres and small sites</i>”. It is clear therefore that the draft London Plan will expect these areas to deliver a substantial amount of the identified growth during the replacement draft London Plan period.</p> <p>Whilst paragraph 3.8.1 states that high density does not need to imply high rise, it acknowledges that tall buildings can form part of a strategic approach to meeting regeneration and economic development goals, particularly in order to make optimal use of the capacity of sites which are well connected by public transport and have good access to services and amenities.</p> <p>GLL therefore considers that Policy D8 should be amended to provide further direction and to identify appropriate locations (i.e. OA’s; sites well connected by existing or planned Tube and rail stations and sites within and on the edge of town centres) and provide strategic direction for the location of tall buildings similar to the adopted London Plan.</p>	GLL considers that it is important for the draft London Plan to provide strategic direction for the location of tall buildings to ensure that locations for tall buildings are not unnecessarily restricted.
Chapter 4 Housing				
12	Table 4.1	Paragraph 4.1.3	<p>Table 4.1 ‘10 year targets for net housing completions (2019/20 – 2028/29)’ sets the ten year targets for net housing completions which each local planning authority should plan for. Across London borough’s as a whole, this shows a need for 64,935 additional homes per annum cover the plan period. Policy H1 ‘Increased housing supply’, at Part B (1) (c) goes on to require that to ensure that ten year housing targets are achieved borough should prepare delivery focused Development Plans which “<i>enable the delivery of housing capacity identified in Opportunity Areas, working closely with the GLA</i>”.</p> <p>Paragraph 4.1.3 goes on to explain that to achieve these housing targets the overall average rate of housing delivery on both large and small sites will need to approximately double compared to current average completion rates.</p> <p>The 2017 London Strategic Housing Market Assessment (SHMA) (part of the draft London Plan evidence base dated November 2017) indicates a need for 64,935 new dwellings per annum over the plan period. We note however that the Housing Need Consultation table that formed part of the Government’s consultation ‘Planning for the right homes in the rights places’ (September 2017 – November 2017) indicates a need of 72,407 dwellings per annum (approximately 11% more).</p> <p>GLL considers that the targets set out in Table 4.1 should be “minimum” targets if the “<i>...significant overall need for housing...</i>” (paragraph 1.4.3) and a ‘step change’ in housing supply is to be realised.</p>	GLL considers that references to housing targets should be confirmed as a minimum to ensure the plan is effective and to be consistent with national policy.
13	Policy H13 A		<p>Overall the GLL welcomes the introduction of a London Plan Policy providing clarity and support for large-scale, purpose-built privately rented housing (‘Build to Rent’). The proposed requirement for the affordable housing offer to be entirely discounted market rent is also strongly supported. It is however considered that the level of rental discount to be applied should be agreed with the local authority on a site specific basis taking into account matters including localised housing</p>	GLL considers that Policy H13 A should be amended to ‘ <i>At a genuinely affordable rent, above social rent but below market levels</i> ’ to ensure the plan is both effective and consistent with national policy.

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			need and financial viability, provided the product meets the NPPF definition of Intermediate Rent 'at a cost above social rent, but below market levels'.	
14		Para 4.13.1	The necessity for the planning system to take a positive approach to the Build to Rent sector to enable it to better contribute to the delivery of new homes is strongly supported. It is however considered that this requirement should be enshrined within the main text of Policy H13.	GLL considers that Policy H13 A should be amended to include ' <i>Local Authorities should take a positive approach to the Build to Rent sector to enable it to better contribute to the delivery of new homes</i> ' to ensure the plan is effective.
15	Policy H13 B		The introduction of a clear definition of Build-to-Rent in the absence of a distinct planning use class is supported. It is however considered that the SPG should allow flexibility for the definition to vary slightly where agreed with the Local Planning Authority in response to site specific circumstances.	GLL considers that Policy H13 B should be amended to state ' <i>all of the following criteria must be met, unless otherwise agreed with the local authority</i> ' to ensure the plan is effective.
16	Policy H13 B (2)		Whilst it is recognised that there is a need for a fixed covenant period, GLL considers that the maximum covenant length should not exceed 15 years. This closely aligns with average fund life and therefore provides an appropriate fall-back position which reduces the overall level of risk associated with market failure to an acceptable level.	GLL considers that Policy H13 B (2) should be amended to ' <i>under a covenant for 15 years, unless otherwise agreed with the developer</i> ' to ensure the plan is effective.
17	Policy H13 B (3)		GLL recognises the need for an appropriate clawback mechanism to be in place to enforce the covenant restriction. It is however considered that Policy H13 should recognise that the claw-back sum cannot exceed the maximum policy requirement for Affordable Housing. To do so would be contrary to the statutory legal tests for planning obligations as confirmed in National Policy and the 2010 CIL regulations. Policy should also make it explicit that the claw-back sum and any indexing must be agreed at the planning stage in order to provide certainty on exit costs for long term investors.	GLL considers that Policy H13 (3) should be amended to add the following text to the sentence end ' <i>up to a maximum contribution which is the financial equivalent of providing 50% DMR Affordable Housing as determined at the time of the planning application</i> ' to ensure the plan is consistent with national policy and is effective.
18	Policy H13 B (6)		The introduction of longer tenancies of 3 years or more is welcomed. It is however considered by GLL that providing a break clause that enables tenants to end a tenancy agreement with just 1 months' notice would result in empty units which in turn would increase the investment risk associated with Build-to-Rent and result in reduced overall investment and housing delivery.	GLL considers that Policy H13 (6) should be amended to ' <i>end the tenancy with a two months' notice</i> ' to ensure the plan is effective.
19		Para 4.13.3	GLL supports flexibility for DMR to be delivered by the Build-to-Rent landlord. It is however considered that Build-to-Rent schemes providing DMR should not be excluded from receiving grant where this would enable increased delivery of Affordable Housing. DMR integrated with Build-to-Rent can provide enhanced value for money, and therefore greater delivery, compared to more traditional tenures of Affordable Housing.	GLL considers that para 4.13.4 should be amended to Delete ' <i>and delivered without grant i.e. entirely through planning gain</i> ' to ensure the plan is effective.
20		Para 4.13.4	The level of rental discount to be applied to DMR should be agreed with the local authority on the site specific basis taking into account matters including localised housing need and financial viability. The Mayor should not there specify a blanket preference for discounts to be equivalent to London living Rent. The London Plan should also clarify that, where DMR is proposed at London Living Rent levels, the level of discount to be applied in perpetuity should be agreed at the planning stage. Institutional investors will require discounted rents to be market linked (i.e set at a % of market rent). It is not therefore feasible for rents to be re-set at levels published by the GLA.	GLL considers that para 4.13.4 should be amended to ' <i>if appropriate, DMR homes can be let with a discount which is equivalent to current London Living Rent level. The level of discount should be agreed at the planning application stage and maintained in perpetuity</i> ' to ensure the plan is effective.
21	Policy H13 C		Whilst GLL welcomes the introduction of a fast track route for Build-to-Rent, it is considered that policy should recognise the need to balance quantum of DMR proposed with the level of discount being applied in order to ensure Build-to-Rent scheme remain viable and deliverable. As recognised in para 4.13.2 of the plan, the distinct economies of Build-to-Rent mean it is inherently less viable than Build-for-Sale. If therefore the quantum of DMR required for fast-track is to be set at the same level as Build for Sale	GLL considers that Policy H13 (C) should be amended to replace ' <i>of which at least 30 per cent should be at London Living Rent level, with the remainder being at a range of discounts below market rent to be agreed with the borough</i> ' with ' <i>at rents which are no more than 80% of market rent</i> ' to ensure the plan is effective and can be justified based on proportionate financial evidence.

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			(35%), then the level of discount applied should not exceed 20% (80% of Market Rent). If a higher discount is required it is extremely unlikely that any Build-to-Rent schemes could be viable and deliverable if following the fast track route.	
22		4.13.8	The supporting text should clarify that, as institutional investors require discounted rents to be market linked (i.e set at a % of market rent), the maximum eligible income must also be adjusted in line with the market. Failure to do this could make it difficult for institutional investors to fund schemes with DMR.	GLL considers that para 4.13.8 should be amended to add <i>'The maximum eligible income to be increased by an appropriate market based index'</i> to ensure the plan is effective.
23	Policy H13 C		It is not appropriate for fast track schemes to be required to meet the onerous requirement of part C (3) of Policy H6 which states applicants must meet <i>'other relevant policy requirements and obligations to the satisfaction of the borough and Mayor where relevant'</i> . The inclusion of this requirement risks the frustration of much needed housing delivery considering that some policy requirements will almost certainly need to be balanced when considering larger more complex sites.	GLL considers that Policy H13 (C) should be amended to delete <i>'Schemes must also meet all other requirements of part C of Policy H6 Threshold approach to applications'</i> to ensure the plan is effective.
24	Policy H13 C		In accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, it is not appropriate for the Mayor to amend existing policy through supplementary planning guidance. National Planning Policy also confirms in para 153 that <i>"Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development"</i> .	GLL considers that Policy H13 (C) should be amended to delete <i>'This threshold and affordable housing tenure split, will be reviewed and if necessary updated in 2021, through supplementary planning guidance'</i> to ensure the plan is consistent with national policy and legislation.
25	Policy H13 D		Policy recognition for a bespoke approach to assessing the financial viability of Build-to-Rent is welcomed. It is however considered that policy should be explicit that local authorities should not require applicants to provide a Build-for-Sale comparison appraisal. To do so would add unnecessary delay and confusion to the viability tested route.	GLL considers that Policy H13 (D) should be amended to state <i>'local authorities should not request a Build-for-Sale assessment for comparison'</i> to ensure the plan is effective.
26		4.13.12	GLL welcomes the inclusions of the means suggested at para 4.13.2 for local authorities to further support Build-to-Rent. It is however considered that the wording should be strengthened to require local authorities to plan for Build to Rent housing and included within Policy H13.	GLL considers that para 4.13.2 should be added to Policy H13 and amended from <i>'Further support for Build to Rent can be given'</i> to <i>'Further support for Build to Rent should be given'</i> to ensure the plan is effective.
27	Policy H13		Policy H13 should support high quality Build-to-Rent developments by confirming that local authorities should apply their design standards with greater flexibility.	GLL considers that Policy H13 should be amended to add a sub section to Policy H13 which states that <i>'In order to support Build to Rent, Local Authorities should apply design standards with greater flexibility including, but not limited to, density; unit mix; space standards; private amenity space; core arrangement; parking and communal amenity space.'</i> to ensure the plan is effective.
28	Policy H17 A		Overall GLL supports the inclusion of a policy which requires local authorities to plan for both local and strategic need for purpose-built student accommodation.	None.
29		4.17.1	Recognition of the contribution PBSA makes to meeting overall housing need is welcomed. It is however considered that each PBSA unit should equate to one unit of conventional housing need as the London Plan SHMA already takes into account household composition.	GLL considers that para 4.17.1 should be amended to delete <i>'Every three student bedrooms in PBSA that are completed equate to meeting the same need that one conventional housing unit meets'</i> to ensure the plan is effective.
30		4.17.3	GLL supports the need for students occupying PBSA to be enrolled at a higher education institution to ensure the homes are secured for use by students only. It is however considered inappropriate to require PBSA operators to enter into a nominations agreement with a higher education institution. This requirement will exclude Direct Let operators/ funders from delivering Student Housing. It will therefore result in a significant reduction in investment within the sector which will in turn have an adverse impact on job creation, regeneration and London's economy.	GLL considers that para 4.17.3 should be amended to delete <i>'the borough should ensure, through condition or legal agreement, that the development will continue to maintain a nominations agreement or enter new nomination agreements with one or more specified education institution(s)'</i> to ensure the plan is effective .

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			The approach will also reduce housing diversity and choice and will mean students of higher education institutions unable to commit to a nominations agreement will not be able to access good quality PBSA forcing them into the lower quality Private Rented Buy-to-Let sector.	
31	Policy H17 A (4)		<p>Whilst it is recognised that there is a need for Affordable Student Accommodation it is not considered appropriate to require this where a nominations agreement is already in place. A nominations agreement will already require the operator to discount the rents of all units to which the agreement applies to levels which are considered affordable to the HEI's students.</p> <p>It has also not been adequately evidenced that 35% ASA would enable schemes with a nominations agreement to remain viable and deliverable. Viability evidence must take into account factors including reduced efficiency, due to a need for on-site communal facilities, and the prohibitively high CIL rates being applied by local authorities (for which ASA is not exempt).</p>	GLL considers that Policy H17 (4) should be amended to include <i>'where a nominations agreement for a majority of the bedrooms in a development is not in place at least....'</i> to ensure the plan can be justified based on proportionate financial evidence.
32		4.17.9	GLL recognises the need for ASA to be of a high quality. It is however considered that policy should allow flexibility for ASA to be provided within shared units to maximise the viable quantum of ASA that can be provided.	GLL considers that para 4.17.9 should be amended to replace <i>'equivalent to the non-affordable rooms in a development'</i> with <i>'of a high quality'</i> to ensure the plan is effective.
33		4.17.10	GLL supports the proposal to link ASA rents to the market by applying a nationally recognised index such as CPI. It is not however considered appropriate to allow borough's the option to link ASA to levels set out in the Mayor's ASA. This would result in detachment from the market, prohibiting institutional investment.	GLL considers that para 4.17.10 B should be amended to delete <i>'A review period, such as every three years, could be set by the borough to allow for recalibrating the affordable student accommodation to the level stated as affordable in the Mayor's Annual Monitoring Report'</i> to ensure the plan is effective.
34		4.17.13	GLL supports confirmation that PBSA should not be required to provide conventional Use Class C3 Affordable Housing. It is however considered that this should be made explicit within Policy H17.	GLL considers that Policy H17 should be amended to add sub section to Policy H17 which states <i>'PBSA should not be required to provide on-site provision of, or a contribution towards, conventional Use Class C3 affordable housing'</i> to ensure the plan is effective.
35	Policy H17 B		A requirement to focus PBSA delivery in locations which are well connected to local services is supported. It is however considered that a further requirement to ensure PBSA is located away from existing concentrations in Central London is contradictory. Providing PBSA within the finite number of Central London locations which have excellent connections will ultimately lead to a degree of concentration.	GLL considers that Policy H17 (B) should be amended to delete <i>'but away from existing concentrations in Central London'</i> to ensure the plan is effective.
36	Policy H18 A		Overall GLL supports the inclusion of a London Plan policy which recognises that purpose built shared living has a role in meeting unmet housing need. It is however considered that the policy, as presently drafted, only provides very weak support for purpose built shared living and should therefore be strengthened to ensure this type of housing is delivered.	GLL considers that Policy H18 should be amended to replace <i>'may have a role in meeting housing need in London'</i> with <i>'does have an important role in meeting housing need in London'</i> to ensure the plan is effective.
37	Policy H18 A		The requirement for these developments to contribute to a mixed and inclusive neighbourhood is open to misinterpretation and could be used to resist this type of development. As there are very few neighbourhoods which contain purpose built shared living already, its proposed development will almost certainly contribute to a more mixed and inclusive neighbourhood.	GLL considers that Policy H18 should be amended to delete <i>'the development contributes to a mixed and inclusive neighbourhood'</i> to ensure the plan is effective.
38	Policy H18 A1	4.18.2	Purpose built shared living can provide good quality, professionally managed housing which is affordable to the increasing number of households who are unable to afford to buy or rent good quality housing locally but are also unlikely to be eligible for council allocated housing. There are unlikely to be any locations in London where this type of housing would not meet an identified un-met housing need.	GLL considers that Policy H18 should be amended to delete Policy H18 A (1) and para 4.18.2 to ensure the plan is effective.
39	Policy H18 A6		The requirement to demonstrate that homes are not C3 Use Class is open to misinterpretation and could be used to resist this type of development. It is also unnecessary given the other requirements of this policy would result in a development which is, by virtue of its shared facilities, not C3 use class.	GLL considers that Policy H18 (6) should be amended to delete <i>'and demonstrably not C3 Use Class accommodation'</i> to ensure the plan is effective.
40		4.18.7	Whilst clarification that any contribution towards affordable housing should usually be provided as a payment in lieu of on-site delivery is welcomed, it is considered that there should be flexibility for on-site delivery if this is otherwise agreed between the applicant and the local authority.	GLL considers that Policy H18 (8) and para 4.18.7 should be amended to include <i>'unless otherwise agreed between the applicant and the local authority'</i> to ensure the plan is effective.

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41	Policy H18 A8 (B)		Flexibility for an upfront payment or an annual payment is welcomed. It is however considered that policy should not enable the payment to exceed the financial equivalent of 35% on-site affordable housing. An obligation resulting in a greater payment than policy would otherwise have required would fail the statutory legal tests for planning obligations as confirmed in National Policy and the 2010 CIL regulations.	GLL considers that Policy H18 (8B) should be amended from <i>'an in perpetuity annual payment to the local authority'</i> to <i>'an annual payment to the local authority for an agreed period of time'</i> to ensure the plan is consistent with national policy.
42	Policy H18 A8		Whilst GLL welcomes the inclusion of a fast track route, it has not been adequately evidenced that a contribution equivalent to 35% on-site delivery at 50% of market rent would enable this type of development to remain viable and deliverable.	None.
Chapter 3 'Economy'				
43	E3 'Affordable Workspace'		Part F of draft Policy E3 'Affordable Workspace' state that the affordable workspace elements of a mixed use scheme should be operational prior to residential elements being occupied. GLL considers that this is too inflexible and could frustrate housing delivery, particularly in multi phased mixed use schemes.	Amend the requirement for affordable workspace elements to be operational prior to residential elements being occupied so that it can be informed by scheme viability and phasing considerations that will differ between schemes.
Chapter 7 'Heritage and Culture'				
44	HC3 'Strategic and Local Views'		Part E of draft Policy HC3 makes reference to a review of the London View Management Framework (LVMF). GLL notes that draft policies D2 and D8 make reference to the use of digital technology and 3D models to support design analysis. It is important that such technology informs an LVMF review and draft Policy HC3 should make specific reference to their use in the review of the LVMF. GLL also considers that it should be formally acknowledged that any material produced to analyse proposals within the Wider Setting Consultation Area should accurately reflect the curvature of the earth phenomena that can have a significant effect on such an analysis.	GLL considers that draft Policy HC3 is not effective unless additional text is added to make specific reference to the use of digital technology and 3D models in the review of the LVMF. GLL also considers that additional text should be added to acknowledge the need for any analysis within the Wider Setting Consultation Area to accurately reflect the curvature of the earth.
Chapter 8 'Green Infrastructure and Natural Environment'				
45	G5 'Urban Greening'		Draft Policy G5 sets out a suggested approach for boroughs to develop an Urban Greening Factor (UGF). Whilst table 8.2 indicates starting points of a UGF of 0.4 for residential developments and 0.3 for commercial developments, such a policy is over prescriptive and does not take into account site specific circumstances. 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.	GLL considers that Part B of draft Policy G5 is not justified and should be deleted.
Chapter 9 'Sustainable Infrastructure'				
46	SI2 'Minimising greenhouse gas emissions'		The Mayor has set a target for all major developments to be zero-carbon and draft Policy SI2 confirms this aspiration. Part (C) of draft Policy SI2 sets out that in meeting the zero-carbon target, a minimum on-site reduction of at least 35% beyond Building Regulations is expected. GLL considers that it should make clear that residential development should aim to achieve 10% and non-residential development should aim to achieve 15% through energy efficient measures. GLL also considers that further flexibility should be included in the draft policy including clarification that where it can be demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided through cash in lieu contribution as part of any carbon offset or through off-site provision in the event that an alternative proposal is identified and delivery is certain.	Further clarification should be included in the draft Policy to consider alternatives where it can be demonstrated that the zero-carbon targets cannot be fully achieved on-site.
47	SI5 'Water Infrastructure'		This policy is unclear and therefore not effective. It states that development proposals should achieve at least BREEAM excellent. It is unclear whether this only relates to the BREEAM Water Category or all BREEAM Categories. GLL also questions whether the deliverability and cost implications of applying such policy been interrogated.	GLL considers that draft Policy SI5 is not justified and requests further clarity whether the deliverability and cost implications of applying such policy been interrogated and the practical implications of applying such a policy.
Chapter 10 'Transport'				
48	T2 'Healthy Streets' (C) and (D) (1)		Draft Policy T2, at parts (C) and (D)(1) state that: <i>"C.....Designs for new or enhanced streets must demonstrate how they deliver against the ten Healthy Streets Indicators."</i>	

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			<p><i>"D Development proposals should:</i></p> <p><i>1) demonstrate how they deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance...."</i></p> <p>GLL considers that this is very aspirational and lacks clarity and direction as to the priorities being sought by the Mayor. GLL notes that the ten Healthy Streets indicators will not be compatible with every street and development and clearly there will be competing interests (particularly on the major corridor routes). GLL is therefore concerned that this introduces further burdens, particularly if applicant's are require to comply with all ten Healthy Street indicators.</p>	
49	T5 'Cycling'	Table 10.2	<p>The proposed cycle parking standards impose a very significant space requirement on developments.</p> <p>We note that the evidence base could be more detailed. For example, it doesn't take into account how many 2+ bedroom households are occupied by single persons and nor does it take into account the number of dwellings in a development which might be empty (which at any time could be in the region of 5% to 10%). GLL considers that it would be more useful to understand the real demand for cycle parking based on actual take up rather than a blanket one space for each person approach.</p> <p>Whilst GLL generally support an aspiration to move towards an increase in cycle modal share, further clarity and evidence is required to understand the current take up rate of cycle parking within developments to support this particularly around residential cycle parking.</p> <p>GLL are generally concerned that cycle parking standards are becoming excessive and will place even more pressure on sites (constrained sites in particular). GLL believes that the effect of such standards will only lead to increased compromises at ground floor, basement and other podium levels such as retail, servicing/back of house; waste storage, plant, play space, open space etc).</p> <p>GLL considers that a far more flexible approach would be that lower levels are provided in the initial stages of development with more space provided in accordance with demand, to be monitored through a Travel Plan.</p>	
50	T5 'Cycling'	10.5.5	<p>Paragraph 10.5.5 states that <i>"Cycle Parking and cycle parking areas should allow easy access and provide facilities for disabled cyclists."</i></p> <p>GLL notes that there do not appear to be any TfL or Borough standards for disabled cycle parking / cycle parking areas. Without such standards, the policy is not effective.</p>	
51	T5 'Cycling'	10.5.9	<p>Paragraph 10.5.9 states that the provision of space for folding bicycles is not an acceptable alternative to conventional cycle parking.</p> <p>GLL considers that for employment and residential uses the proportion, of cyclists using folding bicycles is relatively high, particularly in central London. The provision of folding bicycle parking can make an important contribution towards the overarching parking provision in London.</p> <p>It is also considered that the use of cycle hire should be taken into consideration when meeting cycle parking standards because both folding bicycles and cycle hire form a proportion of the overall cycle mode share.</p> <p>GLL considers therefore that there should be more support for these type of cycle parking standards.</p>	
52	T5 'Cycling'	10.5.10	<p>Paragraph 10.5.10 states that <i>"Where standards are based on floorspace, these have been calculated on the basis of the level of demand and potential future growth in relation to Gross External Area (GEA). This calculation already takes into account that not all of the area covered by GEA will generate cycling trips."</i></p>	

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			It is crucial that this specifically states the type of areas that are <u>not</u> considered to generate cycling trips, for example, and not limited to, cycle stores, servicing and car parking areas, vehicle circulation place, plant rooms, service corridors, etc. GLL considers this important because the quantum of floorspace taken up by these type of uses will vary from scheme to scheme.	
53	T6 (B) 'Car Parking'		<p>Draft Policy T6 (B) states that car free development should be the starting point for all development proposals in places that are (or planned to be) well connected by public transport with developments elsewhere designed to provide the minimum necessary parking.</p> <p>GLL also notes that draft Policy T6.1 (G) (1) requires that residential development proposals delivering ten or more units must as a minimum ensure that at least one designated disabled persons parking bay per dwelling for 3% of dwellings is available from the outset.</p> <p>Such policies are contradictory on the basis that applying draft Policy T6.1 (G) (1) to residential developments would mean that the starting point cannot be car free.</p>	<p>GLL considers that draft policy T6 (B) is not effective and should be amended to state:</p> <p><i>"B. Unless car parking is provided in accordance with Policy T6.1 (G) (1) and (2) and Policy T6.5, car-free development should be the starting point for all development proposals....."</i></p>
54	T6.1 (B) 'Residential Parking'		GLL considers that draft Policy T6.1 (B) is confusing and requires further clarity. Specifically, further clarity should be provided on the intention of the policy in the absence of any clear evidence base. Further clarity should also be provided on the meaning of "leased" e.g. does it relate to traditional leasehold flats or is the intention that it relate to shorter term renting.	
55	T6.1 (G) (1) 'Residential Parking'		GLL is supportive of disabled car parking within developments and supports the proposed standard set out in draft Policy T6.1. GLL considers that further clarity should however be provided for car-free developments (see commentary against draft policy TG (B) above).	
56	T6.1 (G) (2) 'Residential Parking'		Generally, the take up of disabled car parking within residential developments is in line with the revised requirement set out in Policy T6.1 G(1). GLL therefore questions the need for a strategy as to how the remaining spaces which would make up one space per dwelling for 10% of the dwellings could be provided and consider that this should be considered on a case by case basis as opposed to a generic policy requirement. The effect could be that larger scale developments safeguard areas within the scheme to accommodate potential future demand (7%) for disabled car parking spaces when they may never be required.	GLL considers that draft policy T6.1 (G) (2) that comprises a requirement to demonstrate how the remaining bays to a total of one per dwelling for ten percent of dwellings can be requested and provided be deleted because it is not effective or justified.
57	T6.1 'Residential Parking'		GLL considers that draft Policy T6.1 should allow for some operational car parking provision to account for maintenance (e.g. white goods repairs etc).	<p>GLL propose that the following is added to draft Policy T6.1:</p> <p><i>"J. Operational car parking requirements should be considered on a case-by-case basis. All operational parking must provide infrastructure for electric or other Ultra-Low Emission vehicles, including active charging points".</i></p>
58	T6.1 'Residential Parking'	10.6.10	<p>Paragraph 10.6.10 includes the statement:</p> <p><i>"At no time should any space marked on plan for future disabled persons parking be used for general parking."</i></p> <p>Delaney considers this to be a particularly unnecessary restriction. GLL question that if the provision of the space is permitted within the maximum standards (as per paragraph 10.6.3 and Table 10.3) then why its use as general parking in the interim period should be prohibited? GLL considers that paragraph 10.6.3 and 10.6.10 are contradictory.</p>	<p>GLL considers that the sentence 10.6.10 should remove the wording "At no time should any space marked on plan for future disabled persons parking be used for general parking" because it is not necessary and contradicts other elements of the plan (paragraph 10.6.3).</p> <p>Should this sentence not be removed, then alternative wording should be inserted to reflect paragraph 10.6.3.</p>
59	T6.5 (A) 'Non-residential disabled persons parking'		GLL suggests an amendment to the draft policy wording given complexities around certain sites of meeting this policy requirement	<p>GLL proposes the following amendment to draft Policy T6.5:</p> <p><i>"A All non-residential elements of a development should seek to provide at least on on or off-street disabled persons parking bay"</i></p>
60	T7 'Freight and Servicing'		GLL is concerned that draft Policy T7 makes no allowance for smaller supply chain partners or those who cannot be controlled by the Applicant / Owner of the development. For example, residents can book an Amazon delivery but cannot dictate the timing of a delivery. Consequently, flexibility is needed to enable such deliveries to take place where a development cannot provide any consolidation facilities. Similarly, smaller supply chain partners may not have the	GLL is not effective and considers that amended wording is required to introduce further flexibility to supply chain partners

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			ability to deliver during the evening, etc. Again, flexibility is needed to maintain the ability for small supply chain businesses to function.	
61	T7 (G) 'Freight and Servicing'		GLL note that there is an aspiration for more deliveries to be made overnight / outside of peak hours. However, it is unclear how this would work in practice and what the implications would be, particularly around residential development, where it is extremely difficult to restrict the timing of many deliveries (e.g. a resident can order from Amazon but cannot dictate the timing of a deliver). Consideration also needs to be given to the implications of such deliveries e.g. noise.	
62	T3 'Transport capacity, connectivity and safeguarding'	Table 10.1 - General	Whilst GLL does not object in principle to draft Policy T3 and Table 10.1 the Mayor should clarify whether any consultation has been undertaken by the London Borough's to understand the extent to which they are able to take on the responsibility for delivering some of the indicative list of transport schemes or is it intended that they are restricted only to Transport for London Road Network (the TLRN or London's 'red routes').	
63	T3 'Transport capacity, connectivity and safeguarding'	Table 10.1 – Public Transport	GLL requests further clarity around the bus transit pilots in Opportunity Areas and further information on what this means.	